Consolidated

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. 54/2017

Being a By-Law to Regulate, Protect and Govern the Use of Parks, Recreation Areas and Park Facilities Under the Authority of the Corporation of the Municipality of Port Hope and to Repeal By-laws 45/2012, 41/2014 and 11/2017

WHEREAS Section 11(3) of the Municipal Act, 2001, as amended, provides that the council of a local municipality may pass by-laws respecting matters within the sphere of jurisdiction of culture, parks, recreation and heritage; and

WHEREAS it is desirable to regulate, protect and govern the use of parks, public open spaces in the Municipality of Port Hope; and

WHERAS all public properties are for the use, benefit and pleasure of the Public and it is necessary to prevent any person from improperly interfering with such use, benefit and pleasure.

NOW THEREFORE BE IT ENACTED BY THE COUNCIL FOR THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE AS FOLLOWS:

1. DEFINITIONS:

1.1 For the purposes of this By-law the following definitions shall apply:

a) "**Authorized sign"** means any sign, notice, or other device placed or erected in or upon a park or recreation area, under the authority of this By-Law;
b) **"Bicycle"** means a vehicle propelled or driven by muscular power consisting of a tubular metal frame mounted on spoke wheels, one behind the other, and equipped with handlebars, a saddle like seat and foot pedals and includes a tricycle, unicycle, mountain bike, BMX and other similar bikes designed for recreational purposes and in accordance with the Highway Traffic Act includes a tricycle and unicycle but does not include a motor-assisted bicycle;
c) **"By-law Enforcement Officer"** shall mean any Police Officer, Provincial Offences Officer, Municipal By-law Enforcement Officer or any employee of the Municipality appointed by the Municipality to enforce By-laws;
d) **"Concession"** shall mean the operation of any business including, without limiting the generality of the foregoing, the selling of refreshments, or any other merchandise; or the operation of any games, shows or amusements; or the taking or selling of photographs, or soliciting or accepting money or orders for the sale of photographs; or other goods, services or merchandise; or the operation of any business whatsoever;
e) **"Council"** means the Council of the Municipality of Port Hope;
f) **"Department"** shall mean the Parks, Recreation and Culture Department of the Corporation of the Municipality of Port Hope;
g) **"Designated Area"** means an area defined or constructed for a specific use which may include posted conditions;
h) **"Director"** means the Director of Parks, Recreation and Culture of the Municipality of Port Hope or his/her designate;
i) **"Firearm"** means any barreled weapon from which any shot, bullet or other missile can be discharged and that is capable of causing serious bodily injury or death to a person or animal, and includes any frame or receiver of such a barreled weapon and anything that can be adapted for use as a firearm. It includes a device that propels a projectile by means of

any explosion, compressed gas or spring or includes, without limitation, a rifle, handgun or spring gun, knife, crossbow, longbow, air or pellet rifle;

