

This is an office consolidation of By-law 225-04 and amendments thereto, For accurate reference you should consult the original by-law that is Retained by the Clerk

BY LAW NUMBER 225-04

As amended by By-law 121-13, 76-14 81-14, 160-17, 53-24 and 65-25

- of -

THE CORPORATION OF THE COUNTY OF BRANT

Parks Use By-Law

To regulate, protect, and govern the use of public parks.

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 (Municipal Act, 2001) provides that Sections 8 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

AND WHEREAS Section 10 of the Municipal Act, 2001 provides that a single-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein;

AND WHEREAS Subsection 10(2) 6. of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting the health, safety and well-being of persons;

AND WHEREAS Subsection 10(2) 8. of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting the protections of persons or property;

AND WHEREAS subsection 391(1) of the Municipal Act provides that a municipality may impose fees and charges on persons:

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control.

AND WHEREAS pursuant to Sections 444 and 445 of the Municipal Act, 2001, where a contravention of this By-Law has occurred, the County may make an order requiring the person who contravened or permitted the contravention of the by-law to discontinue the contravening activity, to do work to correct the contravention.

AND WHEREAS, Pursuant to section 446 of the Municipal Act, 2001, where the County has the authority under this By-law or under any Act to direct or require a Person to do a matter or thing, in default of it being done by the Person directed or required to do it, the County may enter upon land at any reasonable time, to perform the work at the Person's expense and may recover the costs from the Person directed or required to do it, by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

AND WHEREAS it is desirable to regulate, protect and govern the use of parks in the County of Brant;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT ENACTS as follows:

DEFINITIONS

1. In this By-law:

“authorized” is an event or state of usage for which prior approval was granted through one or more of the following:

- a) a Permit;
- b) an authorized encroachment under an encroachment agreement or lease;
- c) a facility rental agreement;
- d) a parks agreement;
- e) a Dog park membership.

“authorized sign” means any sign, notice, or other device placed or erected in or upon a park, under the authority of the *municipality*;

“bicycle” includes a tricycle and unicycle but does not include a motor assisted *bicycle*;

“Business” shall mean a trade, occupation, profession, service or venture carried on with a view to profit;

“Commercial Outfitter” shall mean a *Business* that provides *Watercraft* or *Watercraft* related services and includes employees, agents and representatives, but does not include a *Driftboat Operator*;

“Commercial River Access Permit” shall mean a permit authorizing the use of a *Commercial River Access Point*;

“Commercial River Access Point” shall mean the areas described in Schedule B;

“control” includes care and custody;

“Council” means the Council of The Corporation of the County of Brant;

“designated area” means an area defined or constructed or improved for a specific use which may include posted conditions;

“Director” means the director of Community Services or their designate;

“Dog park” means a designated off-leash area for dogs pursuant to Schedule A of this By-law where use is authorized through a *Dog Park membership*;

“Driftboat” shall mean a non-motorized flat bottomed boat constructed of a hard material such as but not limited to, wood, aluminum or fiberglass designed for the purpose of fishing from a standing or sitting position and for greater certainty does not include a canoe, a kayak, dinghies, or motorboats;

“Driftboat Operator” shall mean shall mean a *Business* that provides *Driftboats*, or *Driftboat* related services and includes employees, agents and representatives;

“Drone” means a navigable aircraft, other than a balloon, rocket or kite that is operated by a pilot who is not board, defined as a “remotely piloted aircraft” in the Canadian Aviation Regulations, as amended;

“Interfere” means to alter, block, close, damage, hinder, obstruct or occupy;

“Mobility Assisted Device” means a device that is designed for use, and used by, a person whose mobility is limited by one or more conditions or functional impairments. The term includes a motorized wheelchair;

“motor vehicle” means a *motor vehicle* within the meaning of the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as may be amended from time to time;

“motorized recreational vehicle” means a snowmobile, go-cart, trail bike, mini bike, all-terrain vehicle (ATV), recreational off highway vehicle (ROV), Utility Terrain Vehicle (UTV), off road motorcycle (ORM), extreme terrain vehicle (XTV) or similar *vehicle*, which is propelled or driven by an internal combustion engine, but does not include a Mobility Assisted Device;

“municipality” means The Corporation of the County of Brant;

“Non-Commercial River Access Permit” shall mean a permit authorizing the use of a *Non-Commercial River Access Point*.

