

BY-LAW TO REGULATE, MANAGE, PROTECT, CONTROL AND OVERN THE USE AND MAINTENANCE OF ALL PUBLIC PARKS, UBLIC OPEN SPACES, INCLUDING THE HARBOUR, TRAILS AND THER PUBLIC FACILITIES IN THE TOWN OF COBOURG

WHEREAS Section 9 of the Municipal Act, 2001, states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11(3) the Municipal Act, 2001, as amended, provides that the council of a local municipality may pass by-laws respecting matters within the sphere of jurisdiction of culture, parks, recreation and heritage;

AND WHEREAS Section 128 of the Municipal Act, 2001, states that a municipality may prohibit and regulate with respect to public nuisance, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS the Council of the Town of Cobourg deems it expedient to regulate, manage, protect, control and govern all public parks, open spaces, including the harbour, trails and other public and heritage facilities in the Town of Cobourg.

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1.0 DEFINITIONS AND INTERPRETATION

1.1 In this By-law:

"Authorized sign" shall mean any sign, notice, or other device placed or erected in or upon a park, under the authority of this By-Law;

"Alcoholic Beverage" shall mean spirits, liquor, beer, wine or any combination thereof and includes alcohol in a form appropriate for human consumption as a beverage alone or in combination with any other substance;

"Animal" or "Domestic Animal" shall mean any dog, cat, kitten, or puppy;

"Athletic Parks" shall mean large scale facilities whose primary function is active recreation. These parks serve both the Town and the surrounding region and are designed to accommodate a variety of events / activities simultaneously. Programmed for sports tournaments or festivals with a regional draw, they can contribute to the economic development of the Town;

"Authorized Parking Area" shall mean an area of a park, lane, laneway, right of way, street or recreation area set aside for or established, for the parking of motor vehicles, which may have regulations posted with respect to the use of the area;

"Berth" shall mean a location in the Cobourg Harbour where a watercraft may be moored;

"Bicycle" shall include a tricycle, a unicycle and a power-assisted bicycle but does not include a motor-assisted bicycle;

"Boardwalk" shall mean a wooden walkway across sand or marshy ground;

"Camp" shall mean to erect a structure, hut, or tent for the purpose of providing shelter, or to use a structure, hut, tent for human habitation for any period of time;

"Cobourg Harbour" shall mean the land and land covered by water shown on the plan attached as Schedule "D" of this by-law, also known as Cobourg Harbour;

"Cobourg Marina" shall mean the facility that has docks, moorings, supplies, and other related facilities for watercrafts, small boats and yachts.

"Connector Parks" shall mean generally linear public spaces that connect parks and primary Town attractions. They are components of the Systems Plan and integrate creek corridors, abandoned utility/rail corridors, street allowances, etc;

"Control" shall include care and custody;

"Council" shall mean the Council of The Corporation of the Town of Cobourg;

"Culture Parks" shall mean parks that possess historic/heritage qualities distinct to Cobourg. These parks help define the Cobourg experience and are unique places for community celebrations and special events. In conjunction with Landmark Parks, they provide the greatest opportunity to enhance the tourism appeal of the community;

"Dangerous Goods" shall mean dangerous goods as defined in the Transportation of Dangerous Goods Act R.S.C. 1985, c. T.19;

"Designated Area" shall mean an area that is set aside or reserved for a particular use which may include posted conditions;

"Director" shall mean the Director of Recreation and Culture or his/her designate;

"Emergency" shall mean a situation or a potential situation that could result in serious harm to persons or substantial damage to property and which may be caused by the forces of nature, accident, and intentional act or otherwise;

"Emergency Vehicle" shall mean a police, fire, search and rescue, or ambulance vehicle or aircraft or other form of transportation used by emergency services personnel;

"Explosive" shall mean explosive substance includes:

- a) Anything intended to be used to make an explosive substance;
- b) Anything, or any part thereof, used or intended to be used, or adapted to cause, or to aid in causing an explosion in or with an explosive substance;
- c) An incendiary grenade, fire bomb, molotov cocktail or other similar incendiary substance or device and a delaying mechanism or other thing intended for use in connection with such a substance or device. (Substance explosive)

"Facility" shall mean any feature, building, structure in a park under the jurisdiction of the Town of Cobourg;

"Fee" shall mean a fee for the use of the park or part thereof, or any services provided by the Town as set out in the Fees and Charges By-law;

"Firearm" shall mean a barreled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barreled weapon and anything that can be adapted for use as a firearm;

"Fireworks" shall mean devices containing combustible chemicals that cause explosions or spectacular effects including: display fireworks, pyrotechnic special effects fireworks and consumer fireworks;

"Harbour User" shall mean a person(s), groups, organizations, and leaseholders utilizing the Cobourg Harbour for recreational purposes;

"Landmark Parks" shall mean parks located on Cobourg's waterfront. They are defining icons of the Town and provide a range of experiences and water related activities. As the center piece of the Town's event programming, Landmark Parks are regional destinations that have wide appeal to a diverse audience. Portals are a sub-component of this classification and provide public access to the waterfront at street ends that terminate at the lake;

"Launch Ramp" shall mean an area adjacent to or used in connection with a municipal dock, which is not a structure, and which serves as an area to launch or recover a watercraft into and from Lake Ontario and the Cobourg Harbour;

"Leaseholder" shall mean a person in possession of leasehold property;

"Leisure Parks" shall mean the most common type of park and provide the greatest degree of access to the system. They are centrally located in each neighbourhood and are within a short walking distance of all homes;

"Marina User" shall mean a person(s) who has leased a slip for a boat on a seasonal or transient basis and paid users of the Municipal Launch ramp;

"Motor Vehicle" shall include an automobile, a motorcycle, a motor- assisted bicycle, and any other vehicle propelled or driven otherwise by muscular power, but does not include a street car or other motor vehicle running only upon rails, a power-assisted bicycle, a motorized snow vehicle, a traction engine, a farm tractor, a self-propelled implement of husbandry or a road-building machines as defined under the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time;

"Moor" shall mean to secure a watercraft by means of lines, cables, or other similar means to a Municipal dock or to anchor; within the Cobourg Harbour;

"Municipal Dock" shall mean any structure owned or under the control of the Town and used as a dock, wharf, pier, or watercraft launching or recovery area together with all adjacent and underlying lands related thereto;

"Motorized Recreational Vehicle" shall mean a snowmobile, go-cart, trail bike, mini bike, electric bicycle, all-terrain vehicle, or similar vehicle, propelled or driven by an internal combustion engine;

"Municipality" shall mean The Corporation of the Town of Cobourg;

"Municipal Law Enforcement Officer" means any Officer or other person appointed by Municipal Council to enforce Town of Cobourg by- laws;

"Nature Parks" shall mean parks that are predominantly natural in character and exhibit landscape/environmental characteristics common to Cobourg or the surrounding area. The focus of these parks is conservation, nature appreciation, and interpretation. They provide a nature-based experience and environmentally compatible passive recreation activities;

"Organized Sport or Activity" shall mean a sport, game or activity pre-planned by an individual, group or organization whether or not formally constituted and whether or not the players or members wear uniforms;

"Park" shall mean land and Municipal owned water lots and all portions thereof owned by or made available by lease, agreement, or otherwise to the municipality, that is or hereafter may be established, dedicated, set apart or made available for use as public open space, and that has been or hereafter may be placed under the jurisdiction of the Director including any and all buildings, structures, facilities, erections and improvements located in or on such land and for further certainty includes the parks and recreation areas listed in Schedule "A" to this by-law and which forms a part of this by-law;

"Parking Area" shall mean a section of a park that is a designated area for the parking of vehicles;

"Pavilion Permit" shall mean a permit that is issued by the Parks Department to any person(s) or organization for use of the Lions Pavilion;

"Person" may include any individual, association, organization, firm, partnership, corporation, agent or trustee and their heirs, executors, or other legal representatives of a person to who the context can apply according to law;