j) **"Fireworks"** means a pyrotechnical display comprised of a combustible or explosive device; or combination of explosives and combustibles set off to produce a striking display of light or a loud noise, used for signaling or as part of a celebration, and noise for amusement;
k) **"Fishing"** means the act or intent to act in the sport or business of catching fish with a line that is held in the hand or attached to a rod that is held in the hand or closely attended.
l) **"Licence"** (liquor) means a licence issued by the Board pursuant to the *Liquor Licence Act, R.S.O 1990*, *Chapter L. 19* and the regulations thereunder;
m) **"Liquor"** means spirits, wine and beer or any combination thereof and includes any alcohol in a form appropriate for human consumption as a beverage, alone or in combination with any other matter;
n) **"Motorized Recreational Vehicle"** means a snowmobile, go-cart, trail bike, mini bike, all-terrain vehicle, or similar vehicle, propelled or driven by an internal combustion engine;
o) **"Municipality"** means the Corporation of the Municipality of Port Hope;
p) **"Park"** means and includes all public parks, approved parks, trails including, without limiting the foregoing, pedestrian walkways, pedestrian bridges, pathways, recreational trails, waterfront lands, beaches, woodlots, outdoor ice rinks, playground equipment, sport fields, tennis courts, climbing apparatus, open space, water features, buildings, structures, gardens, marinas, skatepark and recreation areas and all portions thereof owned or under the control of the Municipality, including that of any Board or Commission;
q) **"Park, Parked or Parking"** means to allow a vehicle to remain stationary on a street or parking area, except when stopped in obedience to traffic regulations, signs or signals, or for a longer period of time than is actually required, for the purpose of and while actually engaged in loading or unloading merchandise or passengers;
r) **"Permit"** means any written authorization of Council, or the written authorization and/or documentation/certificate of the Municipal Staff or designate which has been delegated the authority to issue such permit by Council;
s) **"Post" or "posted"** refers to the erection or presence of authorized signs that regulate, restrict, or prohibit activities in a designated area;
t) **"Posted Area"** means an area where such signs are erected or displayed;
u) **"Recreation Area"** means an area or Parks facility under the control of the Corporation, maintained and supervised by employees of the Corporation or an approved contractor, and shall include an area of park, play area, marina, waterfront, beach, canteen, skatepark, outdoor rink, tennis courts, school ground, or portion of school buildings and including all such areas or buildings which, from time to time, may be designated by, used by and/or supervised by the Parks, Recreation and Culture Department of the Corporation;
v) **"Highway"** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle any part of which is intended for, or used by, the general public for the passage of vehicles and includes the area between the lateral property lines thereof;
w) **"Vehicle"** includes a motor vehicle, trailer, traction engine, farm tractor, road building machine, bicycle, and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, or a street car;
x) **"Weapon"** means anything used or intended for use in causing death or injury to persons whether designed for the purpose or not or anything used or intended for use for the purpose of threatening or intimidating any persons, and without restricting the generality of the foregoing, includes

any firearm as may be defined from time to time by the Criminal Code of Canada;

y) **"Water Feature"** includes rivers, lakes, streams, creeks, storm water management ponds, locks, reservoirs, estuaries, swales, man made or natural streams, man made ditches, fountains, splash pads and other geographical features containing water at some time during the year but does not include private or municipal swimming pools or decorative man-made self-contained garden ponds on private residential property.

2. HOURS:

a) All parks, shall close at eleven o'clock (p.m.) local time and shall remain closed until seven o'clock (a.m.) local time the following morning unless otherwise posted.

b) Set up of events may convene at 7:00 a.m. but no organized sport or organized activity shall commence before 8:00 a.m. local time on Saturdays, Sundays and statutory holidays.

c) No person shall be or remain in a park after the closing hour or before the opening hour unless authorized by the Department.

d) No person shall remain in any Park or Recreation Area after having been asked to leave by a Police Officer, Supervisor, By-law Enforcement Officer, or any other person appointed by the Corporation for the care and control of the Park or Recreation Area.

e) Fishing is prohibited on the Ganaraska River between the hours of 8:00 p.m. and 6:00 a.m. from August 15 to September 30 from the Robertson Street Bridge to the Molson Street Bridge."

By-law 11/2017 – passed Feb 21/17

(f) Notwithstanding the above, hours of operation to allow commercial activities such as classes or workshops may be permitted by permit in accordance with Section 19.1, Regulations.

By-law 38/2020 – passed Jul 7/20

3. RESTRICTED AREAS:

a) No person shall enter any place where a sign is posted prohibiting admittance or trespassing is displayed, or where admission is otherwise restricted or prohibited

