

THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 5306B-21

**A BY-LAW TO AMEND BY-LAW NO. 5306-21 TO REGULATE THE USE
OF MUNICIPALLY OWNED PARKS**

WHEREAS the Council of The Corporation of The Town of Niagara-on-the-Lake passed By-law No. 5306-21 on March 22, 2021;

AND WHEREAS the Council of The Corporation of The Town of Niagara-on-the-Lake passed By-law No. 5334-21 on June 21, 2021;

AND WHEREAS The Town of Niagara-on-the-Lake considers it desirable to have one administrative penalty system for all non-parking related offences;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN
OF NIAGARA-ON-THE-LAKE ENACTS AS FOLLOWS:**

1. That By-law No. 5306-21 be amended by deleting Schedule "A".
2. That By-law No. 5306-21 be amended by adding Schedule "A" attached hereto.
3. That By-law No. 5306-21 be amended by adding the following to PART 20: ENFORCEMENT No. 4:
 4. Any person who contravenes this By-law may be issued an administrative penalty in accordance with the AMPS By-law 5306-21 for Non-Parking Offences in accordance with Schedule "A," attached hereto and forming part of this By-law.
4. That this by-law come into force and effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 30TH DAY
OF AUGUST 2021**

LORD MAYOR BETTY DISERO

ACTING TOWN CLERK COLLEEN HUTT

BEING A BY-LAW TO REGULATE THE USE OF MUNICIPALITY-OWNED PARKS

PART I PROVINCIAL OFFENCES ACT

Item	Column 1	Column 2	Column 3
	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Enter/Remain in park after closing	Part 7. 1 (a)	\$75.00
2	Enter/Remain in prohibited area of a park	Part 7. 1 (b)	\$75.00
3	Engage in riotous/boisterous/violent/ threatening/indecent/illegal activity in a park	Part 8. 1 (a)	\$75.00
4	Create Public Nuisance in a park	Part 8. 1 (b)	\$75.00
5	Carry or discharge a firearm in a park	Part 8. 1 (e)	\$300.00
6	Disobey official sign in a park	Part 8. 1 (f)	\$75.00
7	Carry or discharge fireworks in a park	Part 8. 1 (g)	\$300.00
8	Use skateboard in non-designated area in a park	Part 8. 1 (j)	\$30.00
9	Use rollerblades in non-designated area in a park	Part 8. 1 (k)	\$30.00
10	Strike a golf ball in a park	Part 8. 1 (l)	\$75.00
11	Erect a structure without a permit in a park	Part 8. 1 (m)	\$75.00
12	Camp in a park	Part 8. 1 (n)	\$75.00
13	Interfere with organized sport or activity in a park	Part 8. 1 (r)	\$75.00
14	Dump/deposit waste in a park	Part 8. 2 (a)	\$300.00
15	Dump/deposit construction materials/debris/fill/snow/soil in a park without permit	Part 8. 2 (b)	\$300.00
16	Damage/deface/remove vegetation in a park	Part 9. 1 (a)	\$150.00
17	Climb/damage/deface/remove bench/fence/fixture/fountain/monument/seat/ sign/table in a park	Part 9. 1 (c)	\$150.00
18	Damage/deface building/structure/ equipment in a park	Part 9. 1. (d)	\$150.00
19	Use a metal detector within a park	Part 9 (h)	\$250.00
20	Light/build/stoke a fire in a park without a permit	Part 10	**
21	Interfere with permitted picnic/organized gathering/event in a park	Part 11. 1. (b)	\$75.00
22	Operate sound amplifying equipment in a park without a permit	Part 12. 1. (a)	\$75.00
23	Enter swimming pool in a park when prohibited	Part 14. 1. (a)	\$175.00
24	Sell/offer to sell/display for sale goods in a park without a permit	Part 16	\$75.00
25	Distribute/display handbill/notice/advertisements in a park without a permit	Part 17	\$75.00
26	Allow animal to be at large in a park	Part 18. 1. (b)	\$175.00
27	Hunt/injure/kill/attempt to kill/trap/pursue/molest/animal in a park	Part 18. 2.	\$175.00
28	Operate vehicle not on roadway/designated parking area in a park	Part 19. 1. (a)	\$75.00
29	Operate/park prohibited vehicle in a park	Part 19. 1. (b)	\$500.00
30	Park motor vehicle on landscaped area/turf grass area in a park without a permit	Part 19. 1. (c)	\$75.00
31	Park vehicle in a park after closing	Part 19. 4.	\$500.00
32	Speed in a park	Part 19. 8.	\$75.00

