

District of Barriere

REPORT TO COUNCIL

Request for Decision

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| Date: April 20, 2026 | File: 530.20/Rpts |
| To: Council | From: Corporate |
| Re: DRAFT Park and Public Spaces Access Bylaw No. 247 | |
| Recommendation: THAT Council give 1st, 2nd and 3rd readings to Park and Public Spaces Access Bylaw No. 247. | |

Purpose

For Council to consider giving first three readings to the Draft Park and Public Spaces Access Bylaw No. 247.

Background

The District's current Parks Regulation Bylaw No. 42 from 2009 is outdated and limited in scope, and does not reflect current use patterns, enforcement practices, or emerging considerations in the use of parks and public spaces. The existing bylaw primarily addresses general conduct such as damage, littering, alcohol use, and park hours but does not include provisions related to modern park usage including public space access, temporary sheltering, event management, or newer forms of transportation.

In 2024, Council considered matters related to temporary sheltering within the community, including the presence of unhoused individuals within public spaces. Steps that were taken by Council included adoptions to Policy No. 51BE – Abandoned Property and Shelters and Policy No. 52BE – Bylaw Enforcement.

Draft Bylaw No. 247 has been developed as the next step in this process, incorporating temporary sheltering provisions into a formal regulatory framework while also modernizing regulations, improving clarity, and aligning current operational practices with and community expectations.

Summary

Draft Bylaw No. 247 updates regulations for the use of parks and public spaces and includes key improvements from Bylaw No. 42 including:

- Updated definitions and terminology
- Regulations respecting park hours and permitted uses
- Provisions addressing temporary sheltering in alignment with current legislative requirements
- Updated enforcement provisions and officer authority
- Clarified rules respecting animals, fires, damage and general conduct
- Updated event approval processes and authority

Additional Consideration:

The definition of “Motorized Vehicle” has been revised to include e-bikes and e-scooters as these devices are becoming more common in communities. As a result, they would not be permitted within parks and public spaces except where motorized vehicles are otherwise allowed.

Staff are recommending this approach to maintain consistency with existing restrictions on motorized vehicles and to support pedestrian safety within parks and high-use public areas.

Should Council wish to provide further direction, amendments to the bylaw can be brought forward before providing 3rd reading.

Benefits or Impact

General

Provides clear, modern regulations for the use of parks and public spaces while improving enforceability and consistency.

Finances

N/A

Strategic Impact

Priority #4: General Governance and Community Engagement

Goal 2. – Bylaws and legislated reports are complete

The Results We Want to See:

- f. Parks Bylaw is updated and presented to Council for consideration by end of September 2026.

Risk Assessment

Compliance:

The bylaw aligns with current legislative requirements and enforcement practices.

Risk Impact:

Low.

Internal Control Process:

Next Steps / Communication

- Should Council give first three readings to the attached Bylaw, the draft will be placed on the following Council Meeting agenda for adoption.
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Attachments

- **DRAFT Park and Public Spaces Access Bylaw No. 247**

Recommendation

THAT Council give 1st, 2nd and 3rd readings to Park and Public Spaces Access Bylaw No. 247.

Alternative Options

1. Council could choose not to adopt the draft bylaw at this time.
2. Council could choose to amend the draft bylaw prior to providing 3rd reading.

Prepared by:

J. Mosdell, Deputy Corporate Officer

Reviewed by:

D. Drexler, CAO

DISTRICT OF BARRIERE

DRAFT - PARK AND PUBLIC SPACES ACCESS BYLAW NO. 247

A BYLAW TO REGULATE THE USE OF PARKS AND PUBLIC SPACES

The Municipal Council of the Corporation of the District of Barriere, in open meeting lawfully assembled, **ENACTS** as follows:

Citation & Repeal

1. This bylaw may be cited as "***Park and Public Spaces Access Bylaw No. 247***".
 - 1.1 "*District of Barriere Parks Regulation Bylaw No. 42, 2009*" and its amendments thereto are hereby repealed.