4. CONDUCT:

No person shall, in any Park or Recreation Area:

a) Destroy, injure, deface, move or remove any building, structure or equipment or any growing plant of any kind, or mark or write upon any building, equipment, or structure;

b) Disturb, molest, move, trap, hunt and attempt to kill any bird or animal, including wildlife or remove or injure any nest or eggs except with the written permission of the Municipality;

c) Climb any building, structure or equipment, that is not playground equipment designed for climbing unless said individual is employed under contract or is acting on the direction of the Municipality to carry out such acts;

d) Engage in unauthorized activity on the cenotaph, park benches, monuments, Memorial Band Shell, including but not limited to roller blading or skateboarding;

e) Indulge in any riotous, boisterous, threatening or indecent conduct, or use abusive, threatening or profane language, or accost or annoy or in any way interfere with any other person;

f) Exhibit inappropriate personal hygiene, i.e. an individual whose bodily hygiene is so offensive as to constitute a nuisance to other patrons;
g) Create a nuisance by loitering, spying, frightening, annoying or generally making himself or herself objectionable to other person or persons;
h) Post or distribute signs of any kind, flyers, circulars, printed or otherwise, on fences, trees, lamp standards, poles, buildings, structures, electrical transmission units, vehicles, benches, picnic tables, flower planters, or equipment of any kind located within Corporation's facilities or in any Park or Recreation Area;
i) Create a nuisance with unpermitted use of amplifiers and loud speakers;
j) Encroach upon or take possession of any park or recreational area or part of any park or recreational area 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, cultivation, grooming or landscaping thereon;
k) Disobey any posted official sign; or
l) Participate in the feeding of waterfowl or wildlife.

5. NO SMOKING IN PUBLIC PLACES AND WORKPLACES:

Smoking is prohibited in public places and workplaces in accordance with applicable provisions as outlined in the prevailing Municipality of Port Hope By-law to Regulate Smoking in Public Places and Workplaces and set fine schedule and/or the "Smoke-Free Ontario Act".

6. FIREARMS OR OFFENSIVE WEAPONS:

a) No person shall bring into any park, or carry, or discharge therein a firearm, air gun, bow and arrow, axes, knives (other than dinner cutlery when used for dining purposes), sling shot or offensive weapon of any kind unless authorized by agreement with the Municipality.
b) Notwithstanding Section 6. a), an exemption is authorized in order to permit the 116 Royal Canadian Sea Cade Corp Skeena – Air Rifle Marksmanship Competition at the Town Park Recreation Centre on April 6, 2024 and for future events.

By-law 09-2024 – passed Feb 13/24

7. FIREWORKS:

a) No person shall ignite, discharge or set off any fireworks in any Park, except as a controlled and supervised fireworks display authorized by permit.

8. VEHICLES:

8.1 Roadways

No person shall drive, ride or operate any Motor Vehicle in any park, pedestrian bridge or recreation area other than upon a roadway unless authorized by permit.

8.2 Parking

No person shall in any park or recreation area;

a) Leave a vehicle/trailer between the hours of 11:01 p.m. and 4:59 a.m., unless in a designated area allowing for such overnight parking, or where otherwise authorized;
b) Leave a vehicle in any area not designated for such purposes by the Municipality.

Unauthorized vehicles may be removed, or towed at the expense of the owner upon instructions of a Police Officer or By-Law Enforcement Officer.

8.3 Other activities

No persons shall make use of any roadway or designated area for parking in any park for:

a) Washing, cleaning, servicing, or maintaining any vehicle except in the event of an emergency, repairing any motor vehicle;
b) Instructing, teaching or coaching any person in the driving or operation of a motor vehicle; or
c) Playing of any games and/or sports.

8.4 Bicycles

While in any park or recreation area, no person shall:

a) Ride, operate or have possession of any bicycle, where the riding, operation, or possession of a bicycle is prohibited;
b) Obstruct, inconvenience or endanger other users of the park while riding or operating a bicycle.

8.5 Motorized Recreational Vehicles

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, with the exclusion of any vehicles used by the Police Force providing Police Services, Parks, Recreation and Culture Department or some other emergency response organization.

8.6 Trucks and Commercial Motor Vehicles

No person shall drive, operate, pull or ride in any park or recreation area;

a) Any heavy equipment of any description and whatever the mode of power that cannot be licensed under the *Highway Traffic Act;* or
b) 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.