“Non-Commercial River Access Point” shall mean the areas described in Schedule C.

“organized sport or activity” means a sport, game or activity pre-planned by a group or organization whether or not formally constituted and whether or not the players or members wear uniforms;

“park” means land, forest, natural area, trails and land covered by water and all portions thereof owned or made available by lease, agreement, or otherwise to the *municipality*, that is or hereafter may be established, dedicated, set apart or made available for use as public open space, and including any and all buildings, structures, facilities and improvements located in or on such land, includes but is not limited to the lands listed in Schedule A to this By-law.

“parking area” means a part of a *park* that is designated and intended to *park motor vehicles*;

“permit” means any written authorization of *Council*, a committee established by *Council* or the *Director* where such power has been delegated and the payment of any applicable fees (ie. permit, agreement, membership, or other);

“Person” means an individual, association, firm, partnership, corporation, trust, organization, trustee, or agent, and the heirs, executors, or legal representatives of a person to whom the

context can apply according to law.

“post” or **“posted”** refers to the erection or presence of permissive, regulatory, restrictive, warning or prohibitive signs and **“posted area”** means an area where such signs are erected;

“service animal” includes a guide dog and other trained *service animal* identifiable by a harness and used principally to assist persons with a visual, hearing or other impediment;

“Special Event River Access Permit” shall mean a permit authorizing the use of a *Special Event River Access Point*.

“Special Event River Access Point” shall mean the areas described in Schedule D.

“vehicle” includes a *motor vehicle* as defined under the *Highway Traffic Act*,

R.S.O. 1990, c.H.8, as may be amended from time to time, and any *bicycle*, carriage, wagon, sleigh or other *vehicle* or conveyance of every description, whatever the mode of power, and includes in-line roller skates and skateboards, but excludes a wheelchair or similar device (powered or otherwise) used by an individual due to a disability, baby carriage or cart, child’s wagon, child’s stroller, child’s sleigh or other conveyance of like nature;

“watercraft” means any device for conveyance in or on water and includes but is not limited to boats, row boats, sailboards, canoes, kayaks, or dinghies.

SCOPE

2. This By-law shall apply to all *parks* in the *municipality*.

PART I - CONDUCT

Restricted Areas

3. While in a *park*, no person shall enter into an area in a *park* where it is *posted* to prohibit or restrict admission to the public.

Conduct

4. While in a *park* no person shall:

- (1) Indulge in any riotous, boisterous, violent, threatening, or illegal conduct or use profane or abusive language;
- (2) Cast, throw, or in any way propel any object in such a manner as may or does endanger or cause injury or damage to any person or property;
- (3) Create a nuisance by loitering, spying, accosting, frightening, annoying or otherwise disturbing other persons; or
- (4) Create a nuisance or in any way interfere with the use and enjoyment of the *park* by other persons.
- (5) Disobey instructions provided on a sign in a Park;

- (6) Interfere with any Park Property;
- (7) Deposit, or permit the depositing of, snow in or onto a Park;
- (8) Allow a domestic animal to Interfere with Wildlife in a Park;
- (9) Allow a domestic animal to Interfere with Vegetation in a Park.

Firearms or Offensive Weapons

5. While in a *park* no person, shall be in possession of or use any firearm, torpedo, rocket of any type, air gun, bow and arrow, axe or offensive weapon of any kind unless authorized by *permit*.

Fireworks

6. While in a *park*, no person shall ignite, discharge or set off any fireworks except at a fireworks display authorized by *permit* and in compliance with the County of Brant Fireworks By-law.