Definitions

2. In this bylaw, unless the context otherwise requires:
 - 2.1 "**At Large**" means any animal in a Park or Public Space and not securely leashed and under control of the Owner;
 - 2.2 "**Bylaw Enforcement Officer**" means every person(s) designated by the District of Barriere as a Bylaw Enforcement Officer for the District or otherwise authorized under the *Offence Act*, and every Peace Officer;
 - 2.3 "**Bylaw Notice Enforcement Bylaw**" means the *District of Barriere Bylaw Notice Enforcement Bylaw No. 95* as amended or replaced from time to time;
 - 2.4 "**Council**" means the Council of the District of Barriere;
 - 2.5 "**District**" means the District of Barriere;
 - 2.6 "**Dog Park**" means any designated Park space within which dogs are permitted to run at large subject to the restrictions established in this bylaw;
 - 2.7 "**Firearm**" means a barreled weapon of any description from which any shot, bullet or other missile can be discharged. It includes any prohibited weapon, whether a lethal weapon or not.
 - 2.8 "**Highway**" includes a street, road, lane, bridge, viaduct and any other way open for the use of the public but does not include a private right-of-way on private property;
 - 2.9 "**Motorized Vehicle**" means any type of vehicle capable of propulsion by an internal combustion or electric motor including e-bikes and e-scooters, but excluding wheelchairs and scooters used as a mobility aid for the disabled, and peddle-assist bicycles.

- 2.10 **"Municipality"** means the area within the District of Barriere boundaries;
- 2.11 **"Owner"**, in respect of any animal, means a person who keeps, harbours, or has temporary or permanent possession of an animal;
- 2.12 **"Park"** means any real property owned or subject to a right of occupation by the District for the purposes of pleasure, recreation, or community uses of the public, including all dedicated public parks, Municipal Hall grounds, or other lands used for public parks, or any playground, sports court or field, spray park, public square, or cemetery within the corporate limits of the District of Barriere;
- 2.13 **"Peace Officer"** shall have the same meaning as in the *Interpretation Act*;
- 2.14 **"Person(s)"** includes any company, corporation, owner, partnership, firm, association, society or party;
- 2.15 **"Property"** means land, with or without improvements, so affixed to the land as to make them in fact and in law, a part of it;
- 2.16 **"Public Space"** means any real property or portions of real property owned or leased by the District to which the public is ordinarily invited or permitted to be in or on, and includes, but is not necessarily limited to, the grounds of public facilities or buildings, riverbanks, and public parking lots;
- 2.17 **"Temporary Shelter"** means a temporary structure that is made up of any material(s) used to protect a person from inclement weather or something harmful. These materials may include but are not limited to tents, tarps, building materials, organic material, cardboard and un-insured vehicles.
- 2.18 **"Trail"** means any pathway or trail and all improvements, including all public sections of the Barriere and North Thompson rivers, within the corporate limits of the District of Barriere but does not include the travelled portion of a Highway;
- 2.19 **"Unhoused person"** means a Person who has neither a fixed address or a predictable residence to return to on a daily basis;
- 2.20 **"Vehicle"** means all conveyances for the carriage or transport of persons, passengers, goods, or materials whether self-propelled or drawn or pulled by animals or any mechanical, muscular device, or other motive power whatsoever, and shall include but not limited to Motorized Vehicles, trailers, skateboards, long-boards, bicycles, and tricycles.

Regulations

3. A person shall not enter or be upon or within any Park between the hours of 10:00 p.m. and 6:00 a.m. except where there is a special event, concert, or fireworks exhibition held with valid permission from the District of Barriere.
 - 3.1 Notwithstanding Section 3, where there is no accessible shelter accommodation available in the District or in reasonable proximity thereto, an Unhoused Person may, without prior written permission of the District, reside in a Park, including erecting and occupying a Temporary Shelter, except in designated Parks listed in Schedule "A" of this bylaw, between the hours of 7:00pm on one day and 9:00am of the following day, provided that the Unhoused Person:
 - 3.2 does not erect the Temporary Shelter until after 7:00pm on one day;
 - 3.3 takes down and removes the Temporary Shelter from the Park prior to 9:00am on the following day;
 - 3.4 complies with other provisions of this bylaw;
 - 3.5 does not reside or erect the Temporary Shelter in, on, under, or within:
 - 3.5.1 playgrounds, spray parks, or pools;
 - 3.5.2 skateboard parks, tennis courts, or other sports courts;
 - 3.5.3 sports fields, stadiums, or dugouts;
 - 3.5.4 stages or bleachers;
 - 3.5.5 washroom facilities, picnic shelters, or gazebos;
 - 3.5.6 cemeteries;
 - 3.5.7 pathways or bridges;
 - 3.5.8 Trails, Highways, sidewalks, or parking areas;
 - 3.5.9 all other Public Improvements.
 - 3.6 A Temporary Shelter found to be placed, secured, erected, used or maintained between the hours of 9:00 am and 7:00 pm on any Public Space or Park within the District shall be unlawful and subject to enforcement and removal, including any possessions, wastes and other incidental materials.
 - 3.7 Temporary Shelters found in any areas described in Section 3.5 shall be subject to immediate removal.
4. A person shall not carry or discharge any Firearms, bow, crossbow, sling-shot, boomerang, or other weapon of any description within a Park, school ground, or other Public Space under the jurisdiction of the District of Barriere.
5. A person shall not take away any gravel, sand, or earth from any part of any Park.

