

TOWN OF WEMBLEY

BYLAW NO. 686

**BEING A BYLAW OF THE TOWN OF WEMBLEY FOR THE PURPOSE OF CONTROLLING AND REGULATING
THE USE OF CAMPGROUNDS IN SUNSET LAKE PARK.**

WHEREAS the Council of the Town of Wembley deems it expedient to establish rules and regulations in order to protect and preserve natural ecosystems while promoting safe and responsible recreation activities within the Campgrounds, together with penalties for non-compliance with the Bylaw;

NOW THEREFORE the Town of Wembley, duly assembled, under and virtue of the authority conferred upon Council by the Municipal Government Act, Chapter M-26, RSA 2000 and amendments thereto, the Forest and Prairie Protection Act, Chapter F-19, RSA 2000 and amendments thereto, and the Traffic Safety Act, Chapter T-6, RSA 2000 and amendments thereto, enacts as follows:

PART 1 – DEFINITIONS

1.1 In this Bylaw:

- a) “Animal” means any domestic animal kept by any Person for their personal pleasure or enjoyment, and includes, but is not limited to, cats and dogs.
- b) “Campground” means any area within the Town that is owned, leased, operated or managed by the Town where overnight camping is permitted which is designated or signed by the Town as a Campground;
- c) “Campground Caretaker” means any Person or Persons employed or contracted by the Town of Wembley responsible for the daily activities of the Campground, including but not limited to, cleaning, maintenance, collection of fees and ensuring compliance with rules and regulations;
- d) “Camping Unit” means a tent, trailer, fifth-wheel trailer, truck camper, motor home, camperized van or other shelter commonly used for the purpose of camping, or any temporary shelter actually used for camping erected in a Campground;
- e) “Campsite” means a Campsite area within a Campground where overnight camping is allowed;
- f) “Day Use Area” means any area within the Town that is owned, leased, operated or managed by the Town and is designated or signed as a Day Use Area where overnight camping is not allowed;
- g) “Designated Receptacle” means a sanitary Waste transfer station (for the purposes of collecting Recreational Vehicle sewage), Town supplied Waste receptacles and designated washroom facilities;
- h) “Fireworks” means Consumer Fireworks or Fireworks as defined in Town Fire and Emergency Response Bylaw or its successor Bylaw;
- i) “Nuisance” means any or all of the following:
 - i. use of obscene, offensive or insulting language;
 - ii. fighting or disorderly conduct;
 - iii. excessively loud or disruptive noise or music at any time;
 - iv. any conduct that takes place either within or outside of Parkland, which in the opinion of a Campground Caretaker, Park Coordinator, or a Peace Officer infringes upon the peace, quiet and enjoyment of any other Person;
- j) “Parks Caretaker” means Person(s) employed or contracted by the Town who are responsible for the daily operations of the Campgrounds.

- k) "Peace Officer" means a member of the Royal Canadian Mounted Police; a Peace Officer appointed pursuant to the Alberta Peace Officers Act; or a Bylaw Enforcement Officer;
- l) "Person" shall include an individual, a firm, a partnership or corporate body;
- m) "Registry or Registered" means the term used to describe the permit registration system in place to manage the lawful occupancy of Campsites and the collection of fees for same;
- n) "Registered Owner" means that Person named on the Registry as the Registered Owner of a Campsite. The Registered Owner is responsible for all activities in and around that Campsite, including Campground rules, regulations and penalties. In the event that no Registry exists, all persons using a Campsite are deemed to be Registered Owners of that Campsite;
- o) "Waste" means any solid or liquid material or product or combination of solid or liquid material or product, including, but not limited to:
 - i. Rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, manure, human or animal excrement, sewage, or the whole or any part of an animal carcass;
 - ii. The whole or any part of any raw or processed material, article, vehicle, equipment or machinery that is disposed of or abandoned; and
 - iii. Any grass clippings, dirt, rubble, tree branches or other naturally generated materials not originating within Parklands.

1.2 Interpretation:

- a) Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is found to be invalid for any reason by a Court of Law, all other provisions of this Bylaw shall remain valid and enforceable.
- b) Marginal notes and headings in this Bylaw are for reference purposes only.
- c) Nothing in this Bylaw relieves a Person from complying with any Federal or provincial law or regulation.
- d) Wherever the singular or masculine is used throughout this Bylaw, the same shall be construed as meaning the plural or feminine respectively.
- e) Where a word or term is defined in this Bylaw, derivatives of that word or term will be interpreted to have the same general meaning of the defined word or term, as the context may require.

