

**THE CORPORATION OF THE MUNICIPALITY OF
TOWNSHIP OF BROOKE-ALVINSTON**

BY-LAW No. 27 of 2008

**BEING A BY-LAW TO PROVIDE PROTECTIONS AND REGULATIONS FOR
THE PUBLIC PARKS AND RECREATION AREAS IN THE
TOWNSHIP OF BROOKE-ALVINSTON**

WHEREAS the Council of the Corporation of the Municipality of the Township of Brooke-Alvinston deems necessary to provide protection and regulations for the operation of the Public Parks and Recreation Areas in the Township of Brooke-Alvinston;

AND WHEREAS, Section 11(2) of *The Municipal Act, 2001* provides that Council may pass by-laws respecting the health, safety and well-being of persons;

NOW THEREFORE, pursuant to *The Municipal Act, 2001* the Council of the Corporation of the Municipality of the Township of Brooke-Alvinston enacts as follows:

1. Definitions

- a) **Council** – shall mean the Council of the Township of Brooke-Alvinston.
- b) **Park** – shall include all lands established in the Township of Brooke-Alvinston by the Council for public use and may be called a Park or System of Parks, Avenue, Boulevard, Square, Gardens, Waters, Cemetery, and drives or any combination of them and may be controlled in the manner hereinafter provided. ‘Park’ shall also include the land, including ball parks, surrounding the Brooke-Alvinston-Inwood Community Centre Complex, the excess lands around the Alvinston Water Treatment Plant and Alvinston Sewer Treatment Plant and the Inwood Ball Park.
- c) **Peace Officer** – shall include any member of the Ontario Provincial Police, Provincial Offenses Officer, Ministry of Natural Resources Officer and any person appointed for enforcing the provisions of this By-law.
- d) **Regulations** – shall mean any regulations made under this By-law or amendments thereto.
- e) **Vehicles** – shall include an automobile, a motorcycle, a trailer, a traction engine bike, all terrain vehicles, motorized snow vehicles, and any other vehicle drawn or propelled or driver by any kind of power. This definition shall not include any vehicles operated by the Township of Brooke-Alvinston for the purposes of maintenance, building or controlling the said parks.
- f) **Missiles** – shall include, but not be limited to, objects thrown in the park such as stones, sticks, glass bottles, cans, plastic bottles and other objects thrown that could cause harm or injury to persons, birds and/or animals in the park.
- g) **Offensive Substances** – shall include, but not be limited to, chemicals, oils, gas, urine, feces, and/or any substance not natural to the waters in the park.
- h) **Games of Chance** – shall include, but not be limited to, games that include betting of monies in the park.

2. Regulations

2.1 The Parks of the Township of Brooke-Alvinston are for the benefit and pleasure of the public and every person shall, as to the use of said parks, be subject to the regulations outlined in this By-law.

2.2 In any Park or Recreation Area in the Township of Brooke-Alvinston:

- a) No person shall commit any disorderly or immoral act.
- b) No person shall be intoxicated or have an intoxicating substance or agents likely to cause intoxication.
- c) No person shall throw any stones or other missiles.
- d) No person shall utter offensive or indecent language.
- e) No person shall play any games of chance.
- f) No person shall tell fortunes.
- g) No person shall beg.
- h) No person shall offer anything for sale except with permission of the Council.
- i) No person shall throw or drain offensive substances into the park waters.
- j) No person shall tease, molest or disturb any bird, fowl or animal.
- k) No person shall kill, wound or maim any bird and/or animal or remove or injure and bird, bird's nest or eggs.
- l) No person shall injure, damage any plant, tree, grass, flower, fruit, turf.
- m) No person shall obstruct in any way a roadway and/or path and/or trail.
- n) No person shall build or set a fire.
- o) No person shall drive any off road vehicles in the park without permission of Council.
- p) No person shall be in the parks between the hours of 11:00 pm and 7:00 am without permission of Council.

3. Enforcement

This By-law is to be enforced by the Ontario Provincial Police, Provincial Offenses Officer, By-law Enforcement Officer, or any person appointed by Council to enforce set regulation.

4. Penalties

No person shall fail to comply with the requirements as set out in this By-law. Any person who contravenes any provision of this By-law shall be guilty of an offense and upon conviction, shall be liable to any penalty as provided in the Provincial Offenses Act.

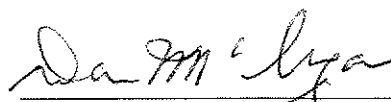
5. Short Title

The short title of this regulation is "PARKS BY-LAW"; a schedule with set fines and offences is attached as Schedule "A".


This By-law shall come into force and effect upon the final passing thereof.

READ A FIRST AND SECOND TIME this 24 day of JULY, 2008.

READ A THIRD TIME AND FINALLY PASSED this 24 day of JULY, 2008.



Don McGugan, Mayor



Cathy Case, Clerk

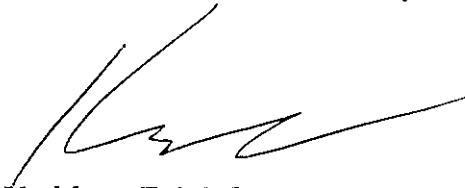
ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

PART I

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and the Municipal By-Law No. 27 of 2008, of the Township of Brooke-Alvinston, attached hereto is the set fine for that offence. This Order is to take effect August 21, 2008.

Dated at London this 21st day of August 2008

A handwritten signature in black ink, appearing to read 'Kathleen E. McGowan', written over a white background.

Kathleen E. McGowan
Regional Senior Justice
West Region

TOWNSHIP OF BROOKE-ALVINSTON
SCHEDULE 'A'
to By-law No. 27 of 2008
PARKS BY-LAW
PART 1 Provincial Offences Act

ITEM	COLUMN 1	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
	Short Form Wording		
1.	Commit any disorderly or immoral act in the park.	2.2 (a)	\$205.00
2.	Be intoxicated and/or have an intoxicating substance in the park.	2.2 (b)	\$205.00
3.	Throw stone and/or other missiles in the park.	2.2 (c)	\$105.00
4.	Utter offensive language in the park.	2.2(d)	\$105.00
5.	Play any games of chance in the park.	2.2 (e)	\$105.00
6.	Tell fortunes in the park.	2.2 (f)	\$105.00
7.	Beg in the park.	2.2 (g)	\$105.00
8.	Offer anything for sale in the park.	2.2 (h)	\$105.00
9.	Throw or drain offensive substance into park waters.	2.2 (i)	\$105.00

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
10.	Tease any bird or animal in the park.	2.2 (j)	\$105.00
11.	Kill or wound any bird or animal in the park.	2.2 (k)	\$105.00
12.	Damage any plant life in the park.	2.2 (l)	\$105.00
13.	Obstruct roadway or path in the park.	2.2 (m)	\$105.00
14.	Build or set a fire in the park.	2.2 (n)	\$105.00
15.	Drive off road vehicles in the park.	2.2 (o)	\$205.00
16.	Be in the park between the hours of 11:00 pm and 7:00 am	2.2 (p)	\$205.00

The penalty provision for the offences listed above is section 4 of By-law No. 27 of 2008, a certified copy of which has been filed.