Injury and Damage

7. No person shall in any *park*:
 - (1) Climb any building, structure or equipment, unless it is equipment designed for climbing;
 - (2) Destroy, or cut, mark, break, dig, pull up or burn or in any way damage, injure, remove or deface;
 - (a) Any tree, flower, flower bed, bush, shrub, plant, sod, grass or other vegetation, soil, sand, gravel or wood;
 - (b) Any monument, fountain, bridge, wall, seat, bench, structure or article of *park* equipment or any appurtenance thereof;
 - (3) In any manner disturb ground which is under repair, prepared for planting, has been newly seeded or sodded or is in a *posted* area to that effect; or
 - (4) Drive, *park* or walk in an area *posted* to prohibit same.

Waste and Pollution

8. No person shall in any *park*:
 - (1) Dispose or dump garbage, litter, tree trimmings, garden refuse, or like refuse, except that which is generated through the normal use of the *park* and shall only deposit same in receptacles provided for such purpose;
 - (2) Unless authorized by *permit*, dump or deposit snow, fill, soil, building or construction materials;
 - (3) Dump or drain onto any soils or into any waters of any pool, pond, lake, stream, fountain or watercourse of any kind any material, toxic or otherwise, which may have the effect of polluting same.

Protection of Wildlife

9. While in a *park* no person shall:

- (1) Kill, attempt to kill, trap, hunt, pursue or in any manner disturb any animal, bird, waterfowl, worms or other wildlife;
- (2) Feed any waterfowl except in a *designated area*;
- (3) Fish in areas posted as prohibited.

Encroachment

10. Unless authorized by *permit* or otherwise, no person shall encroach upon or take possession of any *park* by any means whatsoever, including the construction, installation or maintenance of any fence or structure, the dumping or storage of any materials or plantings, or planting, cultivating, grooming or landscaping thereon.

Alcohol

11. While in a *park*, no person shall consume, serve or sell alcoholic beverages unless authorized by a *permit* issued by the *municipality* and with the approval of the Liquor License Board of Ontario.

PART II- PARK USE

Campfires and Barbecues

12. While in a *park*, no person shall:

- (1) Light, build or stoke a fire or bonfire unless authorized by *permit* and in accordance with the County of Brant by-law regulating open burning;
- (2) Leave a fire unattended or leave the site of the fire before the fire is completely extinguished.
- (3) Unless authorized by *permit*, use of personal barbecue is prohibited.

Organized Gatherings and Picnics

13.

- (1) While in a *park*, no person shall:
 - (a) Interfere with a picnic, organized gathering or event authorized by *permit*.

Amplifiers and Loud Speakers

14.

- (1) Unless authorized by *permit*, and subject to the County of Brant Noise By-law, no person or group, shall operate loud speakers or sound amplifying equipment while in a *park*;
- (2) While in a *park* no person shall operate, or use, any radio, tape player, compact disc player, car radio, music producing instrument or any other sound reproducing system in a

manner which, disturbs or interferes with other persons in or near the *park*.

Camping and Lodging]

15. Unless authorized by *permit*, no person shall dwell, camp, or lodge in a *park*.

Tents and Structures

16. Unless authorized by *permit*, no person shall place, install or erect any temporary or permanent tent or structure in any *park*.

Bathing, Swimming and Sun Bathing

17. No person shall in any *park*:

- (1) Enter any public swimming pool, except at times designated for swimming;
- (2) In or adjacent to any swimming pool, fail to abide by *posted* signs or to obey the instructions of any lifeguard or other authorized person;
- (3) Swim, bathe or wade in any fountain, pond, lake or stream, where posted as prohibited;
- (4) Other than an approved personal flotation device, take any inflatable device, swimming assist, snorkel or other underwater breathing device into the water in a *park*; or
- (5) Utilize facilities without being properly attired including appropriate swimwear.

PART III - GAMES, SPORTS, AND ORGANIZED ACTIVITIES

Organized Sports or Activities

18.

- (1) While in a *park*, no person shall:
 - (a) Arrange or engage in an *organized sport or activity*, except in a *designated area*; or
 - (b) Interfere with an *organized sport or activity* occurring within a *designated area*, that has been authorized by permit.
- (2) In addition to the prohibitions set out in subsection (1), while in any *park* no person shall utilize a *designated area* without a *permit* where same is *posted* to prohibit or restrict such use, without a permit.