"Police Officer" shall mean the same as defined in the Police Services Act R.S.O. 1990 c. P.15;

"Post" or "posted" shall refer to authorized signs that regulate, restrict, or prohibit activities in a designated area;

"Recreational Area" shall mean any land, structure and/or building within the municipal limits of the Town of Cobourg including the Cobourg Harbour that is owned or controlled by the Municipality and is used or designed to be used for athletic, social, leisure or cultural activities;

"Reflection Pond" shall mean the fountain filled with water in Rotary Waterfront Park;

"Run at Large" shall mean animal or domesticated animal to be found in any place other than the premises of the owner of the animal or domesticated animal and not under the physical control of any person by means of a leash;

"Service Animal" shall mean a registered animal trained to perform specific functions and services to assist persons with disabilities;

"Special Events" shall mean a one time, annual or infrequently occurring event on Town of Cobourg property that is reserved for exclusive use and includes but is not limited to; a festival, procession, march, drill parade or other organized event which meets the following criteria: a celebration of a specific theme, has a predetermined opening and closing date/time and is available to the community-at-large;

"Special Event Permit" shall mean a permit that is issued and sanctioned by the Town of Cobourg to any person(s) or organization for use of the parks and facilities including roads within the Town;

"Sport Activity" shall mean a sport such as: baseball, softball, basketball, volleyball, football, soccer, rugby, tennis, croquet, badminton, ultimate frisbee, disk golf, skateboarding, golf, lacrosse, cricket or any other sport or activity;

"Trail" shall mean that part of or a park that has been marked, posted for the purpose of biking, hiking, snow shoeing, cross country skiing, or running by the public;

"Unorganized Sport or Activity" shall mean a sport, game or activity that is not pre-planned by an individual, group or organization and is considered to be spontaneous;

"Vehicle" shall include a motor vehicle as defined under the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time, and any bicycle, golf cart, carriage, wagon, sleigh or other vehicle or conveyance of every description, whatever the mode of power, and includes in-line roller skates and skateboards, but excludes a wheelchair or similar device (powered or otherwise) used by an individual due to a disability, baby carriage or cart, child's wagon, child's stroller, child's sleigh or other conveyance of like nature;

"Watercraft" shall mean any device for conveyance in or on water and includes but is not limited to boats, sailboards, canoes, kayaks, stand-up paddle boards, dinghies, jet-skis, kiteboarding, hover boarding, or similar vessels;

"Weapon" shall mean anything used, designed to be used or intended for use:

- a) In causing death or injury to any person; or
- b) For the purpose of threatening or intimidating any person.

And, without restricting the generality of the foregoing, anything used, designed to be used or intended for use in binding or tying up a person against their will.

"Zone of Respect" shall mean the Cenotaph of Remembrance and the brickwork located around the exterior of the structure.

PART I-CONDUCT

2.0 GENERAL

2.1 No person shall fail to comply with the rules of the Parks, Recreational areas and facilities.

2.2 A full listing of Parks within the Municipality is included in Schedule "A" forming part of this By-law;

2.3 A map of all parks within the Municipality is included in Schedule "B" forming part of this By-law.

3.0 RESTRICTED AREAS

3.1 No person shall enter into a posted area in a park where the area is posted to prohibit or restrict admission to the public.

4.0 GENERAL CODE OF CONDUCT

4.1 While in a Park, no person shall:

- a) Indulge in any disorderly, dangerous, offensive, riotous, boisterous, violent, threatening, or illegal conduct or use profane or abusive language;

- b) Cast, throw, or in any way propel any object in such a manner that may or does endanger or cause injury or damage to any person or property;

- c) Create a nuisance by loitering, or otherwise disturbing any person(s) with the use and enjoyment of the park;

- d) Remain in a park during severe inclement weather, excluding marina leaseholders within the Cobourg Harbour;

- e) Engage in any activity or behavior that may be offensive to the public in accordance with applicable law;

- f) Use photographic devices in the washrooms and/or change rooms, such as cellular devices and cameras and other visual recording devices;

- g) No Person shall enter upon the Zone of Respect and act in a way that would be offensive to the values of the Cenotaph of Remembrance.

- h) Hinder or obstruct, or attempt to hinder or obstruct the Director, Officer or other authorized employee or agent of the Town, in the exercise of a power or the performance of a duty under this By-law.

5.0 FIREARMS, WEAPONS, DANGEROUS GOODS AND EXPLOSIVES

5.1 While in the park, no person shall:

- a) Be in the possession of or use any firearm, rocket of any type, air gun, bow and arrow, axe or offensive weapon of any kind;
- b) Bring dangerous goods, explosive or combustible goods into a park.

6.0 FIREWORKS

6.1 While in the park, no person shall:

- a) Ignite, discharge, release, or set off any fireworks, except as a controlled and supervised fireworks display authorized by a permit issued by the Cobourg Fire Services Department;
- b) Release any floating lanterns into the atmosphere.

7.0 INJURY ANY DAMAGE

7.1 While in a park no person shall:

- a) Climb any building, structure or equipment, that is not playground equipment designed for climbing and posted for climbing unless the individual is authorized by the Director or designate to carry out such act;
- b) Dive or jump off the lighthouse and any Pier in the Town of Cobourg Harbour;
- c) Destroy, cut, mark, break, dig, pull up or burn in any way damage, injure, remove, or deface:
 - i. any tree, flower bed, brush, shrub, plant, sod, grass, or other vegetation, soil, sand, gravel, or wood;
 - ii. any monument, fountain, bridge, wall, seat, bench, structure, authorized sign or article of park equipment or appurtenance thereof;
 - iii. in any manner to disturb ground which is under repair, prepared for planting, has been newly seeded or sodded or is in an area posted to prohibit the same;
 - iv. Drive, park or stand a vehicle or walk in an area posted to prohibit the same;
 - v. Wade in or place parts of their body into the reflection pond.

8.0 WASTE AND POLLUTION

8.1 While in a park, no person shall:

- a) Dispose or dump garbage, litter, tree trimmings, or like refuse, except that which is generated through the normal use of the park and shall only deposit the same in Town supplied receptacles provided for such purpose;
- b) Dispose of or dump garden refuse;
- c) Dump or deposit snow, fill, soil, and building or construction materials;

- d) Dump or drain any kind any material, toxic or otherwise which may have the effect of polluting onto any soils or into any waters of any pool, pond, lake, stream, fountain, or watercourse.

9.0 ENCROACHMENT

9.1 While in a park, no person shall encroach upon or take possession of any park or part of any park by any means whatsoever including:

- a) The construction, installation or maintenance of any fence, storage shed, retaining wall, or other structure of any kind;
- b) The dumping or storage of any materials or plantings, cultivating, grooming or landscaping thereon.

10.0 USE AT OWN RISK

10.1 The use by or the presence of any person in any park for any activity or purpose be entirely at their own risk; it is the responsibility for the parent or guardian of any minor to ensure that the minor is adequately supervised at all times while on or in any park.

11.0 ALCOHOL

11.1 While in a park, no person shall consume, serve or sell alcoholic beverages unless permitted by applicable law or unless authorized by the Town in accordance with the Town's Municipal Alcohol Policy and under a permit issued by the Town and with the approval of the Alcohol and Gaming Commission of Ontario.

PART II: PARK USE

12.0 HOURS

12.1 All parks, shall close at eleven o'clock P.M. (11:00P.M.) local time and shall remain closed until sunrise or seven o'clock A.M. (7:00 A.M.), local time, or whichever comes earlier, unless otherwise posted.

12.2 No person shall be or remain in a park after the closing hour or before the opening hour unless authorized by the Director or designate.

12.3 No person shall participate in an organized sport or organized activity before eight o'clock A.M. (8:00 A.M.), local time on Saturday's, Sunday's and Statutory Holiday's.