9. REFUSE/RECYCLING:

No person shall in any park or recreation area;

a) Dispose or dump garbage, litter tree trimmings, or like refuse except that which is generated through the normal use of the park or recreation area and shall only deposit same in receptacles provided for such purpose;
b) Break glass containers or deposit or strew any refuse or waste paper, wrapper container or garbage anywhere within a Park or Recreation Area except in the receptacles provided for that purpose;
c) Place, deposit, dump or drain onto any soils or into any water of any pool, pond, lake, stream, fountain or watercourse of any kind any material, toxic or otherwise, which may have the effect of impairing the quality of the water or soil;
d) Dump or deposit snow, fill, soil and building or construction materials, unless authorized by the Municipality.

10. ANIMALS:

a) No owner of any animal shall cause or permit an animal to run at large within a Park or Recreation Area and every person shall keep control of a dog in accordance with applicable provisions as outlined in the prevailing Municipality of Port Hope Animal Control By-law and set fine scheduled.
b) Every owner whose animal deposits feces on property shall immediately and fully clean up the said feces, in accordance with applicable provisions

as outlined in the prevailing Municipality of Port Hope By-law to prohibit the throwing, placing or depositing or refuse or debris and animal feces and set fine schedule.

11. GAMBLING AND INTOXICATING BEVERAGES:

a) Unless otherwise permitted, no person shall within any Park or Recreation Area, play or bet at or against any game of any nature or kind, whether for money or money's worth, except games which are for charitable purposes permitted by the *Criminal Code of Canada* and then only with the written permission of the Municipality;
b) All Parks and Recreation Areas are hereby designated as places where the possession of liquor is prohibited except where specifically authorize by Special Occasion Permit which has been issued by the Liquor Control board and consented to by the Corporation. For the Purposes of this Section, "Liquor" means liquor, as defined in the *Liquor Licence Act for Ontario,* R.S.O. 1990, C. L. 19, as amended from time to time;
c) No person in an intoxicated condition shall enter or use any Park or Recreation Area in accordance with applicable provisions as outlined in the prevailing Municipality of Port Hope By-law to Establish a Municipal Alcohol Policy.

12. GAMES, SPORTS AND ACTIVITIES:

a) No person shall engage in playing/practicing golf or archery in any Park or Recreation Area or part thereof without obtaining permission from the Corporation;
b) Reflective of paragraph 12 (a) no person shall play or practice any sport or game that is deemed unsafe around other Park or Recreation Area users;
c) No person shall participate in any team games except in areas specifically designated by the corporation, and a permit shall be obtained from the Parks, Recreation and Culture Department;
d) No person shall interfere with the conduct of any authorized team game being played in any Park, nor attempt to otherwise use the area so permitted;
e) No person shall play or practice any game within a Park or Recreation Area where prohibited.

13. CAMPFIRES AND BARBEQUES:

a) No person shall light, build, or stoke a fire or bonfire in any Park or Recreation Area as set out in the Fire Code, Section 2.6.3.4;
b) No person shall in any Park or Recreation Area use any barbeque or cooking device without a "Special Event" permit issued for the specific day and kept at all times on the person in charge of the barbeque.
c) If food is to be sold the permit holder must provide evidence of completion of a food safety course/food handlers certificate provided by the Health Unit and ensure that one certified individual is on site at all times. In addition to the Municipal special event permit all persons in charge must apply to the Haliburton, Kawartha, Pine Ridge District Health Unit for a special event permit when food is being offered for sale.
d) EXEMPTION: 13(b) will not apply on the 4th weekend of April for the opening season of trout fishing (inclusive of the fourth Friday of April thru to the following Saturday).
e) Notwithstanding the above, the exemption identified in Section 14 (e) does not apply during a declared emergency by either the Municipality of Port hope or the Province of Ontario under the

Emergency Management and Civil Protection Act or while any orders or recommendations related to social distancing are in place.