Golfing and Archery

19. While in a *park*, no person shall play or practice golf or archery except in a *designated area* and with a permit.

Model Aircraft, Drones and Rockets

20. While in a *park*, no person shall operate any powered models of aircraft, rockets, *drones*, watercraft, or vehicles unless authorized by *permit*.

Skiing, Tobogganing and Sledding

21. No person shall ski, toboggan, snowboard, skibob, or sled in any area in any *park posted* to prohibit the same.

Roller Skates and Skateboards

22. While in a *park*, no person shall:

- (1) Operate or utilize roller skates, in-line roller skates, skateboards or like conveyances where *posted* to prohibit or otherwise restrict the use of the same;
- (2) Obstruct, inconvenience, or endanger other users of the *park* while operating or utilizing roller skates, in-line roller skates, or like conveyances; or

Tennis

23. No person shall enter, walk, or play upon a *designated area* for tennis in any *park* except in accordance with the *posted* rules and regulations.

PART IV - VEHICLES

Roadways

24.

- (1) The *Council*, or where such authority has been delegated the *Director* or a Committee established by *Council*, is authorized to establish appropriate rules to regulate the use of *park* roadways.
- (2) Unless authorized by *permit*, and except as provided in respect to section 27 with respect to *bicycles*, no person shall while in a *park* drive, operate, pull, or ride any *vehicle* except on a roadway or *parking area*.

Parking

25. No person shall in any *park*:

- (1) Park or leave a *vehicle* except in a *designated area* for parking;
- (2) Park or leave a *vehicle* between the hours of 11:01 p.m. and 6:59 a.m., except in a *designated area* allowing for such overnight parking, or where authorized by *permit*;
- (3) Stop or park a *vehicle* in a *designated area* for parking, except in a parking space and in accordance with *posted* conditions;
- (4) Stop or park a *vehicle* in a designated disabled parking space, unless a disabled person parking *permit* issued in accordance with the provisions of the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as may be amended from time to time, is properly displayed on or in the *vehicle*;
- (5) Use any parking space except while using the *park*, adjacent municipal facilities, trail systems, the river, or other County supported recreational uses.

- (6) Park in a designated fire route

Other Activities

26. No person shall make use of any roadway or *designated area* for parking in any *park* for:

- (1) Washing, cleaning, servicing, maintaining or, except in the event of an emergency, the repair of any *vehicle*;
- (2) Playing of any games and/or sports.

Bicycles

27. While in any *park*, no person shall:

- (1) Ride, operate or be in possession of any *bicycle* where *posted* to prohibit same; or
- (2) Obstruct, inconvenience or endanger other users of the *park* while riding or operating a *bicycle*.

Motorized Recreational Vehicles

28. No person shall ride, drive, park or be in the possession or *control* of a *motorized recreational vehicle* in any *park* except in a *designated area*.

Trucks and Commercial *Motor vehicles*

29. Unless authorized by *permit*, no person shall drive, operate, pull, or ride in any *park*:

- (1) Any heavy machinery or equipment of any description and whatever the mode of power; or
- (2) Any truck, trailer or bus whatsoever except a *vehicle* that is being used for the purpose of making a delivery to a point within the limits of the *park* while it is proceeding to or from such point of delivery.

Speed

30. Unless authorized by *permit*, while in a *park* no person shall operate:

- (1) Any *vehicle* on a roadway at a speed in excess of the *posted* limit;

PART V – ANIMALS AND DOG PARKS

Animals and Dog Parks

31. (1) Unless authorized by *permit* no person shall bring any animal into a *park*, including a horse or pony, except a domesticated animal, which includes but is not limited to a dog or a cat, provided they are kept in accordance with the County of Brant Animal Control By-law, they are not permitted in any *posted* prohibited area, permitted to disturb any wildlife or damage any *park* resources or sports field.

- (2) Unless *authorized* by a *dog park membership*, no person shall bring a dog or any other animal in a *dog park*.