12.4 The Victoria Park Campground is exempt from section 12.1.

12.5 All hours of operation are subject to change with the approval of the Director or designate.

12.6 Peace Park is exempt from Section 12.1 during the months of March 1 to May 31 and September 1 to November 30.

13.0 FIRES

13.1 While in a park, no person shall:

- a) Light, build, or stroke a fire or bonfire unless authorized by the Cobourg Fire Chief or is a current leaseholder within the Victoria Park Campground, or through a Special Event Permit;
- b) Leave any fire unattended or leave the site of the fire before the fire is completely extinguished.

14.0 BARBEQUES

14.1 While in a park, no person shall use and barbeque or cooking device without a Special Event Permit or a Pavilion Rental Permit issued for a specific day and kept at all times on the person(s), group, organization, association who is named on the Permit.

14.2 Section 14.1 shall not apply to a current leaseholder within the Victoria Park Campground, and the Cobourg Marina.

15.0 ORGANIZED GATHERINGS AND PICNICS

15.1 While in a park, no person shall:

- a) Hold an organized gathering or event for more than fifty (50) people without first obtaining a Special Event Permit and paying the applicable fees;
- b) Interfere with a picnic, organized gathering or event;
- c) Move or relocate any picnic table or tables from one (1) Municipal Park to another.
- d) Have a picnic on the structure and/or the brickwork of a Cenotaph of Remembrance.

16.0 AMPLIFIERS AND LOUD SPEAKERS

16.1 No person shall operate loud speakers or sound amplifying equipment while in a park without first obtaining a Special Event Permit and paying the applicable fees.

16.2 While in a park no person shall operate or use, any radio, personal audio device, car radio, or any other sound reproducing system in a manner which disturbs or interferes with other persons enjoyment in or near the park.

17.0 CAMPING AND LODGING

17.1 No person shall dwell, camp, or lodge in any park, excluding the Victoria Parks Campground.

17.2 Where the Northumberland County CAO, being ultimately responsible for Social Services as the Service Manager for the Town of Cobourg in consultation with the Town of Cobourg, is satisfied that the number of locally available shelter beds is less than the number of individuals in need of shelter, the Northumberland County CAO may permit such individuals to erect and be within temporary structures, on municipal lands without a permit otherwise required by this By-law for such time and subject to such conditions and restrictions as the Northumberland County CAO may from time to time establish.

18.0 TENTS, SUN SHELTERS AND STRUCTURES

18.1 No person shall place, install, or erect any permanent enclosed tent or structure in any park, unless granted under a Special Event Permit.

18.2 While in a park, no person shall use a temporary sun shelter unless the interior of the shelter is open to view and is in the opinion of the Enforcement Officer not in contravention of this section.

19.0 BATHING, SWIMMING, AND SUN BATHING

19.1 No person shall, while in a park:

- a) Swim, bathe, or wade in any fountain, pond, lake, or stream in a posted area prohibiting these activities;
- b) Fail to abide by posted signs or to obey the instructions of any lifeguard or other authorized person in or adjacent to any swimming pool or designated swimming area;
- c) Utilize facilities in ways that may be offensive to the public in accordance with applicable law.

PART III: GAMES SPORTS AND ORGANIZED ACTIVITES

20.0 ORGANIZED SPORTS OR ACTIVITES

20.1 While in a park, no person shall:

- a) Arrange or engage in an organized sport or activity, except in a designated area or with a Special Event Permit with payment of the applicable fees;
- b) Interfere with an organized sport or activity occurring in a designated area;
- c) Utilize a designated area without a permit for use which is posted as prohibited or restricted.

21.0 UNORGANIZED SPORTS OR ACTIVITES

21.1 While in a park no person shall play or practice a sport or game that may endanger non-participants.

21.2 The Director, By-law Enforcement Officers and other authorized staff reserve the right to ask patrons to move to an unpopulated area if they are playing a sport or practicing other activities that may endanger non-participants.

22.0 GOLFING AND ARCHERY AND SKEET SHOOTING

22.1 While in a park, no person shall play or practice golf or archery or skeet shooting.

23.0 MODEL AIRCRAFT, DRONES, AND ROCKETS

23.1 While in a park, no person shall operate any powered models of aircraft, rockets, or drones, watercraft or vehicles, unless authorized by the Director or designate.

24.0 SKIING, TOBOGANNING, AND SLEDDING

24.1 While in a park, no person shall downhill ski, toboggan, snowboard, or sled, in any area in a park, except in an area designated for those purposes.

25.0 TENNIS/PICKLEBALLNOLLEYBALL

25.1 No person shall enter, walk or play upon a designated area for tennis, pickle ball, or volleyball in any park, except in accordance with the posted rules and regulations.

26.0 SPORTS FIELDS

26.1 No person shall participate in or play in any organized sport activity in a park, except in a designated area for such respective purpose.

26.2 The Director or designate may restrict access or permit access, at any time and to any one ball diamond or sports field, on the basis of the ground conditions of the ball diamond or sports field.

26.3 Subject to section 26.2, no person shall use or access a ball diamond or sports field to which has been restricted by the Director.

26.4 Despite section 26.2, no person shall access or use a sports field for winter sports during the winter months unless:

- a) Ground is snow covered;
- b) There is no potential damage to the field based on the determination of the Director or designate.

PART IV: COMMERCIAL ENTERPRISES

27.0 SALE OF MERCHANDISE, TRADE, OR BUSINESS

27.1 While in a park, no person shall permit, sell, offer, or display for sale unless licensed by the Municipality or authorized under a Special Event Permit:

- a) Any food, drink, or refreshment;
- b) Any goods, wares, merchandise or articles including promotional material, souvenirs, and novelties;
- c) Any flowers, fruits or vegetables;
- d) Any art, skill, service or work;
- e) Any alcoholic beverage.

27.2 Unless authorized by permit, no person shall practice, carry on, conduct, or solicit for any trade, occupation, business, profession or charity unless they are a current leaseholder within the Town of Cobourg.

27.3 Unless authorized by a permit or a leaseholder, no person shall while in a park, including the Cobourg Harbour, advertise or solicit, or conduct any activity or business of any nature that is connected with watercraft including a watercraft chartering or brokerage business and any activities associated with such business, intended to be carried on in, on, or from the park, beach including the Cobourg Harbour.

27.4 No person shall use the location or address of a park, including the Cobourg Harbour, for business purposes unless authorized by the Director or designate.

28.0 FILMING AND RECORDING

28.1 While in a park, no person shall take or permit to be taken for remuneration, any film, photograph, video tape record or television broadcast, unless:

- a) Authorized by the Director or designate;
- b) In accordance with the Town of Cobourg Filming Policy;
- c) For media reporting purposes; or
- d) Otherwise posted.

29.0 ADVERTISING

29.1 While in a park, no person shall, unless authorized by the Director:

- a) Distribute, discard or display any notice or advertisement of any kind;
- b) Post, nail, attach, stencil, or otherwise fasten or erect any sign, notice or advertisement of any kind to any park property.

PART V: ANIMALS

30.0 DOMESTIC ANIMALS

30.1 While in a park, no person shall unless authorized by the Director or a Special Event Permit, bring any animal into a park, except a dog or another domesticated animal.

30.2 While in a park, no person as owner, or person having control of any dog, or cat or other domesticated animal shall:

- a) Allow an animal to run at large.
- b) ensure the domesticated animal is on a leash or chain not exceeding 2.0 meters (6.0 feet) in length;
- c) Pick up and remove forthwith excrement left by a dog, or cat or other domesticated animal and dispose of it in a sanitary manner in a receptacle for litter or in some other suitable waste/litter container;
- d) The provisions of Section 30.2 (b) does not apply to a person who has control of a registered service animal where it is being used to aid a person with a visual, hearing or other impediment.