By-law 19/2020 – Apr 7/20

14. PICNICS AND CAMPING:

a) Picnics of more than twenty people shall be held only at places designated therefore by the Corporation for such purpose and a reservation and permit shall be obtained from the Department for such a picnic, the permit shall indicate the location designated for the picnic;
b) No person shall interfere with a picnic being conducted by a permit holder;
c) No person shall erect any tent, shelter or structure of any kind in a municipal Park or Recreation Area without the written authorization of the Corporation;
d) No person shall use a Park or Recreation Area for the purpose of camping, overnight sleeping or accommodations;
e) Subparagraphs 14 (c) and (d) shall not apply on the 4th weekend of April, (inclusive of the fourth Friday of April thru to the following Saturday) for the opening season of trout fishing with respect to Cavan Street Park and Optimist Park.
f) Notwithstanding the above, the exemption identified in Section 14 (e) does not apply during a declared emergency by either the Municipality of Port hope or the Province of Ontario under the Emergency Management and Civil Protection Act or while any orders or recommendations related to social distancing are in place.

By-law 19/2020 – Apr 7/20

15. SWIMMING:

a) No person shall swim, bathe or wade in any fountain, pond, lake, river or stream in any Park or Recreation Area except in areas specifically designated for such purpose by the Corporation;
b) No person shall throw any article in any pool, fountain, pond, lake, river or stream in any Park or Recreation Area that may endanger any person or pollute the waters;
c) No person shall fish in designated swimming/bathing areas.

16. **SKIING, TOBOGGANING AND SLEDDING:**

While in a park, no person shall ski, toboggan, snowboard, ski-bob or sled in any area posted to prohibit same.

17. **CONCESSION/SALE OF MERCHANDISE:**

a) No person shall operate a concession in any Park or Recreation Area without first having obtained a License from the Corporation and an approved permit;
b) Any person desiring a License for the operation of a concession shall apply therefore in writing to the Corporation which;
    I. May grant a License upon such terms, and subject to such conditions as the Corporation deems appropriate; or
    II. May in the sole discretion of the Corporation refuse to grant a License; and
    III. Every license issued pursuant to the provision of this By-law shall be for the period as stated on the License.

~~c) No person shall sell or offer for sale, or expose any merchandise of any nature or kind for immediate or future delivery, or shall any person offer in return for payment any art, skill or service to be exercised or~~

~~performed immediately or in the future nor solicit any trade, occupation or business of any kind in any Park or Recreation Area without the written permission of the Corporation with proof of the applicable License which may be required;~~

c)No person shall sell or offer for sale, or expose any merchandise of any nature or kind for immediate or future delivery, or shall any person offer in return for payment any art, skill or service to be exercised or performed immediately or in the future nor solicit any trade, occupation or business of any kind in any Park or Recreation Area without an approved permit or License as required;

By-law 38/2020 – passed Jul 7/20

~~d) All persons must adhere to applicable provisions pertaining to licensing, regulating and governing of Hawkers and Peddlers as outlined in the prevailing Municipality of Port Hope Hawkers & Peddlers Licensing By-law and set fine schedule.~~

By-law 38/2020 – passed Jul 7/20

18. **MOORING:**

While in a park, no person shall moor any watercraft subject to any right of law without a permit to do so:

I. Outside of designated area;

II. Contrary to posted restrictions or prohibitions;

III. In any way that may or does endanger or inconvenience other watercraft or their use or other users of the park; or

IV. Without prior payment of the prescribe fee.

In addition to any other remedy the municipality may have available to it, boats moored in contravention of this bylaw may be removed by the municipality with no notice to the owner and/or occupant and at the expense of the owner and/or occupant.

