

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4431**

**A BYLAW TO AMEND THE CAPITAL REGIONAL DISTRICT PARKS REGULATION BYLAW NO. 1,
2018 (BYLAW NO. 4225)**

WHEREAS:

- A. Under Bylaw No. 4225, “Capital Regional District Parks Regulation Bylaw No. 1, 2018”, the Regional District created bylaws to govern public conduct in and usage of Regional Parks; and
- B. The Board wishes to amend Bylaw No. 4225 to ensure that visitors to the CRD Parks system have a safe, enjoyable experience and to better address ongoing and emerging enforcement issues within the CRD Parks system;

NOW THEREFORE, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 4225, “Capital Regional District Parks Regulation Bylaw No. 1, 2018”, is hereby amended as follows:
 - (a) By inserting the definition of “aircraft” in section 1:

“**aircraft**” means a device that is designated to carry one or more persons or objects through the air by electric or fuel power or by powerless flight, or to move through the air remotely and without passengers, and includes Unmanned Aerial Vehicles (UAVs), drones;
 - (b) By inserting the definition of “attractant” in section 1:

“**attractant**” means any of the following:

 - (a) food or food waste, barbeques, stoves, or other cooking devices, compost, or other waste or garbage that could attract an animal;
 - (b) a carcass or part of a carcass of an animal, or other meat;
 - (c) By replacing the definition of “camp” in section 1 with the following:

“**camp**” means to occupy a campsite, to set up a tent or other shelter or to remain overnight;
 - (d) By replacing the definition of “firearm” in section 1 with the following:

“**firearm**” means any device that propels a projectile by means of explosion, spring, air, gas, string, wire or elastic material or any combination of those things;
 - (e) By inserting the definition of “hunt” in section 1:

“**hunt**” means shooting at, attracting, searching for, chasing, pursuing, following after or on the trail of, stalking or lying in wait for wildlife, or attempting to do any of those things, whether or not the wildlife is then or subsequently wounded, killed, or captured,

 - (a) with intention to capture the wildlife or,
 - (b) while in possession of a firearm or other weapon;
 - (f) By replacing the definition of “motor vehicle” in section 1 with the following:

“motor vehicle” means a vehicle, not run on rails, that is designed to be self-propelled and includes an off-road vehicle, but does not include a motor-assisted cycle;

- (g) By replacing the definition of “off-road vehicle” in section 1 with the following:

“off-road vehicle” means a vehicle considered an off-road vehicle pursuant to the *Off-Road Vehicle Act*, SBC 2014, c 5, as amended;

- (h) By inserting the definition of “open fire” in section 1:

“open fire” means any outdoor fire started, maintained, or gathered around or near by a person or persons for warmth, enjoyment, or cooking;

- (i) By inserting the definition of “smoke” or “smoking” to section 1 as follows:

“smoke” or “smoking” means burning a cigarette or cigar containing tobacco or another substance, or burning or heating tobacco or another substance using a pipe, hookah pipe, lighted smoking device or vaporizing device as per the CRD Clean Air Bylaw No. 3962, as amended;

- (j) By re-ordering definitions in section 1 in alphabetical order;

- (k) By amending section 4(9) to state:

4(9) A person must not operate equipment, motor vehicles, cycles, or machinery in a regional park that, in the opinion of a Park Officer or Peace Officer:

- (a) disturbs, or is likely to disturb the peace, enjoyment, or comfort of persons in the vicinity; or
- (b) disturbs or disrupts or is likely to disturb or disrupt wildlife; or
- (c) is dangerous, or is likely to create a dangerous situation within the park.

- (l) By inserting section 4(12) as follows:

4(12) A person who has been evicted from a park must not:

- (a) return to the park until the specified eviction time period has elapsed; and
- (b) that person, if they have paid in part or in full for a service in the park, is not entitled to a refund.

- (m) By inserting section 4(13) as follows:

4(13) A person must not take off or land an aircraft within a regional park unless in compliance with all applicable regulations in addition to obtaining a park use permit.

- (n) By inserting section 6(1)(c) as follows:

6(1)(c) Camp or register for more than 14 days in a campground within a calendar year.

- (o) By adding section 6(5), which states:

6(5) All persons entering a regional park campground for the purpose of utilizing the campground facilities must register upon arrival.

- (p) By adding section 6(6), which states:

6(6) The registered site holder is responsible for:

- (a) ensuring the proper payment of fees; and
- (b) the actions and conduct of each person in the party or group and each guest and visitor of that party or group while camping in the regional park.

- (q) By replacing section 7(1)(f) with the following:

7(1)(f) Hunt, molest, disturb, frighten, injure, kill, catch, or trap any wildlife, except for fishing and crab-catching done in accordance with all enactments;

(r) By replacing section 7(1)(g) with the following:

7(1)(g) Feed any wildlife or deposit any substance that wildlife may eat, or leave unattended an attractant of any kind;

(s) By replacing section 7(5) with the following:

7(5) A person must not light or keep lit, or use any open fire, stove, barbeque or other flame producing cooking device in a regional park except:

(a) in facilities or designated areas that the CRD provides for fires or flame-producing cooking devices, or

(b) if permitted by a valid park use permit.

(t) By replacing section 9(1) with the following:

9(1) A person must not possess or discharge any of the following in a regional park unless authorized to do so by a park use permit:

(a) a firearm;

(b) fireworks or explosives of any kind.

(u) By replacing section 10(6) to state:

10(6) Without limiting the generality of any other provision of this Bylaw, a Park Officer or Peace Officer may ticket or order the towing away of any motor vehicles in violation of this bylaw and a Park Officer or Peace Officer may also order the vehicle and/or trailer to be towed at the owner/operator's expense, if the owner/operator has been evicted from the park and is unable to remove the vehicle or trailer immediately.

(v) By inserting section 10(9) as follows:

10(9) A person must not operate or use an off-road vehicle in a regional park without a valid park use permit.

(w) By adding the following park to Schedule C, in alphabetical order:

Saint John Point Regional Park

2. This bylaw may be cited for all purposes as "Capital Regional District Parks Regulation Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2021".

READ A FIRST TIME THIS	14 th	day of	July	2021
READ A SECOND TIME THIS	14 th	day of	July	2021
READ A THIRD TIME THIS	14 th	day of	July	2021
ADOPTED THIS	14 th	day of	July	2021

CHAIR

CORPORATE OFFICER