30.3 Excluding persons reliant upon a registered service animal, permit any domesticated animal to enter:

- a) Any pond, swimming area, garden, landscaped area;
- b) Playground or sports field, water access lands, or any other area posted to prohibit the same;
- c) Disturb any wildlife or damage any park resources;
- d) Victoria Park Beach from the promenade south (Beach Area).

30.4 No person shall as owner or person having control of a dog or cat or other domesticated animal bring in or permit such dog, or cat or other domesticated animal enter any park if it may or does constitute a danger to other park users or is reasonably likely to frighten other park users and the owner and/or the person having control of the dog or cat or other domesticated animal has previously been advised by an Officer, or employee of the Town designated by Council to administer this by-law or the Municipal Animal Control By-law not to bring the dog or cat or other domesticated animal into a park or has been convicted of an offence related to the conduct of the dog or cat or other domesticated animal under the Dog Owners' Liability Act, R.S.O. 1990, c.D.16 or this By-law or any other By-law.

30.5 The Cobourg Dog Park shall be exempt from Section 30, and in accordance with the Dog Park By-law.

31.0 PROTECTION OF WILDLIFE

31.1 In regards to the Ontario Ministry of Natural Resources and Forestry Provincial mandate, no person shall while in a park, unless approved by a permit or treaty:

- a) Kill, attempt to kill, trap, feed, hunt, pursue, or in any manner disturb any animal, bird, waterfowl, or other wildlife;
- b) Fish from any pier, dock, berthing slip, or walkway in the Cobourg Harbour as outlined in Schedule "D";
- c) Fish in violation of Provincial or Federal statutes or regulations;
- d) Clean and/or dispose of waste from fish while on municipally owned property such as on Waterfront Grounds and Infrastructure, Municipal Parks, Properties and Bridges;
- e) Participate in ice fishing activities within the Cobourg Harbour.

32.0 ROADWAYS

32.1 While in a park no person shall drive, operate, work on, pull or ride any vehicle except on a roadway or parking lot area.

33.0 OTHER ACTIVITIES

33.1 No person shall make use of any roadway or designated area for parking in any park for:

- a) Washing, cleaning, servicing, maintaining or repairing any vehicle, except in the event of an emergency;
- b) Instructing, teaching or coaching any person in the driving or operation of a motor vehicle;
- c) Playing of any games and/or sports, unless authorization by the Director or designate or through a Special Event.

34.0 MOTORIZED RECREATIONAL VEHICLES

34.1 No person shall ride, operate, or be in the possession or control of a motorized recreational vehicle in any park, except in a designated area.

34.2 Section 35.1 shall not apply to motorized recreational vehicles used by Cobourg Police Service, and Cobourg Fire Service, or other emergency response organizations.

35.0 TRUCKS AND COMMERCIAL MOTOR VEHICLES

35.1 No person, unless authorized by the Director, shall drive, operate, pull or ride in any park:

- a) Any heavy machinery or equipment of any description and whatever mode of power;
- b) Any truck, trailer, or bus whatsoever, except a vehicle that is being used for the purpose of making a delivery to a point within the limits of the park while it is proceeding to or from such point of delivery;
- c) All vending and catering trucks must be parked in the designated location as authorized by the Director or designate or with a Special Event Permit.

36.0 SPEED

36.1 Unless authorized by a permit, while in a park, no person shall operate:

- a) Any vehicle on a roadway at a speed in excess of the posted limit; or

PART VII: WATERCRAFT

37.0 WATERCRAFT IN PARKS

37.1 While in a park, No person shall:

- a) Launch any watercraft into Lake Ontario, including the Cobourg Harbour from any park except from a launching ramp, West headland Beach Area or designated as such by an authorized sign;
- b) No person shall operate any watercraft in any designated swimming areas that have been marked off by buoys;
- c) No person shall operate a watercraft within 150 meters of the sand area of Victoria Park Beach.

37. While in a park, no person shall moor any watercraft subject to any right of law without a permit to do so:

- a) Outside a designated area;
- b) For a period longer than forty-eight (48) hours, except at the Cobourg Marina, authorized by the Town of Cobourg or as otherwise posted;
- c) Contrary to posted restrictions or prohibitions;
- d) In any way that may or does endanger or inconvenience other watercraft or their use or other users of the park or;
- e) Without prior payment of the prescribed fee.

37.3 In addition to any other remedy, the Town may have the watercraft removed that is moored or kept in contravention of Section 38.2 with no notice to the owner and/or occupant(s) and at the expense of the owner and/or occupant.

PART VIII: COBOURG HARBOUR

38.0 APPLICATION

38.1 For certainty, the Cobourg Harbour is a park within the meaning of this By-law and all of the provisions of this By-law apply to the Cobourg Harbour. In the event of a conflict between any provisions in this Part VIII with any other provision in this By-law the provisions in this Part VIII shall govern.

39.0 SLIPS AND PERMITS

39.1 No person shall occupy or make use of a municipal dock at the Cobourg Harbour or any part thereof unless such person has obtained a slip or permit from the Town and has paid the required fee.

39.2 No slip or permit shall be granted for any term exceeding the season of operation, accept with the approval of the Director.

39.3 The Director shall have the right to revoke or terminate any slip or permit issued pursuant to this By-law if a person is in contravention of any provision of this By-law has breached any term or is in contravention of such slip or permit as determined by the Director in his/her sole and absolute discretion.

39.4 In addition to any other remedy, the Town may have a watercraft removed that is moored in contravention of section 40.3 with no notice to the owner and/or occupant.

39.5 No slip or permit can be transferred or assigned by the leaseholder to another person without written approval from the Director.

40.0 GENERAL REGULATIONS

40.1 No person shall obstruct or interfere with any owner, leaseholder, Harbour user, or watercraft lawfully using the Cobourg Harbour.

40.2 No person shall operate a watercraft or permit a watercraft to travel in excess of 10 kilometers per hour (6 knots) or create a wake within the Cobourg Harbour.

40.3 All watercraft operated in the Cobourg Harbour shall be moored at the owner's risk and the Town shall not be responsible under any circumstances for any loss or damage caused by or sustained to any watercraft.

40.4 No person shall moor a watercraft or leave goods or materials in the Cobourg Harbour so that it constitutes a nuisance or hazard or blocks access to any municipal dock area or launch ramp in the opinion of the Director or an authorized Officer.

40.5 Any watercraft moored in the Cobourg Harbour, or stored on land in the Harbour may be boarded by Town employees in the event of any emergency.

40.6 Minor repair work on watercraft while moored to a municipal dock may be undertaken to the extent authorized by the Director. All sanding must be contained by using appropriate vacuum systems and coverings to prevent nonorganic particles from contaminating the environment.

40.7 No person shall fish, swim, snorkel, or scuba dive, kiteboard, or hoverboard in the waters included within the Cobourg Harbour, excluding the west headland beach limits without the authorization of the Director.

40.8 While in the Cobourg Harbour, unless remaining on a watercraft, no person shall consume, serve or sell alcoholic beverages unless permitted by applicable law or unless authorized by the Town in accordance with the Municipal Alcohol Policy and/or under a permit issued by the Municipality and with the approval of the Alcohol and Gaming Commission of Ontario.

41.0 CARE OF THE HARBOUR

41.1 No person shall install electric power lines, except approved shore power cables or water supply lines on Cobourg Harbour property.

41.2 No person shall possess dangerous goods, explosives, or combustible goods on any Cobourg Harbour property unless such goods are required for ordinary purposes of the watercraft.

41.3 In the event that a watercraft sinks in the Cobourg Harbour, the owner shall remove such watercraft immediately or with the authorization of the Director the watercraft may be refloated. If the owner fails to do so, the Director may remove or cause to be removed the watercraft at the owner's expense, and the cost thereof shall be a debt due from the owner to the Municipality. The Municipality and the Director shall not be liable to the owner for any damages to its watercraft or contents. The owner is solely responsible for any environmental remediation and/or fines arising from such an event.

41.4 No person shall place, erect, construct or use a device used for food preparation or a barbeque on a municipal dock or at any time in the Cobourg Harbour.