32. No person as owner or person having *control* of a dog or cat or other domesticated animal shall bring in or *permit* such dog, or cat or other domesticated animal to enter any *park* if he/she may or does constitute a danger to other *park* users or is reasonably likely to frighten other *park* users and the owner and/or the person having *control* of the dog, or cat or other domesticated animal has previously been advised by a police officer, provincial offences officer, municipal law enforcement officer or employee of the *municipality* designated by the *Director* to administer this By-law, not to bring the dog, or cat or other domesticated animal into a *park* or has been convicted of an offence related to the conduct of the dog, or cat or other domesticated animal under the *Dog Owners' Liability Act*, R.S.O. 1990, c.D.16 or this By-law or any other municipal by-law.

PART VI – WATERCRAFT

Boating

33. No person shall place, moor, operate, drive or ride any *watercraft* in any *park* in any posted area so as to prohibit or restrict the type and allowable uses of *watercraft*.

- (1) No *Person* shall place or convey or permit the placement or conveyance of any motorized *Watercraft* within the boundaries of a *Commercial River Access Point* or a *Non- Commercial River Access Point* or a *Special Event River Access Point*.
- (2) No *Person* shall place or convey *Watercraft* or permit the placement or conveyance of *Watercraft* anywhere within the boundaries of a *Special Event River Access Point*, without a *Special Event River Access Permit*.
- (3) No *Commercial Outfitter* shall place or convey *Watercraft* or permit the placement or conveyance of *Watercraft* anywhere within the boundaries of a *Non-Commercial River Access Point*.
- (4) No *Commercial Outfitter* shall place or convey, or permit the placement or conveyance of *Watercraft* anywhere within the boundaries of a *Commercial River Access Point* without a *Commercial River Access Permit*.

33.4.1 Despite the foregoing, a *Commercial River Access Permit* is not required where the number of individuals receiving service from the *Commercial Outfitter* within the *Commercial River Access Point* does not exceed four (4) within a thirty (30) minute period of time.

- (5) No *Commercial Outfitter* shall use or permit the use of a *Commercial River Access Point* contrary to the conditions of a *Commercial River Access Permit*.
- (6) No *Driftboat Operator* shall place or convey *Watercraft* or permit the placement or conveyance of *Watercraft* anywhere within the boundaries of a *Commercial River Access Point*.
- (7) No *Driftboat Operator* shall place or convey, or permit the placement or conveyance of *Watercraft* anywhere within the boundaries of a *Non- Commercial River Access Point* without a *Non-Commercial River Access Permit*.

- (8) No *Driftboat Operator* shall use, or permit the use of a *Non-Commercial River Access Point* contrary to the conditions of a *Non-Commercial River Access Permit*.
- (9) No *Person* shall fail to produce a *Commercial River Access Permit*, or a *Non-Commercial River Access Permit* or a *Special Event River Access Permit* upon the request of any Police Officer, Municipal Law Enforcement Officer, or employee designated by the General Manager of Community Services to administer this By-law.
- (10) Council hereby delegates authority to grant exceptions to the provisions of sections 33.1 to 33.9 of this by-law and authorize the issuance of permits in accordance with the approved exception, to the Ad Hoc Committee to Review River Access Issues.

PART VII - COMMERCIAL ENTERPRISES

Merchandise, Trade or Business

34.

- (1) Unless authorized by *permit*, no person shall, while in a *park*, sell or offer or display for sale:
 - (a) Any food, drink or refreshment;
 - (b) Any goods, wares, merchandise or articles including promotional material, souvenirs and novelties;
 - (c) Any flowers, fruits or vegetables; or
 - (d) Any art, skill, service or work.
- (2) Unless authorized by *permit*, no person shall, while in a *park*, practice, carry on, conduct or solicit for any trade, occupation, business, profession or charity.

Filming, Photography and Videotaping

35. While in a *park*, no person shall take or *permit* to be taken for remuneration any film, photograph, video tape or television broadcast except;

- (1) As Authorized by *permit*; or
- (2) Wedding photography

Circulars and Advertisements

36.

