

**CORPORATION OF THE TOWNSHIP OF LEEDS AND THE THOUSAND  
ISLANDS**

**BY-LAW 08-024**

**BEING A BY-LAW TO REGULATE AND PROMOTE THE RESPONSIBLE  
ENJOYMENT AND USE OF PARKS AND FACILITIES.**

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**WHEREAS** the *Municipal Act 2001*, as amended, allows a municipality to pass by-laws pertaining to culture, parks and recreation and the health, safety and well-being of persons;

**AND WHEREAS** the municipality has invested time and resources to improve its parks and facilities so that its residents can be proud of their parks and be able to enjoy what they offer safely;

**AND WHEREAS** it is important to the Council of the Township of Leeds and the Thousand Islands that its parks remain a significant asset of the municipality, are kept in the best condition possible and can provide many hours of enjoyment for all of its residents;

**NOW THEREFORE** in order to protect its parks, the Council of the Corporation of the Township of Leeds and the Thousand Islands hereby enacts as follows:

**1.0 DEFINITIONS**

In this by-law;

- 1.1 “alcoholic beverage” shall mean spirits, liquor, beer, wine 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 substance;
- 1.2 “animal” shall mean any member of the animal kingdom, other than a human, and includes birds;
- 1.3 “barbeque” shall mean a portable or fixed device designed and intended solely for the cooking of food in the open air, but does not include outdoor fireplaces and campfires;
- 1.4 “By-law Officer” shall mean a person appointed by the Council of the Corporation of the Township of Leeds and the Thousand Islands as a Municipal Law Enforcement Officer to enforce the provisions of the by-law;
- 1.5 “camp” shall mean to erect a structure, hut or tent for the purpose of providing shelter;
- 1.6 “Coordinator” shall mean the Recreation & Facilities Coordinator of the Township of Leeds and the Thousand Islands or authorized designates, unless otherwise specified;
- 1.7 “facility” shall mean any area, pool, building or structure in a park under the jurisdiction of the Recreation Department of the Corporation of the Township of Leeds and the Thousand Islands;
- 1.8 “motorized vehicle” shall mean an automobile, truck, motorcycle, ATV or any other vehicle propelled or driven by means other than muscular power but does not include a wheelchair or motorized vehicles operating pursuant to the approval of the Coordinator;
- 1.9 “Municipality” shall mean The Corporation of the Township of Leeds and the Thousand Islands or the geographic area of the Township of Leeds and the Thousand Islands as the context requires;

- 1.10 “park” shall mean a playground, playing field, ball diamond, sports field, beach, recreation center, community building, facility, square, garden, water, pedestrian walkway or any other area owned, leased or used by the Municipality and devoted to active or passive recreation and includes any lane or walkway or public parking area leading thereto;
- 1.11 “person” shall mean any individual, association, firm, partnership, corporation, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law;
- 1.12 “Police Chief” shall mean the Officer in charge of the Leeds County Detachment (Lansdowne) of the Ontario Provincial Police or authorized assistants or persons acting under his or her authority;
- 1.13 “service animal” shall mean an animal trained by a recognized school for service as a guide dog for the blind or visually impaired, a guide dog for the deaf or hearing-impaired, a police services dog while on duty, a special skills dog for other disabled persons and includes an animal used in therapy, registered with a recognized organization for that purpose;
- 1.14 “sports field” shall mean an area in a park set aside for use in sports, such as football, soccer, rugby and cricket, requiring an open field space;
- 1.15 “waste” shall mean paper, bottles, broken glass, cans, rags, garbage, rubbish, debris or refuse of any kind;
- 1.16 “wheelchair” shall mean a chair mounted on wheels, which is propelled by muscular power or any other type of power and is used for the carriage of a person with a disability.