41.5 Where Cobourg Harbour property is damaged in any manner by a watercraft or vehicle or by the use of machinery or equipment, the damage shall be reported forthwith to a Municipal employee by the person who was in charge of the watercraft, vehicle, machinery or equipment at the time the damage occurred, and an appropriate investigation shall be conducted.

41.6 No person shall store a watercraft, vehicle or boat cradle/trailer on Cobourg Harbour property unless approved by the Director.

41.7 No person shall store goods or materials on any municipal dock or construct lockers, chests, extensions on any mooring slip or municipal dock, or any other structure without prior approval from the Director.

41.8 No person shall, do any of the following on Cobourg Marina or Harbour Area Property without the written approval of the Director:

- a) Engage in equipment or machinery tests that are likely to endanger Cobourg Harbour property or watercraft or persons in the Cobourg Harbour;
- b) Engage in repairs to the hull, machinery, tackle or gear of a watercraft beyond normal routine maintenance;
- c) Use the surface of a municipal dock for any maintenance repair work.
- d) Engage in any hoisting operations within the Cobourg Harbour and Cobourg Marina.

41.9 No person shall drain, discharge or deposit in the Cobourg Harbour any black water, sewage or a substance that might damage a watercraft, property or the environment. Black water and sewage shall only be disposed of at a sanitary pumping station.

41.10 No person except the Town employees and the Leaseholder while using bulletin boards, shall place, post or erect signs on Cobourg Harbour property without written permission from the Director.

41.11 No person shall remove, damage, and destroy any notices, rules or regulations posted on Cobourg Harbour property by or under the authority of the Municipality.

42.0 CLOSURE OF COBOURG HARBOUR

42.1 The Director may close all or a portion of the Cobourg Harbour for any public event that is approved by Council through the Town's Special Event Permit process or in accordance with the Delegation of Authority By-law.

42.2 The Director may temporarily suspend regulations or requirements in this By-law for the purposes of a Special Event in the Cobourg Harbour that is approved by Council through the Town's Special Event Permit process or in accordance with the Delegation of Authority By-law.

43.0 LAUNCH RAMP/MUNICIPAL DOCK

43.1 No person shall use a launch ramp unless the required launch fee has been paid or the person has been issued a permit.

43.2 Unless otherwise specifically permitted by slip holder or permit, a launch ramp or municipal dock shall be used solely for loading and unloading of people, watercraft and goods or materials and not for the long-term mooring of a watercraft.

43.3 No person shall store goods and materials on a municipal dock or launch ramp area except on a temporary basis just immediately prior to loading of or after unloading a watercraft.

43.4 No person shall cause a watercraft to be left unattended or adjacent to a launch ramp or to a municipal dock without written permission from the Director.

43.5 Transient boaters or permit holders may park their watercraft and vehicles in designated locations during their use of the Cobourg Harbour provided the required fee is paid and they have a permit from the Director.

43.6 In the case or event of an emergency every person using a launch ramp or a municipal dock shall immediately vacate for an emergency vehicle operating in the case of an emergency.

43.7 Every person shall display a launch ramp permit prior to using the Municipal launch ramp.

44.0 MOORING RULES AND REGULATIONS

44.1 Every Transient watercraft entering the Cobourg Harbour shall notify the Director of their arrival upon entering and mooring within the Cobourg Harbour.

44.2 Any watercraft entering into the Cobourg Harbour shall not be moored to any dock without paying the required fee.

44.3 Owners are responsible for the safe mooring of their watercraft and shall furnish and maintain their own mooring lines and shall take care not to foul any other berth or access.

44.4 Owners shall relocate or move any watercraft in accordance with instructions provided by the Director. When a watercraft is unattended, the Director has the authority to relocate or move any watercraft at the owner's expense and risk.

44.5 Every watercraft shall be moored and operated and all berth areas shall be maintained in an appropriate manner and nothing shall be done or permitted by any person, which in the opinion of the Director, may be or may become a nuisance or disturbance to others.

44.6 Owners who have a mooring slip who intend to be absent from the Cobourg Harbour with their watercraft for a period in excess of twenty four (24) hours are required to provide a sail plan to the Director prior to departure showing the departure date and intended return date. Such owners and their invitees, if they intend to park a vehicle or vehicles on Cobourg Harbor property in their absence from the Cobourg Harbour, shall obtain a permit or permits from the Director to allow such parking. The Director is entitled to lease the use of vacant mooring slips for the temporary mooring of other watercrafts.

45.0 MOTOR VEHICLE PARKING REGULATIONS

45.1 No person shall park, stand or leave a vehicle in a manner that blocks or impedes access to a launch ramp. Any vehicle parked or left may be towed away at the owner's expense and the Town shall not be liable for loss or damage to vehicles so removed.

46.0 LAND STORAGE

46.1 No owner shall store a watercraft on any land in the Cobourg Harbour without the owner of the watercraft first obtaining approval from the municipality and paying the required fee to the Town prior to placing the watercraft on land in the Cobourg Harbour storage compound.

46.2 The Town shall not be responsible for any damages or loss to the watercraft, no matter how it occurs to the watercraft, its motor, equipment and any goods and materials on the watercraft while it is stored on land in the Cobourg Harbour Storage Compound.

46.3 The Town shall have a lien under The Repair and Storage Liens Act, 1990 c.R 25 as amended, or such other replacement or successor statute against the watercraft, its motor and equipment for unpaid fees due for the storage of the watercraft.

46.4 In the event that the owner breaches any term of the storage compound contract the Town may, in its absolute discretion, by notice, terminate the agreement and the Town may remove the watercraft from the Cobourg Harbour at the owner's expense and risk.

46.5 No person shall use a watercraft stored on land in the Cobourg Harbour for human habitation or human occupation.

46.6 All watercraft storage on land shall not be permitted to be connected to an electrical outlet, unless such connection is under the direct supervision of the Owner or its agent while connected.

46.7 All owners shall not be permitted to leave ladders or other means of entering the watercraft to be accessible on land when watercraft is in the Cobourg Storage compound.

47.0 UTILITIES AND SERVICES

47.1 In addition to payment of any required fees, a person shall also pay the Town for all utilities and services which may be furnished to a watercraft at the rates established in the Town's Fees and Charges By-law. The owner acknowledges that while the Town will use its best efforts to maintain utility services, the Town is not liable for the quality, quantity, or continuity of any utility service and its compatibility with a watercraft.

48.0 REMOVAL AND IMPOUNDMENT OF WATERCRAFT

48.1 The Director, an Officer or a bailiff engaged by the Municipality may remove and impound, or cause to be removed and impounded, any vehicle, watercraft, cradles, goods or materials that occupies the Cobourg Harbour in contravention of this By-law (the "impounded property"). Where any impounded property has been removed in accordance with this By-law, the impounded property or any part thereof may be stored or disposed as the Director or the Officer deem appropriate, in their sole and absolute discretion. The Town may enforce the associated care and storage costs by claiming a lien under the Repair and Storage Liens Act, R.S.O. 1990, c. R25.

48.2 Any impounded property removed and impounded under this By-law may be recovered by the rightful owner upon presenting proof of ownership and upon payment in full of all costs incurred by the Municipality in removing and impounding (including storing) and any fines owing by any person under this By-law.

48.3 The Director, or Officer shall make reasonable efforts to obtain the name and address of the owner of the impounded property and:

- a) If the name and address of the owner is determined, the Director or Officer shall give written notice delivered in person to the owner or sent by registered mail to the owner advising the owner of the removal and impoundment, the amount payable to release the impounded property and the date for sale by public auction or disposition under this By-law, as applicable, if unclaimed; or
- b) If the identity of the owner is not determined, the Director or Officer shall cause a notice to be posted at the Cobourg Harbour advising of the removal and impoundment, the amount payable to release the impounded property and the planned date for sale by public auction or disposition under this By-law, as applicable, if unclaimed.