** reference Fire Department fee schedule for open air burns

BEING A BY-LAW TO REGULATE THE USE OF MUNICIPALITY-OWNED PARKS

PARK LOCATION AND HOURS OF OPERATION

<i>NAME OF PARK</i>	<i>ADDRESS</i>	<i>OPEN</i>	<i>CLOSED</i>
Newark Park	1585 Lakeshore Road	7:00 AM	10:00 PM
Ryerson Park	535 Niagara Boulevard	7:00 AM	10:00 PM
Chatauqua Park	4 Addison Avenue	7:00 AM	10:00 PM
William Nassau Park	433 William Street	7:00 AM	10:00 PM
Queen’s Royal Park	45 Front Street North	7:00 AM	12:00 AM
Simcoe Park	25 Picton Street	7:00 AM	12:00 AM
Nelson Park	195 Ricardo Street	7:00 AM	10:00 PM
Memorial Park	370 King Street	7:00 AM	11:00 PM
Rye Heritage Park	704 Rye Street	7:00 AM	10:00 PM
Community Centre	14 Anderson Lane	7:00 AM	10:00 PM
The Village Park	14 Upper Canada Drive	7:00 AM	10:00 PM
The Village Park	Not Available	7:00 AM	10:00 PM
Dietsch Park	Not Available	7:00 AM	10:00 PM
Centennial Sports Park	1567 & 1565 Four Mile Creek Road	7:00 AM	11:00 PM
Homestead Park	44 Homestead Drive	7:00 AM	10:00 PM
St. Davids Lions Park	1446 York Road	7:00 AM	10:00 PM
Lowrey Park	1270 Queenston Road	7:00 AM	10:00 PM
Niagara-on-the-Green Park	56 Young Crescent	7:00 AM	11:00 PM
Sparky’s Park	199 Tanbark Road	7:00 AM	10:00 PM
Queenston Village Common	76 Queenston Street	7:00 AM	10:00 PM
Cannery Park	30 Cannery Drive	7:00 AM	10:00 PM
Riverbeach Park	113 Riverbeach Drive	7:00 AM	10:00 PM
Ball’s Beach Park	79 Riverbeach Drive	7:00 AM	10:00 PM