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6. A person shall not throw, deposit, drop, leave or dump any garbage, glass, bottles, cans, litter, ashes, cigarette or cigar butts, refuse, trash, rubbish, or other materials, in any Park, Public Space, or waters adjacent thereto.
7. A person shall not light any fire on or within any Park or Public Space within the Municipality, except with express consent from Council or its designated representative.
8. A person shall not be on the roof of any building in any Park or Public Space unless that person is an employee or agent of the District of Barriere carrying out his or her regular duties.
9. A person shall not be in any building, recreation court, or other enclosure, structure, or facility in any Park except during the hours the said building or facility is authorized to be used or to be open by the Council.
10. A person shall not break, injure or damage the locks, gates, bolts, fences, seats, benches, buildings, structures, or other property placed in Public Spaces, on boulevards, or in Parks.
11. A person shall not willfully destroy, mutilate, efface, deface, or remove any sign posted within a Park or Public Space under this or any other bylaw.
12. A person shall not climb, debark, break, peel, cut, deface, remove, injure, root up, dig or otherwise destroy or damage any tree, box, stake, or guard placed around any tree for the protection of the same, shrubs, flowers, roots, sod or grass planted and/or growing on boulevards, or in Parks or Public Spaces.
13. A person shall not play or practice the game of golf or similar games played with golf clubs and balls in any park, excluding putting games.
14. A person shall not cause, allow, or permit pets or other animals to be At Large on any Park, or Public Space within the Municipality.
 - 14.1 A person shall be permitted to allow a dog to be At Large in a Park or Public Space, or portion of a Park or Public Space, which has been designated as a Dog Park.
 - 14.2 An Owner must abide by all on-site posted rules and regulations of a designated Dog Park in order to lawfully use the Dog Park.
 - 14.3 An Owner must immediately remove and dispose of, in a sanitary manner, feces left by pets or animals in a Park or Public Space, or on a Trail.

15. A person shall not ride or drive any horse, in, upon, or through any Park, except during a special event and expressly permitted in writing by the District of Barriere.
 - 15.1 Horses shall be permitted on highway boulevards within the corporate limits of the District, with the provision that the Owner of such animal shall comply with section 14.3
16. A person shall not ride or drive any Motorized Vehicle or other mode of conveyance, except for conveyances for the handicapped, outside of designated access roads, lanes, parking lots, or within paved designated Parks or Trails, unless for an approved event.
 - 16.1 Self-propelled vehicles limited to bicycles, trailers pulled by bicycles, roller blades and skateboards shall be permitted provided they are used on designated pathways, are operated in a safe manner, and within any posted speed limits.
17. A person shall not possess or consume alcohol in a Park or Public Space except as permitted under the District of Barriere's applicable Beer Garden Policy, as amended or replaced from time to time.

Events

18. The Chief Administrative Officer (CAO) or designate is authorized to approve extensions to park hours and noise regulations for permitted events up to 11:00pm.
19. Any request for event-related extensions to park hours or noise regulations beyond 11:00pm must be referred to Council for consideration and approval by resolution.
20. Council may, by resolution, reconsider or vary an application with respect to a specific permitted event, including but not limited to park hours and permitted noise levels.
 - 20.1 If any other bylaw contradicts the noise extensions, this bylaw shall prevail.

Offences and Penalties

21. A person who contravenes any of the provisions of this Bylaw shall be subject to a fine as described in the current Bylaw Notice Enforcement Bylaw No. 95 as amended.
 - 21.1 Where a Bylaw Enforcement Officer or any other Officer of the District has reasonable grounds to believe that a person, while in a Park or Public Space, is in contravention of any provision of this bylaw, the Bylaw Enforcement Officer may:
 - 21.1.1 Direct the person to comply with the bylaw; or
 - 21.1.2 Direct the person to leave the Park or Public Space.
 - 21.2 A person who is directed to leave the Park or Public Space shall immediately leave the Park or Public Space and refrain from re-entering for a period of 24 hours or until 7pm the following day whichever is longer.

SCHEDULE "A"

Parks where Temporary Shelters are Prohibited

1. Fademar Park
2. Community Park
3. Bradford Park
4. Oriole Park
5. Barriere Cemetery
6. Community Garden
7. Open Space along Airfield Road
8. Infrastructure Properties (including but not limited to: Spruce Cres. Wells, Birch Ln. Shallow Well, Siska, Riverwalk and SAWRC Wastewater Plants, Septage Receiving)
9. Municipally-owned real property along Barriere Town Road
10. Trails, parks, easements and boulevards