48.4 The fees, costs and expenses payable by a person for the relocation or removal of the impounded property shall be the actual costs of labour or machinery used to accomplish the work, whether carried out by the Municipality or as contracted out.

48.5 If any impounded property is not reclaimed by the rightful owner within thirty (30) days, the impounded property may be sold at public auction or otherwise disposed of if unclaimed.

48.6 The Town may engage the services of a bailiff to remove, impound and auction any impounded property under this By-law.

PART IX: REGULATION AND ENFORCEMENT

49.0 PERMITS

49.1 Permits issued for activities authorized in this By-law may be subject to such fees as Council shall from time to time establish by By-law.

49.2 Authorized persons or permit holders requiring additional services that are above the regular services provided in Town of Cobourg parks may be subject to additional fees and additional requirements for such services from time to time establish by By-law.

49.3 Any costs incurred by the Municipality due to non-compliance of this By-law may be charges back to the individual for non-compliance.

50.0 AUTHORITY OF DIRECTOR

50.1 The Director or designate shall have the authority to prescribe the terms and conditions of all slips, permits, and other authorizations including the expiry dates and insurance requirements.

51.0 POSTING AND SIGNAGE

51.1 The Director or designate is authorized to post signage of permission, regulation, restriction, warning or prohibition with respect to the uses of or activities in any park in accordance with all provisions in this By-law.

52.0 TEMPORARY CLOSURE

52.1 The Director or designate is authorized to close off for such temporary period as the Director or designate deems appropriate any park or part or parks thereof to relieve or prevent overcrowding or traffic congestions, or in the interest of public safety, or as may be authorized by Council or through Delegation of Authority. Any closure roads requires the approval of the Director of Public Works or designate. All notifications shall be made to all emergency services personnel.

53.0 EXCLUSIONS AND EXEMPTIONS

53.1 This By-law shall not apply to:

- a) Emergency Services drivers, operators, or other personnel including, ambulances, police, or fire department vehicles; or
- b) Employees or agents of the Town while engaged in works or services undertaken for or on the behalf of the Town.

54.0 ADMINISTRATION

54.1 Any Police Officer, Provincial Offences Officer, Municipal By-law Enforcement Officer, or Employee of the Municipality designated by Council to administer this By-law:

- a) Is authorized to inform any person of the provisions of this By-law and to request compliance;

b) Is authorized to order any person believed by such Officer or employee to be contravening or who has contravened any provision of this By-law:

- i. To desist from the activity constituting or contributing to such contravention;
- ii. To order the removal from park any animal or object owned by or in the control of such person which the Officer of employee believes is or was involved in such contravention;
- iii. To leave the park.

54.2 Any permit that has been issued to any person or group may be revoked by the Director or designate forthwith where a person to whom the permit was issued or any person in the group represented by the person who was issued the permit contravenes any provision of this By-law or contravenes any condition to which this By-law was issued.

55.0 PENALTIES

55.1 Every person who contravenes any provision of this By-law is guilty of an offence and shall, upon conviction be liable to a fine as provided for under the Provincial Offences Act, R.S.O 1990, and c.P.33, as amended, as well as subject to the set fines set out herein Schedule "C" of this By-Law, other than section 33.1 regarding parking and section 37.1 regarding speeding.

55.2 Administrative Monetary Penalties: Administrative Penalty Process By-law 079-2022 applies to each administrative penalty issued pursuant to this by-law.

55.3 Each Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty Process By-law 079-2022, be liable to pay to the Town an administrative penalty in the amount of;

- a) \$175 for the remainder of the first day on which the contravention occurs; and
- b) \$275 for each subsequent day on which the contravention continues.

Notice

55.4 Any notice or document respecting this By-law may be given in writing in any of the following ways and is effective:

- a) On the date a copy is personally delivered to the person whom it is addressed;
- b) On the third (3rd) day after a copy is sent by regular mail or by registered mail to the Person's last known address;
- c) Upon confirmation of the successful transmission of a copy by facsimile transmission to the Person's last known facsimile transmission number;
- d) Upon sending a copy by e-mail transmission to the Person's last known e-mail address;
- e) Upon a copy being posted on the door of any building or structure on the Person's last known Premises or, where no building or structure exists, on a stake erected by the Officer on the Person's last known Premises; or
- f) On the date a copy is placed on or affixed in any manner to a Person's motor vehicle.

55.5 If an Officer is satisfied that a contravention of this By-law has occurred the Officer may:

- a) Make an order requiring the person who contravened this By-law to discontinue the contravening activity;
- b) Make an order requiring the person who contravened this By-law to do work to correct the contravention; and
- c) Exercise the Town's rights pursuant to the *Trespass to Property Act, R.S.O. 1990, c. T.21. 24.*

55.6 Without limiting section 55.8, each person to whom an order is given pursuant to section 55.5 and who fails to comply with the order is guilty of an offence.

55.7 Without limiting sections 55.6 and 55.8, if an Officer is satisfied that a Person to whom an order has been given pursuant to section 55.5 has failed to comply with the order, the Officer may cause to be done the work set out in the order at the Person's expense.

55.8 Each person who contravenes this By-law is guilty of an offence and, upon conviction, is liable to a fine of no less than \$200 and no more than \$10,000 for each day or part of a day on which the offence commences or continues.

55.9 No proceeding for damages or otherwise may be commenced against the Town, a member of Council or an officer, employee or agent of the Town or a person acting under the instructions of the officer, employee or agent for any act done in good faith in the performance of intended performance of a duty or authority under this By-law or for any alleged neglect or default in the performance in good faith of the duty or authority.

56.0 SEVERABILITY

56.1 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be considered as having persuaded or influenced Council to pass the remainder of this By-law, it shall be severed and it is hereby declared that the remainder of the By-law shall be valid and shall remain in full force and effect.

57.0 SHORT TITLE

57.1 That this By-law shall be cited as "Parks and Facilities Regulations" By-law.


58.0 REPEAL

58.1 By-law Number 009-2012 and 048-2015 be hereby repealed.

59.0 EFFECTIVE DATE

59.1 This By-law shall come into force and take effect on the date that the Regional Senior Justice of the Ontario Court of Justice approves each set fine as set out in Schedule "C" for offences under this By-law, and in accordance with the Provincial Offences Act, R.S.O 1990 CHAPTER P.33.

READ a first and second time in Open Council this 11th day of April, 2016.


MAYOR


MUNICIPAL CLERK

READ a third time in Open Council and finally passed this 2nd day of May, 2016.

