

PARKS & RECREATION REGULATIONS 19 93

1. TITLE:

These Regulations shall be known cited as the City of Mount Pearl Parks & Recreation Regulations.

2. INTERPRETATIONS:

- (a) "ACT" means the CITY OF MOUNT PEARL ACT, CHAPTER C-16 and as amended.
- (b) "COUNCIL" means the CITY COUNCIL OF THE CITY OF MOUNT PEARL.
- (c) "CITY" shall mean the CITY COUNCIL of MOUNT PEARL as defined by Section 2(b) of THE CITY OF MOUNT PEARL ACT.
- (d) "MUNICIPAL ENFORCEMENT OFFICER" shall mean for the purpose of the regulations only to be deemed a PEACE OFFICER in accordance with Sections 211 and 212 of the CITY OF MOUNT PEARL ACT AND AS AMENDED.
- (e) "RECREATION DIRECTOR" shall mean the Director of Parks & Recreation for the CITY OF MOUNT PEARL as prescribed in Section 80, Sub-Sections 1 and 2 of the CITY OF MOUNT PEARL ACT 1988 AND AS AMENDED.
- (f) "CLOSING HOUR" means the hour of 10:00 o'clock p.m. of each and every day the parks are closed unless otherwise opened by a Motion of Council.
- (g) "OPENING HOUR" means the hour of 9:00 o'clock a.m. of each and every day the parks are opened unless otherwise opened by a Motion of Council.
- (h) "RECREATION FACILITY" shall mean buildings, park areas, playground areas, tot lots, multi-purpose play areas, outside tennis courts, basketball courts, soccer fields, baseball fields, softball fields, rugby fields, street hockey courts, open areas, linear walkways, trails, wooded areas, greenbelts, rail beds, waterways, ponds and public areas, for the purpose of recreation, AND SHALL INCLUDE ALL AREAS WITHIN THE LIMITS OF THE CITY OF MOUNT PEARL.
- (i) "LITTER" means any obnoxious substance, waste or unsanitary matter, refuse, garbage, rubbish, ashes, street cleaning, dead animals, paper wrappings, cardboard boxes, tin cans, leaves, wood bedding, crockery, glass bottles and glass in all forms, cement bags, and bags of all description and other matter or thing which if thrown or deposited as herein prohibited, or is likely to cause or causes unsightliness within the CITY or creates a danger to health, welfare, or public safety and includes abandoned vehicles and appliances.

- (j) "VEHICLE" means automobile, motor cycle, motor tricycle, trail bike, motor scooter, motor bus, motor truck, tractor, motorized snow vehicle, all terrain vehicles and any other vehicles propelled other than by muscular power, but does not include wheelchairs or other vehicles, propelled otherwise by hand, used for the convenience of children and invalids.
- (k) "CONTROL" means under control by having the animal on leash or tether.
- (l) "GAMES OF CHANCE" means any game that does not involve an element of skill.
- (m) "SNARE" means a device for the taking of animals by which they are caught in a noose, and "snaring" has a correspondence meaning.
- (n) "TRAP" means a spring trap, gin, deadfall, snare, box or net used to capture wild life, and "trapping" has a correspondence meaning.
- (o) "HUNTING" includes chasing, pursuing, worrying, following after or on the trail of, or searching for or lying in wait for wild life whether or not the wild life is then or later captured, injured or killed, and "hunt" and "hunter" have a corresponding meaning.
- (p) "WILD LIFE" means a wild animal or bird to which these regulations apply, and includes the furs, skins and other parts of them and the eggs of those birds.

3. DISTURBANCES:

No person shall in or on any recreation facility or city property cause a disturbance by:

- (a) fighting, screaming, shouting, swearing, singing or using insulting or obscene language;
- (b) being drunk or in an intoxicated condition;
- (c) impeding or molesting other persons;
- (d) openly exposes or exhibits an indecent exhibition on or near any recreation facility or open space;
- (e) loitering in any recreation facility after closing hour, and;
- (f) disturbing the peace and quiet of the occupants of a dwelling house by any of the aforementioned Sub Section of Section 3 of this Regulation.

4. ALCOHOLIC BEVERAGES RESTRICTED:

- i) No person shall have in his possession any alcoholic beverage on or in any recreation facility of the City of Mount Pearl except under and in accordance with provisions of "The Liquor Control Act" and the "Liquor Licensing Regulations" of Newfoundland and amendments thereto.
- ii) No person shall carry, hold or consume any open alcoholic beverage in any recreation facility within the City boundaries of Mount Pearl except under and in accordance with a valid license or permit issued pursuant to "The Liquor Control Act" and the "Liquor Licensing Regulations" of Newfoundland and amendments thereto.
- iii) Persons in violation of Sections 4(1) and 4(2) shall forfeit such liquor to a Peace Officer or Municipal Enforcement Officer when requested to do so.