PART 2 – SUNSET PARK

2.1 Regulations:

Any Person who enters a designated Campground shall comply with:

- a) any rule or regulation as contained in Appendix C of this Bylaw, or otherwise made or issued pursuant to this Bylaw; and
- b) the instructions, prohibitions and directions prescribed by all signs or notices posted by the Town or a designated agent of the Town within the Campground.

2.2 No Person shall:

- a) remain in a Campsite for more than fourteen (14) consecutive days, unless otherwise authorized in writing by the Chief Administrative Officer of the Town of Wembley or designate.
- b) have or allow in a Campsite more than
 - i. One (1) Motor Vehicle;
 - ii. One (1) Camping Unit;
 - iii. Six (6) persons.
- c) make, or cause to be made, noise that disturbs the rest, peace or enjoyment of any Person within the Campground during the period of 11:00 pm to 7:00 am.
- d) create or be a nuisance.

2.3 No Registered Owner shall allow a Nuisance at his or her Registered Campsite.

2.4 Registration

No person shall erect a structure or a Camping Unit within a Campsite or otherwise utilize a Campsite for more than thirty (30) minutes without registering as the Registered Owner of the Campsite. However, where one (1) person has Registered as the Registered Owner of that Campsite, other persons staying at that Campsite (to a maximum of six (6) inclusive of Registered Owner) need not Register for that Campsite.

2.6 Eviction

Any violation or non-compliance of a general Campground regulation may result in eviction from a Campground. Power to evict is granted to Park Caretaker, Town of Wembley Public Works employees, Town Designated Officer or a Peace Officer. Anyone within the boundaries of Sunset Lake Park may be evicted for just cause or during any time that the park is closed to the public. The following process may be followed:

- a) verbal warning of non-compliance which may include a reasonable time for remedy;
- b) notwithstanding the foregoing, a verbal eviction notification can be served forthwith.

For the purpose of this Bylaw, a verbal eviction notification can be served to any Campsite occupant who appears to be 18 years or older, or to the Registered owner of the Campsite.

Once served, a verbal eviction notification is final and without appeal.

Any Person served with a verbal eviction notification that fails to respond and vacate the Campground is deemed to be trespassing and all the provisions of the Alberta Petty Trespass Act, Chapter P-11, RSA 2000 apply.

PART 3 – PROSECUTIONS

3.1 Any Person who breaches, contravenes or does not comply with this Bylaw is guilty of an offence.

3.2 A notice or form commonly called a Violation Ticket, distributed by the Province of Alberta, may be issued by a Peace Officer to any Person alleged to have breached or contravened any provision of this Bylaw, and the said ticket shall require the payment to the Provincial Court of Alberta in the amount specified in the Bylaw.

3.3 Any persons who contravenes or breaches those sections of this By-law set out in Schedule “B” to this bylaw shall be liable for the fines or penalties stipulated in Schedule “B” of this Bylaw.

3.4 The offenses under this Bylaw in respect of which a voluntary penalty may be made are set out in Schedule “B” to this Bylaw together with the amount of the voluntary payment.

3.5 A Violation Ticket shall be deemed to be sufficiently served:

- a) if served personally on the accused; or
- b) if mailed to the address of the Registered Owner concerned; or to the Person concerned;

3.6 Except as otherwise provided in this Bylaw, a Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided is liable to a fine of not less than \$100.00 and in default of payment, is liable to imprisonment for a term not exceeding six (6) months without the option of a fine.

PART 4 – SEVERABILITY

4.1 Should any provisions of this Bylaw become invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the Bylaw and the remainder shall remain in force and be binding as though such provision had not been included.

PART 5 – EXERCISE OF DISCRETION AND DELEGATION

- 5.1 Pursuant to S.S. 29 of the Municipal Government Act, the Town and its designates have the ability to exercise discretion in the Application of this Bylaw.
- 5.2 Where any thing or action referred to in this Bylaw is to be designated, or is referred to as designated, either Town Council, or the Towns Chief Administrative Officer or his or her designate may designate the thing or action, unless this or another Bylaw of the Town provides for some other means of designation.

PART 6 – RECIND PREVIOUS BYLAW

- 6.1 The Town of Wembley Bylaw No. 640, Sunset Lake Park, is hereby rescinded.

PART 7 – ENACTMENT

- 7.1 This Bylaw shall come into force and effect upon receiving third and final reading and being duly signed.

Read a first time this 27 day of April, 2015

Read a second time this 27 day of April, 2015

Read a third and final time this 27 day of April, 2015.