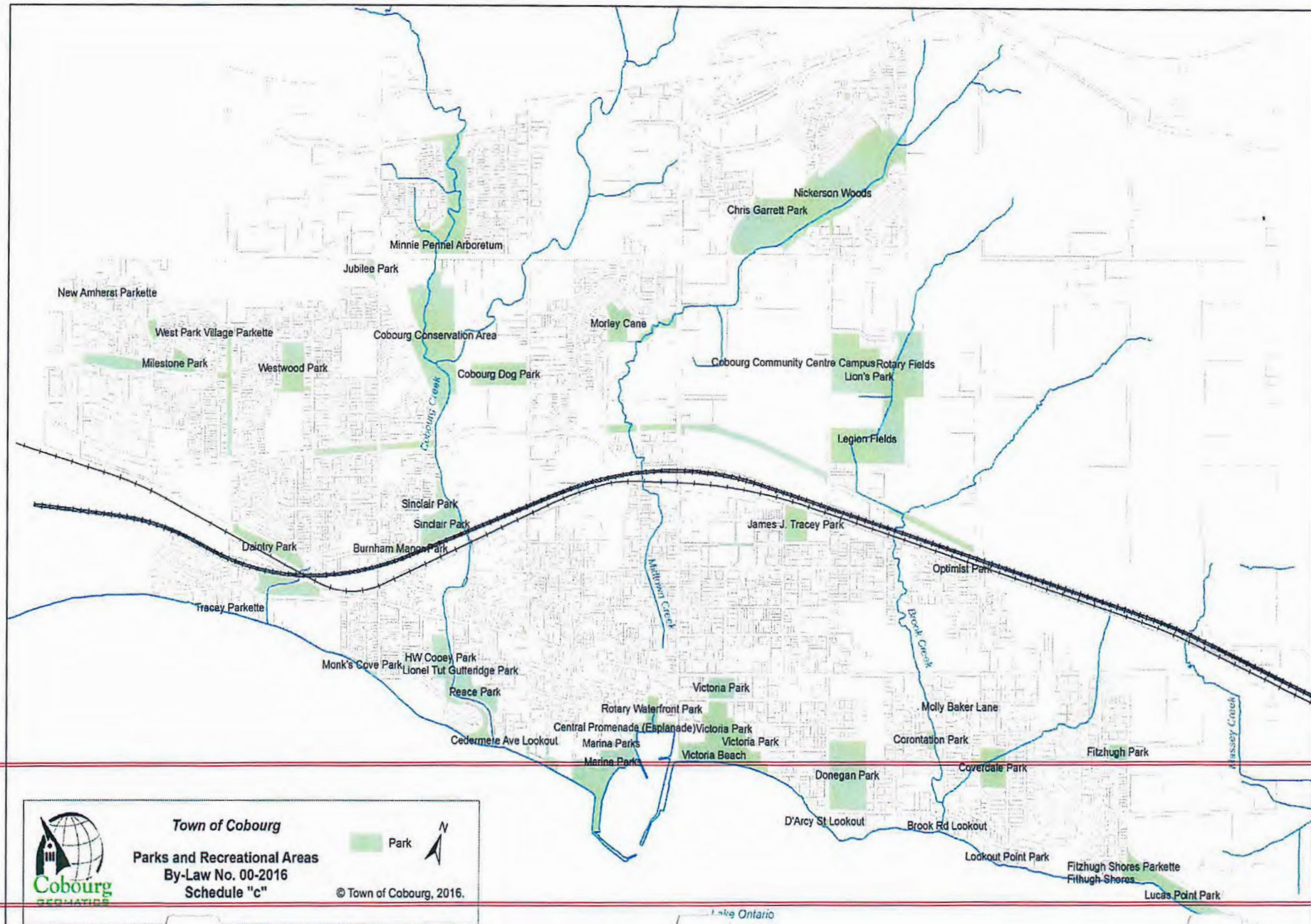

MAYOR


MUNICIPAL CLERK

Schedule "A"
TOWN OF COBOURG PARKS AND RECREATIONAL AREAS

<u>Name</u>	<u>Address</u>	<u>Category</u>
Ballantine- Conservation Land		
Brook Road Lookout	451 Lakeshore Drive	Portal
Brooke Meadows Parkette	Footie Crescent	
Burnham Manor Park	464 Burnham Street	Leisure
Cedermere Avenue Lookout	74 Cedermere Avenue	Portal
Central Promenade (Esplanade)		Landmark
Chris Garrett Park	990 Birchwood Trail	Cultural
Cobourg Community Centre	750 D'Arcy Street	Athletic
Cobourg Conservation Area	700 William Street	Nature
Cobourg Dog Park	777 Ontario Street	Cultural
Connection	1001 Otto Drive	Leisure
Connection	1014 Tillison Avenue	Leisure
Connection	995 Frei Street	Leisure
Conservation Land	550 King Street West	Nature
Conservation Land	710 King Street West	Nature
Conservation Land	941 Frei Street	Nature
Coronation Park	Coronation Cres.	Leisure
Coverdale Park	29 Coverdale Avenue	Leisure
Daintry Crescent Park	Daintry Crescent	Leisure
D'Arcy Street Lookout	5 D'Arcy Street	Portal
Donegan Park	92 D'Arcy Street	Athletic
Fitzhugh Park	533 Delanty Road	Leisure
Fitzhugh Shores Parkette	78 East House Crescent	Portal
Fitzhugh Shores	545 Willmott Street	Leisure
Five Corners Park/Millennium Park	William Street	Nature
Gutteridge Park	115 Stuart Street	Leisure
HW Cooley Park	405 King Street West	Leisure
James J. Tracey Park	196 Spencer Street East	Leisure
Jubilee Park	541 Elgin Street West	Cultural
Legion Fields	650 D'Arcy Street	Athletic
Legion Village Park/Ecology Garden	100 Hibernia Street	Nature
Lion's Park	750 D'Arcy Street	Athletic
Lookout Point Park	55 Lakeshore Road	Portal
Lucas Point Park	545 Willmott Street	Nature
Marina Parks	116 Hibernia Street	Landmark
Minnie Pennel Arboretum	941 Frei Street	Nature
Molly Baker Lane	Brook Road South	Nature
Monk's Cove Park	121 Burnham Street	Leisure
Morley Cane	67 Ballantine Street	Leisure
New Amherst Clock Tower	849 New Amherst Blvd	
New Amherst Linear Park	761 Wilkins Gate	Leisure
New Amherst Parkette	857 Caddy Drive	Leisure
Nickerson Woods	260 Nickerson Drive	Nature
Optimist Park	30 Meredith Crescent	Leisure
Parkette	1014 Tillison Avenue	Leisure
Parkette	1242 Ashland Drive	Leisure
Parkette	995 Frei Street	Leisure
Peace Park	175 Forth Street	Nature
Rogers Road Trail		Leisure
Rotary Fields	750 D'Arcy Street	Athletic
Rotary Waterfront Park	110 Albert Street	Cultural
Sinclair Park	540 Sinclair Street	Leisure
Sinclair Park	542 Sinclair Street	Athletic
Tracey Parkette	781 King Street West	Portal
Victoria Beach	55 Queen Street	Landmark
Victoria Parks Campground	138 Division Street	
Victoria Park	55 Queen Street	Cultural
Victoria Park	65 King Street East	Cultural
Victoria Square	55 King Street West	Cultural
West Beach Lands and Boardwalk	80 Bagot & 107 Hibernia St.	Nature
West Park Village Parkette	735 Carlisle Street	Leisure
Westwood Park	665 Carlisle Street	Leisure/Athletic
West Park Parkette	843 Carlisle Street	
Pebble Beach Park - 29 Parcels	0 Glen Watford Road	Nature

Schedule "B"
Parks Listing Map



Town of Cobourg
Parks and Recreational Areas
By-Law No. 00-2016
Schedule "c"
© Town of Cobourg, 2016.

Legend: Park

By-law No. 022-2016

25 Park Regulating By-law

Schedule "C"
Corporation of The Town of Cobourg
 By-law #022-2016

By-Law to Regulate, Protect and Govern the use of Parks, Public Open Spaces in the Town of Cobourg.