5. DISCHARGING OF FIREWORKS OR FIREARMS:

- i) No person shall wilfully or carelessly, or negligently discharge any fire crackers, fireworks, firearms, bb guns, pellet guns, or any other missiles in any way to cause or likely to cause injury or damage to others in or on any recreation facility.
- ii) No person shall use or discharge any squib, fire cracker or fireworks in any recreation facility unless he has approval from the fire commissioners department and the City Council of Mount Pearl.
- iii) Persons in violation of sections 5(1) and 5(2) shall forfeit such items as stated to a Peace Officer or Municipal Enforcement Officer when requested to do so.

6. DEFACING OF PROPERTY:

No person shall soil, defile, deface, injure, remove, destroy, cut, mutilate, dispose of or pluck any shrubs, flowers, plants, ferns, flower beds, trees, railings, signs posts, fences, barriers, bridges, walls, foundations, statues, monuments, buildings, water fountains, park benches, or any recreation equipment.

7. LITTERING:

No person shall throw or deposit litter in any park within the City except in authorized receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any street or any part of the park or any other public place or private property. Where authorized receptacles are not provided, all such litter shall be

carried away from the park by the person responsible for its presence and properly disposed or elsewhere as provided herein.

8. WATERBODIES AND WATERCOURSE:

No person shall pollute, contaminate, or injure the waters of any pond, river, or stream, or deposit any litter in any such pond, river or stream.

9. THE CARRYING ON OF A COMMERCIAL ACTIVITY SUBJECT TO PERMIT:

No person shall carry on any trade, commercial enterprise, enterprise, amusement, occupation or other activity, or undertaking, or offer any commodity or service for sale except as permitted by the Council and in accordance with such a permit.

10. SOLICITATION OF MONEY:

No money shall be solicited or collected on any recreation facility except by permission of Council.

11. GAMES MAY BE PROHIBITED:

Games may be prohibited in any area designated for games when in the opinion of the **Recreation Director** or his representatives the state of the ground or any other cause makes it unfit for or undesirable to use.

12. GAMES OF CHANCE:

- i) Games of Chance within or on any recreation facility is prohibited unless a license is obtained from the provincial government's licensing board and permission is granted by Council.
- ii) Permission to operate games of chance may be granted for a period of time which is approved by Council.

13. ADVERTISEMENTS:

No person shall display or broadcast any advertising material without the proper approval of Council.

14. HORSES:

No person shall ride a horse or drive a horse drawn vehicle on or over any recreational facility within the City boundaries of Mount Pearl without the authorization of the Director of Parks & Recreation or his designate.

15. ANIMALS TO BE TETHERED:

Every owner of any animal using the linear walkways or any other recreational facility shall keep such animals safely tethered and under this control at all times.

16. VEHICLES RESTRICTED:

- i) No person shall drive, park or place any vehicle in or upon a Recreation Facility within the limits of the City of Mount Pearl unless it is a designated parking area.
- ii) Any vehicle which is being driven or parked in violation of Section 16(1) shall be removed and impounded by the City or its representatives, and all costs incurred will be the responsibility of the owner.

17. EXCEPTIONS:

The provisions of Section 16 of these Regulations shall not apply to:

- a) municipal vehicles engaged in municipal works;
- b) emergency vehicles; and
- c) vehicles that have been given expressed permission to enter recreation areas by the City Council, City Manager or his representative.

18. OBSTRUCTION OF PERSONS PROHIBITED:

No person shall wilfully obstruct, disturb, interrupt, or annoy;

- a) any other person in his proper use and enjoyment of the recreation facilities; and,
- b) a peace officer, a municipal enforcement officer, council employee, or any authorized agent of Council in the proper execution of his duties.

19. HUNTING PROHIBITED:

A Person shall not:

- 1) Within any Recreation Facility
 - a) Hunt, trap, net or snare an animal;

- b) Have in possession, any firearm, airgun, bow and arrow, cross-bow, snare, wire or any equipment that may be used that may cause death or injury to any wild life.
- 2) Section # 19 shall not apply to a Peace Officer, a Municipal Police Officer, a member of the Royal Newfoundland Constabulary or a Wild Life Officer in the performance of their duties. The Director may approve use of air gun and bow and arrow where such equipment is being used under supervision for purposes of education or training as part of an approved recreation or sport program.

20. REMOVAL OF INDIVIDUALS:

The Recreation Director or his representatives or any peace officer, municipal enforcement officer, may remove from any recreation facilities any person who fails to comply with any provision of these Regulations.

21. PROSECUTION:

Prosecution under these Regulations may be taken summarily by an Municipal Enforcement Officer, Peace Officer, or any other person authorized by the Council.

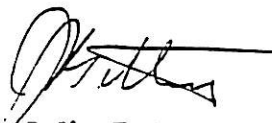
22. PENALTIES:

Every person who is guilty of an offence under these Regulations or who act in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so, shall be liable on a summary conviction to a fine not exceeding \$1,000.00 and No Less than \$100.00 and in default of payment of such a penalty to imprisonment for a period not less than 30 days and not to exceed 90 days or to both such fine and penalty.

23. COMING INTO EFFECT:

These Regulations shall come into effect on the 1st day of September
A.D., 1993.

Signed:


Julie Bettney
Mayor