Item	Column 1 - Short Form Wording	Offence	Set Fine
Schedule "A" - Parks By-law No 5306-21A			
12	Enter/remain in park after closing	Part 7.1 (a)	\$75
13	Enter/remain in prohibited area of a park	Part 7.1 (b)	\$75
14	Enter or access through a park for the purpose of conducting any work on private property without permission from the Town	Part 7.1 (c)	\$75
15	Encroach upon or take possession of any park or part thereof by any means whatsoever, including construction/installation or maintenance of any fence/wall/structure, the dumping/parking/storage or any vehicles/boats/materials/plants or the planting/cultivating/grooming/grading/landscaping thereon	Part 7.1 (d)	\$200
16	Engage in riotous/boisterous/violent/threatening/indecent/illegal activity in a park	Part 8.1 (a)	\$75
17	Creating a public nuisance in a park	Part 8.1 (b)	\$75
18	Smoke in contravention of Niagara Region By-law No. 2019-52	Part 8.1 (c)	\$250
19	Engage in any activity that may cause injury/damage to any person/animal/tree/property in a park	Part 8.1 (d)	\$150
20	Carry or discharge a firearm in a park	Part 8.1 (e)	\$300
21	Disobey official sign in a park	Part 8.1 (f)	\$75
22	Carry or discharge fireworks in a park	Part 8.1 (g)	\$300
23	Release any balloons/paper lanterns/glitter or confetti in a park	Part 8.1 (h)	\$75
24	Operate any motorized models of aircraft, watercraft or vehicles other than in a designated area in a park	Part 8.1 (i)	\$150
25	Use of a skateboard and non-motorized scooter other than in a designated area in a park	Part 8.1 (j)	\$50
26	Use of rollerblades other than in designated area in a park	Part 8.1 (k)	\$50
27	Play/practice golf/strike a golf ball in a park	Part 8.1 (l)	\$75
28	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/property in a park	Part 8.1 ()	\$75
29	Erect/place/install or cause the erection/placing/installation of a structure without a permit in a park	Part 8.1 (m)	\$75
30	Camp/erect/ or place a tent for shelter or temporary abode of any kind in a park	Part 8.1 (n)	\$75
31	Operating any motor vehicle or any other form of motorized conveyance on a multi-purpose pad or multi-use recreational trail or bicycle trail	Part 8.1 (o)	\$150
32	Skate, walk, or engage in any activity or access through snow/ice-covered ponds/lakes/streams/rivers/ any other snow/ice-covered body of water;	Part 8.1 (p)	\$150
33	Arrange or engage in a team game/organized sport/activity, except in those areas set aside by the Town for such purposes	Part 8.1 (q)	\$150
34	Interfere with organized sport or activity in a park	Part 8.1 (r)	\$75
35	Consume/possess/use any alcoholic beverage without a permit	Part 8.1 (s)	\$75
36	Drive/park/walk upon prepared ground/newly seeded/sodded ground under repair or upon lawn which is posted	Part 8.1 (t)	\$75
37	Dump/deposit waste in a park	Part 8.2 (a)	\$300
38	Dump/deposit/drain of any waste anywhere in a park/ construction materials/debris/fill/snow or soil in a park without permit	Part 8.2 (b)	\$300
39	Dump/deposit any material into any pool, pond, lake, stream, fountain, watercourse, or any other body of water in a park	Part 8.2 (c)	\$300
40	Dump/ deposit any material into any soils in a park	Part 8.2 (d)	\$300
41	Bury/scatter/otherwise dispose of any cremated remains in a park	Part 8.3	\$150
42	Damage/deface/destroy/injure/plant/ prune or remove any vegetation in a park	Part 9.1 (a)	\$150
43	Climb/damage/deface/destroy/injure/plant/prune/remove any tree in a park	Part 9.1 (b)	\$500
44	Climb/damage/deface/remove any bench/fence/fixture/fountain/monument/seat/ sigh or table in a park	Part 9.1 (c)	\$150
45	Climb any building/structure/equipment in a park	Part 9.1 (d)	\$150
46	Damage/deface any building/structure/equipment in a park	Part 9.1 (e)	\$250
47	Damage/disturb in any manner any of the grounds of the park, including any grounds prepared for planting	Part 9.1 (f)	\$250
48	Remove any soil/sand/gravel/stone/rocks/wood/any other material located in the park	Part 9.1 (g)	\$250
49	Use a metal detector within a park	Part 9 (h)	\$250
50	Conduct archaeological research/remove any relic/artifact/natural object, unless authorized by the Town in a park	Part 9 (i)	\$150
51	Light/build/stoke a fire in a park without a permit	Part 10.1(a)	**
52	Use a portable barbeque in a park	Part 10.1(b)	\$250
53	Hold a picnic/organized gathering/event for more than fifty persons in a park without a permit	Part 11.1 (a)	\$250
54	Interfere with permitted picnic/organized gathering/event in a park	Part 11.1 (b)	\$75