19. **REGULATION AND ENFORCEMENT:**

19.1 Regulations

a) Any person may apply to the Municipality for any permit as may be required by this By-law by submitting a request for the permit in writing together with any fee that may be required for the activity of which the authorization/permit is required;
b) A decision as to whether a permit required by this By-law may be granted at the sole discretion of the Municipality and may be granted by Council or designate on such terms and conditions that Council or designate may consider advisable;
c) Permits issued for activities contemplated in this By-law may include, but not limited to conditions as to time, location, area, equipment, number of participants, type of activities, release, indemnity and insurance coverage;
d) The issuance of a permit pursuant to the By-Law shall not relieve any person from the necessity of acquiring any other licence or permit required for such activity by any governmental or public authority;
e) No permit contemplated by this By-Law shall be issued if same would result in the contravention of any other applicable law;
f) The authority to issue permits referred to in this By-law is delegated to the Director or his/her designate; and

g) Any costs incurred by the Municipality due to non-compliance of this By-Law shall be charged back to the individual who is in non-compliance.

19.2 Posting of signage:

The Director and/or Chief of Police and/or Director of Fire and Emergency Services is authorized to post signage of permission, regulation, restriction, warning or prohibition with respect to uses of or activities in any Park or Recreation Area in accordance with the provisions hereof.

19.3 Temporary Closure:

The Director and/or Chief of Police and/or Director of Fire and Emergency Services and/or By-Law Enforcement Officers are authorized to close off for such temporary period as deemed appropriate any Park, Recreation Area or part of parts thereof to relieve or prevent overcrowding or traffic congestion, authorized construction, weather conditions or in the interests of public safety.

19.4 Exclusions and Exemptions:
This By-law shall not apply to:

a) The drivers, operators or other personnel of ambulances, police or fire department vehicles; or
b) Employees or agents of the Municipality while engaged in works or services undertaken for or on behalf of the Municipality.

19.5 Administration:

a) Any Police Officer, Provincial Offences Officer, Municipal By-law Enforcement Officer or employee of the Municipality designated by Council to administer and enforce this By-law is authorized to:

i) inform any person of the provisions of this By-law and to request compliance therewith;
ii) to order any person believed by such officer or employee to be contravening or who has contravened any provision of this By-law to desist from the activity constituting or contributing to such contravention;
iii) to remove from the Park or Recreation Area 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.

b) Any authorization/permit that has been issued to any person or group may be revoked by the Director or designate forthwith where a person to whom the authorization/permit was issued or any person in the group represented by the person who was issued the authorization/permit contravenes any provision of this By-law or contravenes any condition upon which the By-law was issued.

19.6 Penalties:

Any person who contravenes any portion of this By-law is guilty of an offence and upon conviction is liable to such fines and other penalties as provided for under the *Provincial Offences Act.* R.S.O. 1990, c.P-33 as amended.

19.7 Headings:

Section headings in this By-law are not to be considered part of this By-law and are included solely for the convenience of reference and are not intended to be full or accurate descriptions of the sections of this By-law to which they relate.

19.8 Severability:

a) In the event any court of competent jurisdiction should adjudge that any section or sections of this By-law is/are not valid for any cause, such section or sections shall be deemed severable from the remainder of the By-law and the remainder of the By-law shall stand and be enforced to the same extent as if the offending section or sections had not been included therein;
b) If any provision or requirement of this By-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the requirement to all persons other than those to which it is held to be invalid or unenforceable shall not be affected thereby and it is hereby declared to be the intention of Council that each provision and requirement of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.

19.9 Short title:

This By-law shall be referred to as the “Parks and Recreation Regulating By-law”.

20. That By-law 45/2012, 41/2014 and 11/2017 be deleted in their entirety.

21. That a Set Fine Schedule under Part 1 of the Provincial Offences Act be established for By-law 54/2017 as attached hereto and comprising part of this By-law.

21. This By-law shall come into force and effect on the date it is enacted by Council which shall come into force and effect upon final passing thereof.

READ a FIRST, SECOND and THIRD time and finally passed in Open Council this 5th day of September, 2017.