Part I Provincial Offences Act

ITEM	COLUMN 1 Short Form Wording	COMUMN 2 Provision creating or defining offence	COLUMN 3 Set Fines
1.	Fail to comply with the rules of the Parks, Recreational areas and facilities.	Section 2.1	\$105.00
2.	Fail to obey posted signs prohibiting or restricting admission of an area to public.	Section 3.1	\$105.00
3.	Indulge in riotous, violent, threatening or illegal conduct or use profane (abusive) language.	Section 4.1(a)	\$105.00
4.	Cast, throw or propel object that may or does endanger or cause injury or damage to any person and property in park.	Section 4.1(b)	\$105.00
5.	Create a nuisance by loitering, or by otherwise disturbing any person(s) use and enjoyment of the park.	Section 4.1(c)	\$105.00
6.	Use photographic devices in washroom or change room.	Section 4.1(f)	\$105.00
7.	Hinder or obstruct or attempt to hinder and obstruct personnel.	Section 4.1(g)	\$105.00
8.	Possess/use firearm, rocket, airgun, bow and arrow, axe or offensive weapon of any kind.	Section 5.1(a)	\$105.00
9.	Bring dangerous goods, explosive or combustible goods in park.	Section 5.1(b)	\$105.00
10.	Ignite, discharge or set off fireworks.	Section 6.1(a)	\$105.00
11.	Release floating lanterns into the atmosphere.	Section 6.1(b)	\$105.00
12.	Climb any building, structure or equipment not designated for climbing.	Section 7.1(a)	\$105.00
13.	Dive/jumping off the lighthouse and any Pier.	Section 7.1(b)	\$105.00
14.	Destroy or damage any tree, flower bed, bush, shrub, plant, sod, grass or other vegetation, soil, sand, gravel or wood in park.	Section 7.1(c)(i)	\$105.00
15.	Destroy or damage any monument, fountain, bridge, wall, seat, bench, structure, authorized sign or article of park equipment.	Section 7.1(c)(ii)	\$105.00
16.	Disturb any park property.	Section 7.1(c)(iii)	\$105.00
17.	Wade in or place parts of their body into the reflection pond.	Section 7.1(c)(v)	\$105.00
18.	Dispose of or dump garbage, litter, tree trimmings or refuse in park.	Section 8.1(a)	\$105.00
19.	Dispose of or dumb garden refuse in park.	Section 8.1(b)	\$105.00
20.	Dump or deposit snow, fill, soil and building or construction materials in park.	Section 8.1(c)	\$105.00
21.	Dump or drain any material, toxic or otherwise which may pollute soils or waters.	Section 8.1(d)	\$105.00
22.	Encroach upon or take possession of park or any part thereof including: construction, installation or maintenance of fence, storage, shed, retaining wall or other structure of any kind.	Section 9.1(a)	\$105.00
23.	Encroach upon or take possession of park or any part thereof including: the dumping or storage of any materials or plantings, cultivating, grooming or landscaping thereon.	Section 9.1(b)	\$105.00
24.	Consume, serve or sell alcoholic beverages.	Section 11.1	\$150.00
25.	Be located or remain in park after closing or before opening hours.	Section 12.2	\$105.00
26.	Light build or stoke a fire or bonfire without a permit.	Section 13.1(a)	\$105.00

27.	Leave fire unattended or leave site of fire before fully extinguished.	Section 13.1(b)	\$105.00
28.	Use barbeque or like cooking device without a permit.	Section 14.1	\$105.00
29.	Move or relocate any picnic table from one (1) park to another.	Section 15.1(c)	\$105.00
30.	Operate loud speakers or sound amplifying equipment without permit.	Section 16.1	\$105.00
31.	Operate or use any sound producing equipment likely to disturb or interfere with enjoyment in or near the park by others.	Section 16.2	\$105.00
32.	Dwell, camp, or lodge in any park.	Section 17.1	\$105.00
33.	Place, install, or erect any permanent enclosed tent or structure in any park without permit.	Section 18.1	\$105.00
34.	Use sun shelter that is not open to view.	Section 18.2	\$105.00
35.	Swim, bathe or wade in fountain, pond, lake or stream unauthorized.	Section 19.1(a)	\$105.00
36.	Fail to obey posted signs, lifeguards, or authorized person in or adjacent to swimming pool or swimming areas.	Section 19.1(b)	\$105.00
37.	Uses bathing, swimming and sun bathing facilities in offensive ways.	Section 19.1(c)	\$105.00
38.	Use area within park for a posted prohibited or restricted purpose.	Section 20.1(c)	\$105.00
39.	Play or practice sport or game that may endanger non-participants.	Section 21.1	\$105.00
40.	Operate powered models of aircraft, rockets, or drones, watercraft or vehicles in park without authorization.	Section 23.1	\$105.00
41.	Ski, toboggan, snowboard, or sled in prohibited area.	Section 24.1	\$105.00
42.	Sell, offer, or display for sale any food, drink or refreshment without a permit or a licence.	Section 27.1(a)	\$105.00
43.	Sell, offer or display for sale any goods, wares, merchandise or articles without a permit or a licence.	Section 27.1(b)	\$105.00
44.	Sell, offer or display for sale any flowers, fruits or vegetables without a permit or a licence.	Section 27.1(c)	\$105.00
45.	Sell, offer or display for sale any art, skill, service or work without a permit or a licence.	Section 27.1(d)	\$105.00
46.	Sell, offer or display for sale any alcoholic beverage without a permit or a licence.	Section 27.1(e)	\$105.00
47.	Practice, carry on, conduct, or solicit for any trade, occupation, business, profession or charity in park unauthorized.	Section 27.2	\$105.00
48.	Advertise or solicit, or conduct any activity or business of any nature connected with watercraft.	Section 27.3	\$105.00
49.	Take or permit to be taken for remuneration any film, photograph, record or television broadcast without authorization in the park.	Section 28.1	\$105.00
50.	Distribute, discard, or display any notice or advertisement of any kind unauthorized.	Section 29.1(a)	\$105.00
51.	Post, nail, attach, stencil or otherwise fasten or erect any sign, notice or advertisement of any kind to any park property.	Section 29.1(b)	\$105.00
52.	Bring non-domestic animal into park without permit.	Section 30.1	\$105.00
53.	Allow dog, cat or other animal to run at large in park. Fail to ensure dog, cat or other animal is on a leash or chain not exceeding 2.0 meters (6 feet) in length.	Section 30.2(a)	\$105.00
54.	Fail to ensure dog, cat or other animal is on a leash or chain not exceeding 2.0 meters (6 feet) in length.	Section 30.2 (b)	
55.	Fail to forthwith remove waste left by a dog, cat or other domesticated animal	Section 30.2(b)	\$105.00

83.	Engage in repairs to the hull, machinery, tackle or gear of a watercraft beyond normal routine maintenance without written approval.	Section 42.8(b)	\$105.00
84.	Use the surface of municipal dock for maintenance repair work without written approval.	Section 41.8(c)	\$105.00
85.	Drain, discharge or deposit in Cobourg Harbour black water, sewage or other substance.	Section 41.9	\$105.00
86.	Place, post or erect signs on Cobourg Harbour property without written permission.	Section 41.10	\$105.00
87.	Remove, damage, and destroy any notices, rules or regulations posted on Cobourg Harbour property.	Section 41.11	\$105.00
88.	Use launch ramp without permit and fee paid.	Section 43.1	\$105.00
89.	Unauthorized long-term mooring of a watercraft at a launch ramp or municipal dock.	Section 43.2	\$105.00
90.	Watercraft left unattended or adjacent to launch ramp or municipal dock without written permission.	Section 43.4	\$105.00
91.	Fail to vacate launch ramp or municipal docks for emergency vehicle responding to an emergency.	Section 43.6	\$105.00
92.	Fail to pay mooring fee.	Section 44.2	\$105.00
93.	Fail to maintain berth in an appropriate manner that result in nuisance or disturbance to others.	Section 44.5	\$105.00
94.	Watercraft storage on land connected to an electrical outlet without direct supervision of owner or its agent while connected.	Section 46.6	\$105.00
95.	Fail to remove ladders or other means of entering the watercraft to be accessible on land when in Cobourg Storage compound.	Section 46.7	\$105.00

NOTE: The general penalty provision for the offences listed above is Section 56.1 of By-law #022-2016, a certified copy of which has been filed.

Schedule "D"



Schedule "E"
Corporation of The Town of Cobourg
By-law #022-2016

By-Law to Regulate Protect and Govern the use of Parks Public Open Spaces in the
Town of Cobourg.

Part I Provincial Offences Act

ITEM	COLUMN 1 Short Form Wording	COMUMN 2 Provision creating or defining offence	COLUMN 3 Set Fines
97.	Clean and/or dispose of waste from fish while on municipally owned property.	Section 31.2	\$105.00

NOTE: The general penalty provision for the offences listed above is Section 55.1 of By-law # 22-2016, a certified copy of which has been filed.