

COUNTY OF BARRHEAD NO.11

PROVINCE OF ALBERTA

BY-LAW NO. 50-85

PUBLIC RESERVES BY-LAW

PURSUANT to the Municipal Government Act, Revised Statutes of Alberta, 1980, Chapter M-26 and amendments thereto, the Council of the County of Barrhead No. 11 duly assembled, hereby enacts as follows:

PART I - GENERAL:

1. PURPOSE: The purpose of this By-law is to regulate and control the use and operation of Public Reserve Lands within the County of Barrhead No. 11 in order to insure public safety and natural preservation.
2. INTERPRETATION:
In this By-law:
 - (a) "County" means the County of Barrhead No. 11;
 - (b) "Development Officer" means:
 - i) a person appointed as a development officer pursuant to a resolution of council, or;
 - ii) where a municipal planning commission is authorized to act as a development officer, the municipal planning commission, or;
 - iii) where a municipal planning commission is authorized to act as a development officer, in addition to a person appointed as a development officer, either or both of them;
 - (c) "Off-highway vehicle" means an off-highway vehicle as defined in the Off-Highway Vehicle Act, 1980, Revised Statutes of Alberta, Chapter O-4, and amendments thereto;
 - (d) "Peace Officer" means a member of the Royal Canadian Mounted Police, and when authorized, a member of a municipal police force, a special constable, a By-Law enforcement officer, or a member of the patrol division of the Department of the Solicitor General;
 - (e) "Recreation Department" means the County Recreation Department;
 - (f) "Reserve Land" means environmental reserve, municipal reserve or school reserve or municipal and school reserve as defined under the Planning Act, Revised Statutes of Alberta, 1980, Chapter P-9, and amendments thereto;
 - (g) "Reserves" means lands which have been dedicated to the County for park purposes during the subdivision process in accordance with the Planning Act, Revised Statutes of Alberta, 1980, Chapter P-9, and amendments thereto.
 - (h) "Service Vehicle" means a vehicle, as defined in this by-law, used for the purpose of servicing lots within the various subdivisions, with such commodities as fuel, boat gas, propane, fire wood, etc. Service Vehicle also means a vehicle used to pump out sewage holding tanks and septic tanks. Fire trucks, water trucks, delivery trucks, etc., will also fall under this definition.
 - (i) "Vehicle" means a device in, on or by which a person or thing may be transported or drawn on a highway;

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PART II - OFFENCES:

3. For the purposes of this By-law, every one who:
- (a) not being in a dwelling house causes a disturbance in or near a public place;
 - i) by fighting, screaming, shouting, swearing, singing or using insulting or obscene language;
 - ii) by being drunk, or;
 - iii) by impeding or molesting other persons;
 - (b) openly exposes or exhibits an indecent exhibition in a public place;
 - (c) loiters in a public place and in any way obstructs persons who are there;
- is guilty of an offence, punishable on summary conviction, in addition to but not in substitution for an offence created by Section 171 of the Criminal Code, Chapter C-34, Revised Statutes of Canada, 1970 and amendments thereto, and for the purposes of interpretation the definitions included in the said Criminal Code shall apply to the offence set out in Section 3 of this By-Law.
4. No person shall deface or in any way disrupt the natural growth of any tree or plant life (except weeds identified in the Weed Control Act, Revised Statutes of Alberta, 1980, Chapter W-6, and amendments thereto) within a public reserve.
5. No dogs, other than dogs restrained on a leash, are permitted in public reserves.
6. No person shall tease, molest or injure any vertebrae animal or throw any substance at or near such animals in a public reserve in such a way as causes, or is likely to cause, injury to any such animal.
7. No person shall play golf within any public reserve excepting golf courses.
8. Except for personal recreational purposes, no person shall transport any goods or chattels over, or place and leave chattels upon, any public reserve without authorization from the development officer; and further, any goods and chattels used for personal recreational purposes shall be removed from public reserves prior to 11:00 p.m. and shall not be left within public reserves overnight except for camping in designated campsites.
9. Fires are permitted in public reserves only in designated fire pits and stoves; otherwise, no fires are permitted without first obtaining a fire permit from a duly authorized fire guardian appointed by County Council.
10. Except for clubs, organizations and community leagues registered with the Recreation Department, no group; or person shall distribute or cause to be distributed any advertising materials, pamphlets, bills or circulars within public reserves without the authorization of the development officer.
11. No person, firm, agency or corporation shall advertise, promote or carry on commercial or rental sales within any public reserves without first obtaining authorization from the development officer.

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12. The holding of any and all amusements, entertainments, parades and promoted spectator sporting events, where a fee is collected, is prohibited within public reserves without first obtaining authorization from the development officer.
13. No person shall operate, drive or abandon a vehicle or off-highway vehicle except for a service vehicle within or upon any public reserve.
14. No person shall conduct any digging, excavation, or building operations within or upon any public reserve without first obtaining the written authorization of the development officer.
15. The provisions of this By-Law do not apply to actions and operations of the County, or persons acting upon the instructions of the County in respect to any maintenance and construction with public reserves.

PART III - PENALTIES:

16. A person who contravenes any provision of this By-law either by doing something which he is prohibited from doing or failing to do something which he is required to do is guilty of an offence and is liable on summary conviction to a fine not in excess of \$2,500.00, exclusive of costs; or, in default of payment of the fine and costs of the committal, to imprisonment for a period not exceeding 6 months or until such fine and costs are sooner paid.

FIRST READING GIVEN THIS 18th day of December, 1985 - RYDER

SECOND READING GIVEN THIS 18th day of December, 1985 - WIMMER

THIRD AND FINAL READING GIVEN THIS 18th day of December, 1985 - ELGERSMA, with the unanimous consent of Council.

REEVE 

SEAL


COUNTY MANAGER