- (1) Unless authorized by *permit* or by-law, no person shall:
 - (a) While in any *park* distribute, discard, or display any handbill, notice, or other circular, bill or advertisement; or
 - (b) *Post*, nail, attach, stencil or otherwise fasten or erect any poster, sign, notice,

placard or other circular, bill, advertisement or paper to any *park* property.

PART VIII - HOURS

37. All *parks* shall close at eleven o'clock (p.m.) in the evening, local time, and shall remain closed until seven o'clock (a.m.) in the forenoon, local time the following morning, unless otherwise posted.
38. No person shall be or remain in a *park* after the closing hour or before the opening hour unless authorized by the *Director*.
39. No *organized sport or activity* shall commence before eight o'clock (a.m.) in the forenoon, local time on Saturdays, Sundays and statutory holidays.

PART IX - REGULATION AND ENFORCEMENT

Permits and Licenses (and Memberships)

40.
 - (1) *Permits* issued for activities contemplated in this By-law may be subject to such fees as *Council* shall from time to time establish by By-law.
 - (2) *Permits* issued for activities contemplated in this By-law may include conditions as to time, location, area, equipment, and number of participants, type of activities, release, indemnity and insurance coverage.
 - (3) *Permit* holders requiring additional services that are above the regular services provided in *parks* may be subject to additional fees for such services, as *Council* shall from time to time establish by By-law.
 - (4) The issuance of a *permit* pursuant to the By-law shall not relieve any person from the necessity of acquiring any other license or *permit* required for such activity by any governmental or public authority.
 - (5) *Permit* holders requiring assistance in obtaining regulatory approvals may be subject to such fees, as *Council* shall from time to time establish by By-law.
 - (6) The authority to issue *permits* referred to in the By-law may be delegated to the *Director* or his or her designate.
 - (7) No *person* through their actions or through the actions of others under the care and control of that *person* shall fail to comply with the terms or conditions of a permit pursuant to this By-law.
 - (8) No *person* through their own actions or through the actions of others under the care and control of that *person*, shall fail to comply with the terms or conditions of a permit or *membership* issued pursuant to this By-Law.
 - (9) Failure to comply with a term or conditions of a *permit* or *dog park membership* may

result in the suspension or revocation of the *permit* or *dog park membership* as determined by the *Director*.

Posting of Signage

41. The *Director* is authorized to *post* signage of permission, regulation, restriction, warning or prohibition with respect to uses of or activities in any *park* in accordance with the provisions hereof.

Temporary Closure

42. The *Director* is authorized to close off for such temporary period as the *Director* deems appropriate any *park* or part or parts thereof to relieve or prevent overcrowding or traffic congestion, or in the interests of public safety, or as may be authorized by *Council*.

Exclusions and Exemptions

43. This By-law shall not apply to:

- (1) The drivers, operators or other personnel of ambulances, police or fire department *vehicles*; or
- (2) Employees or agents of the *municipality* while engaged in works or services undertaken for or on behalf of the *municipality*.

43.1 Relief from certain provisions of this By-law may be granted for a film project carried on in accordance with an approved and valid Film Permit or Film Location Agreement issued under the County of Brant Film Policy.

Enforcement

44.

- (1) Any police officer, municipal law enforcement officer or employee of the *municipality* designated by the *Director* to administer this By-law is authorized to inform any person of the provisions of this By-law and to request compliance therewith.
- (2) Any police officer, or municipal law enforcement officer or employee of the *municipality* designated by the *Director* to administer this By-law is authorized to order any person believed by such officer or employee to be contravening or who has contravened any provision of this By-law:
 - (a) To desist from the activity constituting or contributing to such contravention;
 - (b) To remove from the *park* any animal or thing owned by or in the *control* of such person which the officer or employee believes is or was involved in such contravention; or
 - (c) To leave the *park*
- (3) Any police officer, or municipal law enforcement officer may enforce the provisions of this By-law.