55	Engage in cooking except in a designated area or as otherwise provided for in this By-law in a park	Part 11.1 (c)	\$250
56	Engage in such a sport activity/event except in a designated area and with a valid permit where one is required in a park	Part 11.2	\$150
57	Operate sound amplifying equipment in a park without a permit	Part 12.1 (a)	\$75
58	Launch/moor/dock a watercraft anywhere in a Park except from a designated area	Part 13.1 (a&b)	\$150
59	Fuel or refuel a watercraft from any vehicle/other equipment on land, including piers/docks, except in a designated area or from another watercraft	Part 13.2 (a&b)	\$150
60	Enter swimming pool in a park when prohibited	Part 14.1 (a)	\$175
61	Disobey posted official signs or the instructions of any lifeguard, parks staff or enforcement officer in or adjacent to any swimming pool.	Part 14.1 (b)	\$250
62	Swim/bathe/wade in any fountain/pond/lake/stream/or any body of water in a park except in a designated area	Part 14.1 (c)	\$150
63	Take any inflatable device/swimming assistive device/snorkel/other underwater breathing device into any body of water unless otherwise permitted	Part 14.1 (d)	\$75
64	Misuse/damage the Town's lifesaving equipment	Part 14.1 (e)	\$500
65	Dress/undress in or adjacent to any water in or adjoining park/bathing beach/swimming pool in a park except in a designated area	Part 14.1 (f)	\$75
66	Activate/operate/turn on/use any photographic device, including any camera/video equipment/cellular phone with video/photographic functions, in a washroom, bathhouse, or change-room in a park	Part 15.1 (b)	\$250
67	Sell/offer to sell/display for sale goods in a park without a permit	Part 16.1 (a)	\$75
68	Practice/carry on/conduct/or solicit for any trade/occupation/business/profession/charity without a permit in a park	Part 16.1 (b)	\$150
69	Film/photograph/videotape for remuneration in a park without a permit	Part 16.1 (c)	\$150
70	Make any television broadcast in a park without a permit	Part 16.1 (d)	\$150
71	Distribute/display any hand bill/notice/circular/bill/advertisements in a park without a permit	Part 17.1(a)	\$75
72	Erect/display/alter/allow the erection/display/alteration of any sign unless in compliance with the Town of Niagara-on-the-Lake Sign By-law	Part 17.1(b)	\$75
73	Bring any animal other than a domesticated animal into a park unless authorized by a permit	Part 18.1(a)	\$75
74	Allowing animal to be at large in a park	Part 18.1 (b)	\$175
75	Allow an animal to enter any beach/pond/swimming area/garden/ landscaped area/playground/sports field, or any other area posted to prohibit animals	Part 18.1 (c)	\$75
76	Allow an animal to disturb any wildlife in a park	Part 18.1 (d)	\$75
77	Hunt/Injure/kill/attempt to kill/trap/pursue/molest/animal in a park	Part 18.2	\$150
78	No person shall feed/attempt to feed any wild animal in a park, unless authorized by the Town	Part 18.3	\$150
79	Operate vehicle not on roadway or designated parking area in a park	Part 19.1 (a)	\$75
80	Drive/operate/park prohibited vehicle in a park	Part 19.1 (b)	\$500
81	Park any vehicle on an landscaped area/turf grass area/or other area not designated for parking	Part 19.1 (c)	\$75
82	Using a roadway/parking area in a park to clean/maintain/repair/service or wash a vehicle	Part 19.2 (a)	\$75
83	Using a roadway/parking area in a park for instructing/teaching/coaching any person in the driving/operation of a vehicle	Part 19.2 (b)	\$75
84	Using a roadway/parking area in a park for games/sports activities without a permit	Part 19.2 (c)	\$75
85	No person shall park a bus on a roadway/parking area in a park	Part 19.3	\$150
86	No person shall park/leave a vehicle overnight in a park	Part 19.4	\$500
87	No person shall drive/operate/pull/ride/park any commercial vehicle in a park unless the person has a valid permit issued by the Director	Part 19.5	\$250
88	Operation of a vehicle in a park in excess of the posted speed limit	Part 19.6	\$75
89	Operating a bicycle/power assisted bicycle within a park, at a speed which endangers any other person using the park	Part 19.7	\$150
90	Operating a vehicle in excess of 20 kilometers per hour on roadways in a park	Part 19.8	\$75
** Reference Fire Department fee schedule for open air burns			