

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 80-128

PARKS: A by-law for the use, regulation, protection and government of the municipal in the City of Sault Ste. Marie.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 207 (1) Paragraph 52 of the Municipal Act, chapter M. 45 and amendments thereto, ENACTS as follows:

1. **DEFINITIONS**

In this by-law:

- (a) [Repealed by By-law 94 – 105].
- (b) “Corporation” means the Corporation of the City of Sault Ste. Marie.
- (c) “Park” means a municipal park in the City of Sault Ste. Marie and includes all avenues, boulevards and drives therein.
- (d) “Park a vehicle” means to leave a vehicle standing, whether occupied or not, except when standing temporarily for the purpose of loading or unloading.
- (e) “Vehicle” means vehicle as defined in the Highway Traffic Act and includes a motorized snow vehicle and a motorcycle.

2. **COMMERCIAL VEHICLES PROHIBITED**

No person shall drive, propel, draw or ride in any parks, a vehicle bearing any quantity of merchandise, good, chattels or raw materials unless such load is being transported for delivery in bulk for use in the park.

3. **VEHICLES PROHIBITED EXCEPT ON PARK ROADWAYS**

No person shall park, drive, propel, draw or ride in any parks, a vehicle other than a bicycle, tricycle or child’s sleigh, carriage, or go-cart, on any part of any park except on a designated roadway. [By-law 81-251]

4. **NIGHT RESTRICTIONS**

- (1) Except where notice to the contrary is posted or overnight camping is permitted, or special permission is granted in writing, no person, except an employee of the Corporation, shall enter or remain in any park on any day between the hours of ten o’clock in the afternoon and seven o’clock in the forenoon. Provided, however, with respect to Pointe Des Chenes Park no person, except an employee of the Corporation shall enter or remain in the said Pointe Des Chenes Park on any day between the hours of ten o’clock in the afternoon and seven o’clock in the forenoon. [By-laws 82-211, 94-105 and 2008-146]
- (2) Notwithstanding subsection (1), with respect to parks abutting the St. Mary’s River and except where notice to the contrary is posted or overnight camping is permitted, no person except an employee of the Corporation shall enter or remain in any park abutting the St. Mary’s River on any day between the hours of ten o’clock in the afternoon and seven o’clock in the forenoon. [By-law 2008-146]
- (3) With respect to Bellevue Park, no person except an employee of the Corporation shall enter or remain in Bellevue Park between the hours of 10:00 o’clock in the afternoon and 7:00 o’clock in the forenoon. [By-laws 99-218 and 2008-146]

5. **ANIMALS**

- (1) No person shall bring an animal into a park unless the animal is held by a leash not exceeding 2.0 metres in length. [By-law 81-251]
- (2) No person who has brought an animal into a park shall permit such animal to run unleashed therein.
- (3) Persons bringing animals into a park are responsible to clean up and remove the animal excrement of the said animals immediately after droppings have occurred.

6. **GAME AREAS**

No person shall play games or operate a motorized snow vehicle within a park except in a area where a sign is displayed to indicate that the area is designated by the Corporation for that purpose. [By-law 81-251]

6A. **GOLFING**

Without restricting the generality of Section 6 of this by-law no person shall use any golf club in a park except in an area specifically signed and set aside for the purpose of practicing or playing golf. [By-law 87-67]

7. **RATE OF SPEED AND SAFETY**

No person shall drive any vehicle on any roadway in a park at a greater rate of speed than 20 kilometres per hour or in a manner that interferes with or endangers any person in the park. [By-law 81-251]

8. **ONE-WAY TRAFFIC**

Upon every roadway or part of a roadway in a park, where a sign is on display to indicate the direction of traffic, vehicular traffic shall move only in the direction so indicated.

9. **PARKING PROHIBITED**

No person shall park a vehicle in a park overnight, unless a sign is on display to indicate that the area is designed by the Corporation for that purpose. [By-law 94-105]

10. No person shall park a vehicle on any roadway or part of a roadway in a park where a sign is on display to indicate that parking thereon is prohibited.

11. **INTERFERING WITH SIGNS**

No person shall deface, injure, uproot or remove any sign erected by the Corporation in a park. [By-law 94-105]

12. **DAMAGE**

(1) **TO PARK EQUIPMENT**

No person shall wilfully break, deface, or otherwise damage any gate, lock, bolt, fence, seat, bench, table, or other property or equipment of the Corporation placed or used in the park. [By-law 81-251]

(2) **TO PARK TREES, SHRUBS, FLOWERS**

No person shall break, deface, but or otherwise damage or remove any tree or tree part, shrub or bush, flower or flower bed or any ornamental article or piece placed in a flower bed.

13. **LITTERING PROHIBITED**

No person shall throw or deposit or cause to be deposited, any rubbish, refuse, garbage, waste or litter in a park, except in receptacles provided for the purpose.

14. **PROTECTION OF GRASS**

No person shall walk on the grass or sward of a park for the purpose of going from one part to another, where warned by signs not to do so.

15. No person shall make use of a park as a thoroughfare for the purpose of going from one part of the City to another unless by means of the walks or roadways therein.

16. **CARRYING ON BUSINESS IN PARK**

In a park, no person shall sell refreshments or tobacco or any other merchandise, or take money and operate any game, show amusement, or take and sell photographs, or solicit or accept money or orders for the sale of photographs, or operate any business whatsoever, without first having obtained from the Corporation, a license in writing to do so. [By-law 94-105]

17. The granting, refusing, suspending or revoking of such license referred to in section 16 of this by-law is in the discretion of the Corporation and the granting thereof is for such fee and on such terms and conditions as the Corporation may impose. [By-law 94-105]

18. Unless expressed to be for a shorter or longer period of time, or unless sooner suspended or revoked, every such license remains in force until the end of the calendar year in which it was granted.

19. **ROBERTA BONDAR PARK ACTIVITIES**

In addition to the other restrictions contained in this by-law, the following restrictions shall apply to the park known as Roberta Bondar Park (which for this by-law is the area bounded on the west by the Holiday Inn property, on the north by Foster Drive, on the east by the projection southerly of Spring Street and on the south by the St. Mary's River)[By-law 94-105]:

- (a) no person shall rollerblade or ride on a skateboard or any similar device;
- (b) no person shall climb on the tent structure or the cables leading to the tent structure;
- (c) drink alcoholic beverages except at an event licensed under the Liquor License Act of Ontario;
- (d) drive a motor vehicle at any place other than the paved parking area located to the north of the tent structure;
- (e) be in the park between the hours of 11:00 p.m. and 6:00 a.m. of the next day except in the instance of a Corporation of the City of Sault Ste. Marie authorized event taking place.

20. **PENALTY**

Every person who contravenes this by-law shall, upon conviction be liable to a penalty in accordance with the Provincial Offences Act. [By-law 94-105]

21. **EFFECTIVE DATE**

This by-law comes into force on the day of its passing. [By-law 94-105]

READ THREE TIMES and PASSED in Open Council this 14th day of April, 1980.

"NICHOLAS TRBOVICH"

MAYOR – NICHOLAS TRBOVICH

"WILLIAM G. LINDSAY"

CLERK – WILLIAM G. LINDSAY