

BY-LAW NO.030
A BY-LAW OF THE TOWN OF QUISPAMISIS
RESPECTING PUBLIC PARKS AND BEACHES
WITHIN THE TOWN OF QUISPAMISIS

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RESOLVED BY the Council for the Town of Quispamsis pursuant to the authority of the Municipalities Act of New Brunswick and without limiting the foregoing Section, 181 thereof, enacts as follows:

1. TITLE

A. This By-law may be cited as the Parks and Beaches By-law.

2. DEFINITIONS

A. "Public Park" means a public park, playground, ballfield or trail located in the Town and listed in Schedule "A" attached hereto.

B. "Town" means the municipality of Quispamsis.

3. PUBLIC BEACHES

A. Meenan's Cove Park, located in the Town is hereby declared a public beach.

B. Gondola Point Beach, located in the Town is hereby declared a public beach.

C. Ritchie Lake Park, located in the Town is hereby declared a public beach.

4. BUSINESS ACTIVITIES

A. All persons engaging in any trade or business at a Public Beach or in a Public Park shall:

i. require the written permission of the Town; and

ii. provide the Town with proof of liability insurance coverage sufficient to protect the Town from all liability arising out of the use of a public beach or public park for such trade or business.

- B. The insurance coverage referred to in Section 4A(ii) shall be of such an amount as the Town determines appropriate at the time permission is sought.

5. CLOSURE

- A. In the event the insurance requirements of Section 4A(ii) are not complied with or if the Town for any reason feels public safety is at a risk, it may by resolution of Council, close a public beach or public park.
- B. The closure referred to in Section 5A may be for such period of time as Council may determine is advisable for the protection of the public.

6. PROHIBITED ACTIVITIES

- A. No person shall hold any public gathering or meeting at a public beach or public park without first obtaining the permission of the Town and paying the applicable fees.
- B. No person shall throw, drop or deposit or cause to be deposited any glass bottle, can, rubbish, refuse waste paper or waste of any kind at a public beach or public park.
- C. No person shall light a fire at a public beach or public park except in a fireplace designated by the Town as being for that purpose.
- D. The Town may prohibit the lighting of fires anywhere at a public beach or public park.
- E. Any person who lights a fire anywhere at a public beach or public park, during any period when a prohibition is in force, is guilty of an offence.
- F. No person shall by their conduct, endanger, disturb or annoy other users of the public beach or public park.
- G. The Town may from time to time close trails or roadways located at a public beach or public park.
- H. No unauthorized person shall drive or park a motor vehicle or ride a horse at a public beach or public park other than on roadways designated for the use of motor vehicles or horses.
- I. The Town may designate roadways and trails at a public beach or public park as "closed to bicycle access" and shall erect or post signs indicating such roadways or trails.

- J. No unauthorized person shall drive a bicycle on any roadway or trail at a public beach or public park which is designated as a "no bicycle" roadway or trail.
- K. No unauthorized person shall drive a motor vehicle or bicycle or ride a horse on any roadway in any public beach or public park at a speed greater than twenty (20) kilometers per hour.
- L. All persons driving a motor vehicle or bicycle or riding a horse in any public beach or public park shall yield the right of way to pedestrians.
- M. No person shall pitch a tent or park a trailer or mobile home on any public beach or public park without the permission of the Town.
- N. No person shall use archery equipment, firearms or air guns on any public beach or public park.
- O. No person shall loiter or remain in a public beach or public park at any time during the period between 10:00 p.m. on one day and one hour before sunrise on the following day without the permission of the Town.
- P. Users of a public beach or public park shall comply with all regulations which may be posted in the public beach or public park.
- Q. No person shall possess or consume alcoholic beverages on a public beach or in public park. This provision shall not apply to the possession or consumption of alcoholic beverages in the Meenan's Cove Beach House if authorized by a licence under the Liquor Control Act of New Brunswick.
- R. Animals are not permitted in a public beach within one hundred (100) metres of the water or in the water adjacent to a public beach from May 1st through September 30th of each year this By-law is in force.

7. OFFENCES

- A. Every person who violates any provision of this By-law is guilty of an offence.

8. PENALTY

- A. Every person charged with an offence under this By-law may, on or before the date a charge pertaining to the offence has been laid in Provincial Court, make a voluntary payment of \$25.00 (Twenty-Five Dollars).

B. The voluntary payment set out in Section 8.(A) shall be made to the Rothesay Regional Police Force as follows:

- i. in person at the Cash Payments Counter, The Rothesay Regional Police Station, Quispamsis, New Brunswick, in cash or by cheque or money order made payable to the Rothesay Regional Police Force; or
- ii. by mail to: Rothesay Regional Police Force, 3 Landing Court, Quispamsis, New Brunswick, E2E 4R2, Attention Fine Revenue Clerk, by cheque or money order only, payable to the Rothesay Regional Police Force;

at which time the ticket or ticket number shall be surrendered to the Rothesay Regional Police Force and such payment shall be deemed payment in full.

C. If the voluntary payment set out in Section 8A has not been received on or before the date a charge pertaining to the offence has been laid in Provincial Court, the person charged with the offence may make a voluntary payment of \$50.00 (Fifty Dollars) as follows:

- i. in person at the Cash Payments Counter, The Rothesay Regional Police Station, Quispamsis, New Brunswick, in cash or by cheque or money order made payable to the Rothesay Regional Police Force; or
- ii. by mail to: Rothesay Regional Police Force, 3 Landing Court, Quispamsis, New Brunswick, E2E 4R2, Attention Fine Revenue Clerk, by cheque or money order only, payable to the Rothesay Regional Police Force;

at which time the ticket or ticket number shall be surrendered to the Rothesay Regional Police Force and such payment shall be deemed payment in full.

D. If the voluntary payments set out in Section 8(A) and Section 8(C) have not been received on or before the hearing scheduled for entering of a plea before the Provincial Court, the person charged with the offence is liable, on summary conviction, to a fine not more than the maximum fine which may be imposed for commission of an offence punishable under PART II of the Provincial Offences Procedure Act as a Category C Offence.

9. SEVERABILITY

- A. If any part of this By-law shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this By-law.

10. BY-LAW REPEALED

- A. All By-laws, rules and regulations heretofore passed, adopted and observed by the Councils of the former Town of Quispamsis, By-law Number 59 "*Regulating Public Parks and Beaches*" and the former Village of Gondola Point, relating to Regulating Public Parks and Beaches and any amendments thereto are hereby repealed.

11. EFFECTIVE DATE

- A. This By-law comes into effect on the date of final enactment thereof.

READ FIRST TIME: June 17, 2003

READ SECOND TIME: June 17, 2003

READ THIRD TIME & ENACTED: July 15, 2003

SEAL

MAYOR

CLERK

SCHEDULE "A"

PUBLIC PARKS

1. Meenan's Cove Park
2. Hammond River Park
3. Ritchie Lake Park
4. Peat Drive Park
5. Recreation Centre Playground
6. Firefly Crescent Playground
7. Cedar Ridge Playground
8. Meenan's Cove Playground
9. Parkside Drive Playground
10. Recreation Centre Ballfields
11. Walter Jewett Ballfield
12. Memorial Ballfield
13. Meenan's Cove Ballfield
14. Hammond River Walking Trails
15. Mud Lake Walking Trails
16. Matthews Cove Walking Trails
17. Saunders Brook Walking Trails
18. Meenan's Cove Walking Trails
19. Rolfe Soccer Field
20. Saunders Soccer Field
21. Goldrush Playground
22. United Church Playground