_____
R.J. Sanderson, Mayor

_____
Brian Gilmer, Municipal Clerk

By-law 09-2024, February 13, 2024 – Amended Section 6 to add a new section 6 (b) an exemption to permit the 116 Royal Canadian Sea Cade Corp Skeena – Air Rifle Marksmanship Competition at the Town Park Recreation Centre on April 6, 2024 and for future events.

By-law 38-2020, Jul 7/20 – Amended Section 2 by adding a Section 2(f) to allow commercial activities such as classes and workshops and also Section 17(c) be deleted and replaced with a new section and that Section 17(d) be deleted.

By-law 19-2020, Apr 7, 2020 – Amended Section 13 by adding a new section 13(e) and amending Section 14 by adding a new section 14(f) regarding to permit an exemption to camping restrictions for the Cavan St Park and Optimist Park during the opening season of trout fishing during a Declared Emergency (COVID-19)

By-law 02-2020, Jan 1, 2020 – Temporary exemption to permit the 116 Royal Canadian Sea Cadet Corp Skeena Air Rifle Marksmanship competition, Mar 7/20 at the TPRC

By-law 73-2019, Nov 5, 2019 - Temporary exemption to permit the 116 Royal Canadian Sea Cadet Corp Skeena Air Rifle Marksmanship competition, Jun 25/20 at the TPRC

By-law 45-2019, June 4, 2019 – Temporary Exemption to allow for the use of Memorial Park past 11pm to permit the screening of the NBA Finals, Jun 7, Jun 10, Jun 13 and Jun 16, 2019

By-law 11/2017 passed Feb 21/17 – Deleted “Section 2 – Hours” and replaced with a new Section 2 – prohibiting fishing on the Ganaraska River.

The Corporation of the Municipality of Port Hope

By-law 54/2017: Parks

Part 1 Provincial Offences Act

Set Fine Schedule

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fines
1.	Remain in park area after the closing hour or before the opening hour unless authorized	Section 2 (c)	$150.00
2.	Fish on the Ganaraska River between the hours of 8:00 p.m. and 6:00 a.m. from August 15 to September 30 from Robertson Street Bridge to the Molson Street Bridge	Section 2 (e)	$150.00
3.	Enter any place where sign is posted prohibiting or restricting admittance/trespassing	Section 3(a)	$150.00
4.	Destroy, injure, deface, mark, or write on or move or remove any building, structure, equipment or plant	Section 4 (a)	$150.00
5.	Disturb, molest, move, trap, hunt and attempt to kill any bird or animal including wildlife and nest or eggs	Section 4 (b)	$150.00
6.	Climb any building, structure or equipment not designated for climbing	Section 4 (c)	$150.00
7.	Engage in unauthorized activity on cenotaph, park benches, monuments, band shell with roller blades or skateboards	Section 4 (d)	$150.00
8.	Indulge in riotous, violent, threatening, indecent acts or use profane (abusive) language	Section 4 (e)	$150.00
9.	Create a nuisance by loitering or spy, accost frighten, annoy or harass other persons	Section 4 (g)	$150.00
10.	Post or distribute sign, flyers, circulars of any kind within facilities or park/ recreation areas	Section 4 (h)	$150.00
11.	Create a nuisance with unpermitted use of amplifiers and loud speakers	Section 4 (i)	$150.00