## **2.0 ASSET PROTECTION**

2.1 To preserve the beauty of the park no person shall, in a park, cut, climb, break, injure, deface, disturb or remove any property including:

- a) a tree, shrub, bush, flower, plant, grass, wood, soil, sand, rock or gravel, and
- b) a building, cage, pen, or monument

2.2 To preserve the beauty of the park no person shall, in a park, mark or write upon, damage or otherwise injure any property of the Municipality including:

- a) any part of the interior or exterior of a building, and
- b) any monument, fence, bench or other structure

2.3 To protect the birds and animals in a park no person shall:

- a) disturb, injure, wound, hunt, trap, attempt to kill or kill any animal
- b) touch, interfere with, remove or injure any bird's nest, the eggs or the young birds contained therein, or
- c) provide, cause to be provided, deposit or leave any food that may be used by wildlife in a park

2.4 To protect the environment of the park, users are required to:

leave or deposit any waste, except in a receptacle provided for that purpose or take it home.



- 2.5 A person shall transport across, launch or beach a boat in any park only on to a portion of land specified for such purposes.

### **3.0 SPORTS AND ACTIVITIES**

- 3.1 In an area designated for such purposes and in accordance with the subsection 3.2 a person may participate in or play baseball, softball, basketball, volleyball, football, soccer, rugby, tennis, croquet, cricket, badminton, ultimate Frisbee, disk golf, skateboarding or any other sport or activity in a park.

- 3.2 A person may:

- a) use a ball diamond on any day between May 1<sup>st</sup> and October 16<sup>th</sup> of any year;
  - b) subject to subsection 3.2 c) use a sports field on any day between the 15<sup>th</sup> day of May and the 31<sup>st</sup> day of October of any year;
  - c) despite subsection 3.2 b) the Coordinator of the Recreation Department may, at his or her discretion, amend the dates on which a ball diamond and sports field may be used, on the basis of the ground conditions of the ball diamond or sports field.
  - d) subject to subsections 3.2 c) and 3.2 b), no person shall use or access a ball diamond or sports field to which access has been restricted by the Coordinator of the Recreation Department.
  - e) Despite subsection 3.2 b), a person may access or use sports fields for winter sports during the winter months while,
    - i) the ground is snow covered,
    - ii) the site is not altered, and
    - iii) there is no damage to the field
  - f) No person shall use a tennis court located in a park unless such person is wearing appropriate footwear.
  - g) A person shall use a barbecue in a park in areas designated for that purpose.
- 3.3 a) No person shall play golf, drive a golf ball or use golf clubs or other like equipment or drive a golf cart in a park.
- b) No person shall engage in any horse race or ride a horse in a park.

### **4.0 CYCLING, SKATEBOARDING, ROLLERBLADING & MOTORIZED VEHICLES**

- 4.1 The Coordinator may designate a park or part thereof as a place in which specific sports are prohibited and shall indicate the park or part thereof to which the designation applies.

- 4.2 A person may drive a motorized vehicle in a park, in areas designated for that purpose and during the hours designated.

### **5.0 SKATING**

- 5.1 A person using a skating rink in a park shall:

- a) not endanger or interfere with any other person using the rink,
- b) not carry any object that is, or is likely to be, dangerous to other persons on a rink, except such equipment as may be required for any sport or activity approved by the Coordinator;
- c) not use the rink during the preparation period.

## **6.0 SWIMMING**

6.1 A person shall:

- a) enter a swimming pool, with permission and only at the times designated for swimming,
- b) obey the instructions of a lifeguard or any other person appointed to oversee the facility,
- c) swim, bathe, wade in or enter the waters of a lake, river or stream in a park, at a time designated and in areas for such purposes,
- d) not endanger any person or wildlife, or to pollute the waters, or
- e) not bring into or possess in a bathing area or swimming area or swimming area of a park, any bottles, glassware, metal or other material which may cause injury.

## **7.0 ANIMALS**

7.1 Animals which are leashed and under control are permitted in the park, and no person shall allow a dog in their care to defecate in a park without immediately removing and properly disposing of the excrement.