(SIGNED) _____

MAYOR

(SIGNED) _____

CAO

TOWN OF WEMBLEY
BY-LAW NO 686
APPENDIX A
FEES FOR SUNSET LAKE PARK

FOR A SITE WITH POWER	\$25.00
FOR A SITE WITHOUT POWER	\$20.00
FIREWOOD	\$10.00 per wheel barrow load.

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APPENDIX B

FINES

<u>SECTION</u>	<u>OFFENCE</u>	<u>PENALTY</u>
2.1		
	a) Fail to dispose of Waste in a Designated Receptacle	\$200.00
	b) Leave washroom, toilet, or shower facility unclean	\$200.00
	c) Depositing chemicals, paints or other hazardous waste products	\$200.00
	d) Depositing, storing or abandoning, unauthorized equipment or material	\$250.00
	e) Leave Campsite unclean	\$250.00
	f) Occupy a Campsite deemed unsightly	\$250.00
	g) Bathe or clean clothing, equipment etc., near fresh water supply	\$100.00
2.2	Erect an unauthorized temporary or permanent structure	\$250.00
2.3		
	a) Starting a fire outside of a designated fire pit, fireplace or appliance	\$500.00
	b) Leave a fire unattended	\$500.00
	c) Fail to fully extinguish a fire	\$500.00
	d) Disposing of ash, coals or embers	\$500.00
	e) Burning of any chemical, treated wood, tires, plastic, Waste or vegetation except deadfall	\$500.00
	f) Light fireworks without a permit	\$500.00
	g) Act in contravention of current fire bans, permits or regulations	\$500.00
2.4		
	a) Animals at large	\$100.00
	b) Allow animals to make excessive noise	\$100.00
	c) Fail to clean up animal feces	\$100.00
2.5		
	a) Fail to comply with Campground rules or regulations	\$100.00
	b) Fail to comply with Campground instructions, notices or signs	\$100.00
	c) Stay longer than fourteen (14) days without permission	\$100.00
	d) Exceed maximum occupancy without permission	\$100.00
	e) Make or cause noise between 11:00 pm and 7:00 am	\$250.00
	f) Be a nuisance or engage in nuisance behavior	\$500.00
2.6	Failure to register Campsite	\$100.00

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APPENDIX C

GENERAL RULES FOR TOWN OF WEMBLEY CAMPGROUNDS

- Maximum length of stay is Fourteen (14) consecutive days.
- Maximum Occupancy per campsite is one (1) camping unit, one (1) motor vehicle and six (6) people unless prior permission is obtained.
- Checkout time is 2:00 pm.
- Reservations will be accepted for up to a maximum of fifty percent (50%) of the campground.
- Campsites must be kept clean while occupied and left clean when vacated.
- No credit for camping fees or registration will be extended.
- Speed limit within Sunset Park to be restricted to 10km/hr.
- Obey all notices and posted signs.
- No animals running at large, dogs on leashes only.
- Quiet time is 11:00 pm to 7:00 am daily.
- No person shall disturb the rest, peace, or enjoyment of any other person at any time.
- Liquor consumption and possession in registered campsites only. (Gaming and Liquor Act)
- No off Highway Vehicles may be operated.
- Fires in provided fire pits or stoves only.
- Litter deposited in provided litter receptacles only (Environmental Protection and Enhancement Act).
- Discharge of fireworks is prohibited.
- Harassment of wildlife is prohibited (Wildlife Act).
- Discharging of firearms is prohibited.
- Damaging, defacing or removing Campground property is prohibited (Criminal Code of Canada).
- Cutting, defacing or removal of plants or rocks is prohibited.
- Camping is allowed only in permitted campsites.
- Adherence to all traffic safety laws is required (Alberta Traffic Safety Act)
- Criminal breeches will not be tolerated (Criminal Code of Canada)
- Nuisance behavior will not be tolerated. This includes:
 - i. use of obscene, offensive or insulting language;
 - ii. fighting or disorderly conduct;
 - iii. excessively loud or disruptive noise or music at any time;
 - iv. any conduct that takes place either within or outside of Sunset Lake Park, which in the opinion of the Campground Caretaker or Peace Officer infringes upon the peace, quiet and enjoyment of any other Person;

VIOLATIONS OF ONE OR MORE OF THESE RULES AND OR ANY REGULATION ENACTED UNDER THE TOWN OF WEMBLEY SUNSET LAKE PARK BYLAW MAY RESULT IN IMMEDIATE EVICTION FROM THE CAMPGROUND AND / OR PROSECUTION