12.	Encroach upon or take possession of park, recreation area or any part thereof	Section 4 (j)	$150.00
13.	Disobey any posted official sign	Section 4 (k)	$150.00
14.	Feed waterfowl or wildlife	Section 4 (l)	$150.00
15.	Possess/use firearm or offensive weapon	Section 6 (a)	$150.00
16.	Ignite, discharge or set off fireworks without authorization	Section 7 (a)	$150.00
17.	Drive, ride or operate any Motor Vehicle in any park or recreation area other than upon a roadway	Section 8.1	$150.00
18.	Leave vehicle/trailer between the hours of 11:01pm and 4:59 am unless otherwise authorized	Section 8.2 (a)	$150.00
19.	Leave motor vehicle in undesignated area in park or recreation area	Section 8.2 (b)	$150.00
20.	Use roadway or parking area in park or recreation area to wash, clean, maintain or repair vehicle outside of an emergency situation	Section 8.3 (a)	$150.00
21.	Use roadway or parking area in park or recreation area to coach, teach or instruct in driving or operating a vehicle	Section 8.3 (b)	$150.00
22.	Use roadway or parking area in park recreation area for any game or sport	Section 8.3 (c)	$150.00
23.	Ride or operate bicycle in prohibited area in park or recreation area	Section 8.4 (a)	$150.00
24.	Obstruct, inconvenience or endanger other users of the park or recreation area while operating a bicycle	Section 8.4 (b)	$150.00
25.	Ride, drive, or be in possession or control of a motorized recreational vehicle in park or recreation area in undesignated area	Section 8.5	$150.00
26.	Drive, operate, pull or ride heavy equipment that cannot be licensed under the *Highway Traffic Act*	Section 8.6 (a)	$150.00
27.	Drive, operate, pull or ride a truck, trailer or bus other than for delivery purposes	Section 8.6 (b)	$150.00
28.	Dispose or dump garbage, litter, tree trimmings or refuse in park or recreation	Section 9 (a)	$150.00

	area		
29.	Break glass containers or deposit or strew any refuse/waste in park or recreation area.	Section 9 (b)	$150.00
30.	Place, deposit, dump or drain any material likely to impair quality of water or soil	Section 9 (c)	$150.00
31.	Dump or deposit snow, fill, soil and building or construction materials without permit	Section 9 (d)	$150.00
32.	Gambling in park or recreation area without authorized permission	Section 11 (a)	$150.00
33.	Enter or use any park or recreation area in an intoxicated condition	Section 11 (c)	$150.00
34.	Engage in playing/practicing golf or archery in any park or recreation area without permission	Section 12 (a)	$150.00
35.	Play or practice any sport or game deemed unsafe	Section 12 (b)	$150.00
36.	Play team games in undesignated/unauthorized areas	Section 12 (c)	$150.00
37.	Interfere with the conduct of an authorized team game or attempt to use the area	Section 12 (d)	$150.00
38.	Play or practice any game in park where prohibited	Section 12 (e)	$150.00
39.	Light, build or stoke fire or bonfire in any park or recreation area at any time with the exemption of section 13 (d)	Section 13 (a)	$150.00
40.	Interfere with a picnic being conducted by a permit holder	Section 14 (b)	$150.00
41.	Erect any tent, shelter or structure of any kind in park or recreation area without written authorization	Section 14 (c)	$150.00
42.	Use a Park or Recreation Area for camping, overnight sleeping or accommodations with the exemption of section 14 (e)	Section 14 (d)	$150.00
43.	Swim, bathe or wade in fountain, pond, lake, river or stream unless specifically designated	Section 15 (a)	$150.00
44.	Throw article in any pool, fountain, pond, lake, river or stream in park or Recreation Area	Section 15 (b)	$150.00
45.	Fish in designated		

	swimming/bathing areas	Section 15 (c)	$150.00
46.	Ski, toboggan, snowboard, skibob or sled in prohibited area	Section 16	$150.00
47.	Operate concession in any park or Recreation Area without license and approved permit	Section 17 (a)	$150.00
48.	Sell, offer for sale or expose merchandise of any kind without authorization and license	Section 17 (c)	$150.00
49.	Moor watercraft outside of designated area	Section 18.I.	$150.00
50.	Moor watercraft contrary to posted restrictions and prohibitions	Section 18.II	$150.00
51.	Moor watercraft that may or does endanger or inconvenience other watercraft	Section 18.III	$150.00
52.	Moor watercraft without paying prescribed fee	Section 18.IV	$150.00

Note: The general penalty provision for the offences listed above is Section 19.6 of By-law 54/2017, a certified copy of which has been filed.