

# **The Corporation of the City of Kenora**

## **By-law Number 69 – 2016**

### **A By-Law to Amend the Set Fines for the Regulation of Parks in the City of Kenora**

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Whereas s.11 of the Municipal Act, 2001, S.O. 2001, c.25 provides that a municipality may pass bylaws respecting matters within the sphere of jurisdiction of culture, parks, recreation and heritage; and

Whereas Council of the City of Kenora established bylaw number 34-2015 on March 17, 2015 being a bylaw regulating all City owned parks in the City of Kenora which also established set fines for enforcement of this bylaw; and

Whereas comments were received from the Ministry of Attorney General to changes to these set fines prior to an order being issued;

Now Therefore the Council of the Corporation of the City of Kenora enacts as follows:-

1. That the attached Schedule "A" to bylaw number 34-2015 be hereby replaced with the attached Schedule "A" which outlines revised set fines for bylaw 34-2015.
2. That the Clerk of the Corporation of the City of Kenora file a new application to the Regional Senior Justice, Ontario Court of Justice, Northwest Region, for an Order approving the set fine for the offences under the new bylaw which is attached as "Schedule A" to this bylaw.
3. That this by-law shall come into force and be in effect from and after the final passing thereof.

**By-law read a First and Second Time this 14<sup>th</sup> day of June, 2016**

**By-law read a Third and Final Time this 14<sup>th</sup> day of June, 2016**

**The Corporation of the City of Kenora:-**

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**David S. Canfield, Mayor**

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**Heather L. Kasprick, City Clerk**

**City of Kenora**  
**Part 1 – Provincial Offences Act**  
**Set Fine Schedule “A” to By-Law Number 34-2015**

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Offence creating provision or defining offence</b>	<b>COLUMN 3 Set Fines</b>
	<b>CONDUCT</b>		
1.	Indulge in any riotous, boisterous, violent, threatening, or illegal conduct or use of profane or abusive language	Section 5.1.1,	\$100.00
2.	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 or property	Section 5.1.2	\$100.00
3.	create a nuisance by loitering, spying, accosting, frightening, annoying or otherwise disturbing other persons	Section 5.1.3	\$100.00
4.	create a nuisance or in any way interfere with the use and enjoyment of the Park or Trail by other persons	Section 5.1.4	\$100.00
5.	Interfere with an organized gathering or event authorized by a Parks Rental Permit.	Section 6.2.2	\$100.00
6.	operate, or use, any radio, tape player, compact disc player, car radio, or any other sound reproducing system in a manner which disturbs or interferes with other persons in or near a Park or Trail	Section 6.3.2	\$100.00
7.	Interfere with any Organized Sport or Activity occurring within a Designated Area	Section 7.1.2	\$100.00
8.	Obstruct, inconvenience or endanger other users of the Park while operating or utilizing skateboards, roller skates, in-line roller skates or like conveyances	Section 7.5.2	\$100.00
9.	obstruct, inconvenience or endanger other users of the Park while riding or operating a Bicycle.	Section 8.4.2	\$100.00
10.	Casting dangerous objects	Section 5.1.2	\$250.00
11.	Obstructing free use or enjoyment of the park	Section 5.1.4	\$100.00
12.	Enter washroom of the opposite sex	Section 5.1.5	\$100.00
	<b>FIREARMS</b>		
13.	Possession or discharging of firearms or torpedo, rocket, air gun or bow and arrow	Section 5.2	\$250.00
	<b>FIREWORKS</b>		
14.	Ignite, discharge or set off fireworks without authorization by City of Kenora	Section 5.4	\$250.00
	<b>INJURY and DAMAGE</b>		
15.	Climbing building, structure or equipment not designed for climbing.	Section 5.5.1	\$100.00