- (4) Where any person or any person in a group to which a *permit* and/or license has been issued, contravenes any provisions of this By-law or fails to comply with an order referred to in subsection (2) hereof, the *permit* and/or license of such person or group to remain in that *park* is revoked.
- (5) No *Person* shall hinder or obstruct or attempt to hinder or obstruct any Police Officer, Municipal Law Enforcement Officer, or employee designated by the General Manager of Community Services to administer this By-law, who is exercising a power or performing a duty under this By-Law, including by refusing to identify themselves when requested to do so by a Municipal Law Enforcement Officer.

Penalties

45.

- (1) Every Person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon conviction to a fine, and such other penalties, as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, and the Municipal Act, 2001.
- (2) A person convicted under this By-Law is liable to a maximum fine of \$10,000.00 upon a first conviction and a maximum fine of \$25,000.00 for any subsequent conviction.
- (3) Despite subsection 45(2) of this By-Law where the person convicted is a corporation, the corporation is liable to a maximum fine of \$50,000.00 upon a first conviction and a maximum fine of \$100,000.00 for any subsequent conviction.
- (4) Each offence is designated as a continuing offence and is subject to, for each day or part of a day that the offence continues a maximum of no more than \$10,000. The total daily fines imposed for each offence may exceed \$100,000.

Severability

46. If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced *Council* to pass the remainder of the By-law, it shall be severed and it is hereby declared that the remainder of the By-law shall be valid and shall remain in full force and effect.

Short Title

47. This By-law shall be referred to as the "Parks Use By-law".

Repeal and Transition

48.

- (1) By-law 284-03 and 285-03 of the Corporation of the County of Brant, as amended shall be repealed upon this By-law coming into force and effect.
- (2) Notwithstanding subsection (1), all *permits* heretofore issued prior to this by-law coming into effect, shall, during the period for which the same have been issued remain in full force and effect unless for some other reason they are terminated, suspended, forfeited or revoked, and the provisions of this By-law shall apply to all such *permits*.

PART X

Effective Date

49. This By-law shall come into force and effect on the date it is enacted by *Council*.

READ a first and second time, this 18th day of June, 2024.

READ a third time and finally passed in Council, this 25th day of June, 2024.

THE CORPORATION OF THE COUNTY OF BRANT

Mayor

Clerk

SCHEDULE A

<u>Paris Service Area Parks</u>	<u>Brant West Service Area Parks</u>
Axton Park	Burford Community Centre Grounds
Barker's Bush	Broadview Park (Maple Gardens)
Bean Park	John Street Park (Wilson Survey)
Bemrose Park	Janice Hunt Memorial Park (Clarke Survey)
Brant Sport Complex	King Street Parkette
Charlton Park	Lion's Centennial Park
Cobblestone Common	New Durham Ball Park
Dawdy Park	Park Ave Soccer Fields
Forest Drive Park	Scotland Retention Area & Walkway (52 Augustus St.)
Gilston Park	Scotland Community Centre & Scotland Optimist Park
Grandville Park	Harley Museum
Green Lane Sports Complex	
Jay Wells Park	
Jury St. Park	
Juliet Wolverton Park	
King's Ward Park	
Lion's Park	
Mile Hill Meadows	
Optimist Park	
Paris Cenotaph	
Penman's Dam Park	
Rest Acres Ridge Park	
Simply Grand Dog Park (Off leash)	
Summit Park	
Two Rivers Stadium Park (Syl Apps)	
Victoria Park	
Watts Pond Trail	
Watts Pond Greenway	
Willow St. Park	
Woodslee Linear Park	
241 Pottruff Rd	
92 Summerwind Drive	
7 Becker St.	