7.2 Despite subsection 7.1 shall not apply to a person with a service animal.

## **8.0 PERMITS**

8.1 A vendor shall, secure permission of the Coordinator to be present in a park and in a designated area.

8.2 A person may rent a pavilion or portion of a pavilion.

8.3 A renter who undertakes to use a pavilion or facilities shall be:

- a) eighteen (18) years of age or older;
- b) does not charge admission or sell refreshments except as authorized by the Coordinator
- c) complies with any additional conditions imposed by the Coordinator

8.4 An agreement for park use issued by the Coordinator is not transferable.

8.5 The renter shall comply at all times with all other applicable municipal by-laws and provincial and federal laws.

## **9.0 INDEMNIFICATION**

9.1 The applicant for an agreement to access any park shall indemnify and save harmless the Township of Leeds and the Thousand Islands from any and all claims, demands, causes of action, losses, costs or damages that the Township may suffer, incur or be liable for resulting from the use of the park whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

## **10.0 REVOCATION**

Agreement issued to a renter under this by-law may be revoked by the Coordinator if, in the opinion of the Coordinator, the renter fails to comply with the requirements of the agreement or any other provisions of this by-law.



## **11.0 ENCROACHMENT**

- 11.1 No person, being the owner or tenant of land adjacent to a park, shall cause or permit:
- a) planting of any hedge, tree, shrub or garden,
  - b) construction of any fence, storage shed, retaining wall or other structure of any kind,
  - c) keeping of any composting receptacle or pile, or
  - d) placing of any string, wire, chain, rope or similar material, on park property

## **12.0 MISCELLANEOUS**

- 12.1 To preserve the beauty and tranquility of the park no person shall engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behaviour in a park.
- 12.2 To preserve the beauty and tranquility of the park no person shall engage in any activity so as to interfere with or become a nuisance to the general public using the park.
- 12.3 The Coordinator may, at any time and at his or her discretion, temporarily or permanently close to the public a park, a portion of a park or a building in a park due to inclement weather or other circumstances deemed appropriate by the Coordinator.
- 12.4 Where the Coordinator has temporarily or permanently closed to the public a park, a portion of a park or a building in a park pursuant to subsection (3), no person shall remain in or enter the closed area.

## **13.0 INTERPRETATION**

- 13.1 In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.

## **14.0 ENFORCEMENT**

- 15.1 The by-law shall be enforced by the Chief of Police or by the By-law Officers of the Township of Leeds and the Thousand Islands.

## **15.0 OFFENCES AND PENALTIES**

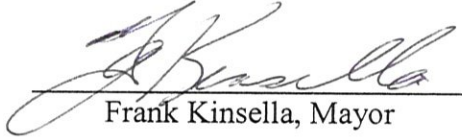
- 16.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence.
- 16.2 Every person who is convicted of an offence under this by-law is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, as amended.
- 16.3 Where a person has been convicted of an offence under this by-law, the Ontario Court of Justice, or any court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed towards the continuation or repetition of the offence.
- 16.4 Every person who acts in contravention of this by-law so as to cause the Township to incur costs due to his or her actions shall, in addition to any penalty provided for herein, be liable to the Township for all expenses incurred for the purpose of repairing or replacing damaged property or removing unauthorized materials, and such expenses may be recovered by court action or in a like manner as municipal taxes.

## 17.0 GENERAL

- 17.1 This by-law may be cited as the “Township of Leeds and the Thousand Islands Parks By-law”.
- 17.2 This by-law shall come into force and take effect on the date of passing.

**READ A FIRST AND SECOND TIME THIS 14<sup>th</sup> DAY OF APRIL 2008.**

**READ A THIRD TIME AND FINALLY PASSED THIS 28<sup>th</sup> DAY OF APRIL, 2008.**

  
Frank Kinsella, Mayor

  
Vanessa Latimer, Clerk