16.	Damage any vegetation	Section 5.5.2	\$100.00
17.	Damage any monument, bridge, wall, seat, bench or parks equipment or structures	Section 5.5.3	\$200.00
18.	Disturb ground that is under repair.	Section 5.5.4	\$200.00
19.	Drive or walk in a prohibited area.	Section 5.5.5	\$100.00
	<b>WASTE and POLLUTION</b>		
20.	Dump personal garbage, litter, tree trimmings or refuse in park area.	Section 5.6.1	\$250.00
21.	Dump garden refuse in park area.	Section 5.6.2	\$250.00
22.	Dump or drain any material (toxic or otherwise) to pollute waters within the parks area.	Section 5.6.3	\$500.00
	<b>PROTECTION OF WILDLIFE</b>		
23.	Kill, trap or hunt any animal within the parks areas.	Section 5.7.1	\$500.00
24.	Fish or attempt to fish in beach area.	Section 5.7.2	\$100.00
25.	Feed any waterfowl or wildlife.	Section 5.7.3	\$300.00
	<b>ENCROACHMENT</b>		
26.	Encroachment or possession of any park area.	Section 5.8.1	\$250.00
	<b>RESTRICTED AREAS</b>		
27.	Entering into an area in Park or Trail where admission restricted.	Section 5.9	\$100.00
	<b>ALCOHOL</b>		
28.	Consume alcohol in any park area without permit.	Section 5.10.1	\$100.00
29.	Enter park while intoxicated.	Section 5.10.2	\$100.00
	<b>CAMPFIRES and BARBEQUES</b>		
30.	Start fire in parks or trails.	Section 6.1.1	\$100.00
31.	Use a portable barbeque in undesignated area	Section 6.1.2	\$100.00
32.	Use fuel other than charcoal or briquettes in a barbeque	Section 6.1.3	100.00
33.	Leave fire unattended or not completely extinguished.	Section 6.1.4	\$150.00
	<b>ORGANIZED GATHERINGS &amp; PICNICS</b>		
34.	Hold organized picnic or organized event without Parks Rental Permit.	Section 6.2.1	\$100.00
	<b>AMPLIFIERS and LOUD SPEAKERS</b>		
35.	Operating loud speakers or sound amplifying equipment without Parks Rental Permit.	Section 6.3.1	\$50.00
	<b>CAMPING and LODGING</b>		
36.	Dwell, camp or lodge in a park.	Section 6.4	\$50.00
	<b>TENTS and STRUCTURES</b>		
37.	Install or erect tent or structure in park without Parks Rental Permit.	Section 6.5	\$100.00
	<b>ORGANIZED SPORTS &amp; ACTIVITIES</b>		
38.	Participation in organized sport outside designated posted area.	Section 7.1.1	\$50.00

	<b>GOLFING and ARCHERY</b>		
39.	Play or practice golf or archery in a non-designated area.	Section 7.2	\$200.00
	<b>MODEL AIRCRAFT &amp; ROCKETS</b>		
40.	Operating powered model aircraft, rockets or vehicles without authorization by City of Kenora.	Section 7.3	\$150.00
	<b>SKIING, TOBOGGANING &amp; SLEDDING</b>		
41.	Skiing, tobogganing, snowboarding, ski bobbing, or sledding in a prohibited area.	Section 7.4	\$50.00
	<b>ROLLER SKATES &amp; SKATE BOARDS</b>		
42.	Operate or utilize roller skates, in-line skates or skate boards outside of designated area.	Section 7.5.1	\$50.00
	<b>TENNIS</b>		
43.	Use of Tennis court area other than for tennis in contravention of signed rules	Section 7.6	\$50.00
	<b>VEHICLES - ROADWAYS</b>		
44.	Operating a vehicle other than on a roadway area or posted area.	Section 8.1.2	\$250.00
	<b>VEHICLES – PARKING</b>		
45.	Parking a vehicle when park is closed – 11 p.m. – 8 a.m.	Section 8.2.2	\$100.00
	<b>VEHICLES – OTHER ACTIVITIES</b>		
46.	Washing, cleaning, and servicing a vehicle within the parking areas of parks without authorization.	Section 8.3.1	\$50.00
47.	Playing games or sports in the parking area of parks.	Section 8.3.3	\$50.00
	<b>VEHICLES – BICYCLES</b>		
48.	Operate bicycle in prohibited area.	Section 8.4.1	\$50.00
	<b>VEHICLES – MOTORIZED RECREATION VEHICLES</b>		
49.	Operating motorized all-terrain vehicle in prohibited, signed area.	Section 8.5	\$250.00
	<b>ANIMALS</b>		
50.	Brought animal into park other than domestic dogs and cats without authorization by Parks Supervisor.	Section 9.1	\$50.00
51.	Brought domesticated animal to beach areas, sports fields, playground areas, gardens or landscaped area without authorization by Parks Supervisor.	Section 9.2	\$250.00
52.	Failure to have care and control by leash of domesticated animal on trails and designated park areas.	Section 9.3	\$100.00
53.	Domesticated animal on a leash or chain exceeding two (2) meters in length;	Section 9.5.1	\$100.00
54.	Failure to remove excrement left by a domesticated animal.	Section 9.5.2	\$100.00
55.	Brought dangerous animal that has been convicted of an offence into a park area.	Section 9.6	\$250.00

<b>COMMERCIAL ENTERPRISES</b>			
56.	elling or offering or display for sale of any food, drink or refreshment without a license.	10.1.1	\$100.00
57.	Selling or offer or display for sale any goods, wares, merchandise or articles including promotional material, souvenirs or novelties without a license.	10.1.2	\$100.00
58.	Selling or offer or display for sale any flowers, fruits or vegetables without a license	10.1.3	\$100.00
59.	Selling or offer or display for sale any art, skill service or work	10.1.4	\$100.00
60.	Conducting a business in a park or trail without a license.	10.2	\$100.00
61.	Post, nail, attach any poster, sign placard or other circular bill/advertisement other than on an event board.	10.3.1,	\$100.00
<b>HOURS</b>			
62.	Enter or remain in park after designated hours of operation.	11.4	\$100.00

NOTE: The penalty provision for the offences indicated above is Section 12.12 of By-law 34-2015, a certified copy of which has been filed