<u>South Dumfries Service Area Parks</u>	<u>Brantford Township, Oakland, Onondaga Service Area Parks</u>
Arena Park	Brant Onondaga Park
Memorial Park	Foxhill Heights Park
Centennial Park	Mount Pleasant Park
Elliot Field	Mount Pleasant Nature Park
	Oakhill Heights Park
Harrisburg Ball Park	Oakland Community Centre Park
Harrisburg Church Park	Onondaga Park
Jacob's Woods Park	Poplar Hills Park
King William Park	Onondaga Community Hall
Pine Grove Howell Community Center	
Rising Park	
Snowball Park	
Sunny Hill Park	
Wray and Marilyn Cline Park	
Glen Morris Community Centre	
380 East River Road	

TRAILS AND NATURAL AREAS

1. S.C. Johnson Trail (GRCA) – Between Powerline Road and Curtis Avenue South and between Curtis Avenue North and Portland Street including William Street link; and between Portland Street and Willow Street (page 6 County owned, page 5 and 7 owned by GRCA and maintained by County) all as illustrated in Schedules A1.
2. Paris to Cambridge near Glen Morris as illustrated in Schedule A2.
3. TH & B Rail Trail – Between Jenkins Rd (Between Highway and King Street South) and ending near Shellard Lane upon entering City of Brantford, as illustrated in Schedule A3.
4. LE & N Rail Trail – Between Jenkins Rd (Between King Street South and Brant Mill Road) and the City of Brantford Boundary near Wilmot Road and Mount Pleasant Road as illustrated in Schedule A4.
5. Burford Lion's Way – Between Lions Centennial Park and 28 Maple Avenue North as illustrated in Schedule A5.
6. Penmans Pass and Brooks Mill Link as illustrated in Schedule A6.
7. Nith Trail as illustrated in Schedule A7.
8. Green Lane Park, 8 Green Lane, as illustrated in Schedule A8.
9. Mt. Pleasant Nature Park, 755 Mt. Pleasant Road, as illustrated in Schedule A9.
10. Mason Tract, 535 Highway 54, as illustrated in Schedule A10.
11. Oakland Tract, beside 35 King St. North, as illustrated in Schedule A10.
12. Oakhill Tract, 341 Oakhill Dr, as illustrated in Schedule A10.
13. McEwan Tract, Range 1 WMP Part Lot 1, as illustrated in Schedule A10.
14. Williams Tract W, Concession 3, Part Lot 57, Part Lot 58, as illustrated in Schedule A10.
15. Williams Tract E, Concession 3, Part Lot 58, as illustrated in Schedule A10.
16. Blue Lake Tract S, 195 Clarke Rd., as illustrated in Schedule A10.
17. Blue Lake Tract N, 501 Blue Lake Rd., as illustrated in Schedule A10.
18. McLean Tract, 405 Brant Rd., as illustrated in Schedule A10.

SCHEDULE B - COMMERCIAL RIVER ACCESS POINTS

1. Eric Tomlinson River Access

Part of Main Street, Plan 83, designated as Part 4, 2R-84 as closed by By-law registered as A142714, County of Brant known municipally as 26 Forbes Street;

And Part of River Street, Plan 83, County of Brant;

And Part of Washington Street, Plan 83 and Lot 14 and Part of Lot 15, North side of Washington Street, Plan 83 designated as Part 1, 2R-84, County of Brant;

And Part of Forbes Street, Plan 83, County of Brant, all as illustrated on the attached Schedule B1.

2. Penman's Dam

Lots 17 and 18, West side of Elm Street;

And Part of Elm Street, North of William Street, shown on Plan 492;

And Lots 69 to 72, inclusive, West side of Mill Race and East side of Elm Street; Part of Lane, Plan 492, North side of William Street;

Part of Mill Race, all former Town of Paris, County of Brant as illustrated on the attached Schedule B2.

SCHEDULE C – NON-COMMERCIAL RIVER ACCESS POINT

1. Bean Park

Block 49, Plan 492, County of Brant known municipally as 4 Spencer Street;

And Part of Spencer Street, Plan 70, County of Brant, all as illustrated on the attached Schedule C1.

SCHEDULE D – SPECIAL EVENT RIVER ACCESS POINT

1. Lions Park

Part of Lot 2, Block 32, Plan 492, County of Brant; And Lot 3, Block 36, Plan 492, County of Brant;
And William Street lying west of the Nith River, Plan 492, County of Brant, known municipally as 36, 60, 70 and 80 Laurel Street, Paris and as illustrated on the attached Schedule D1.