

Bylaw No. 7767

The Recreation Facilities and Parks Usage Bylaw, 1998

**Codified to Bylaw 9377
(May 24, 2016)**

BYLAW NO. 7767

The Recreation Facilities and Parks Usage Bylaw, 1998

The Council of The City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as The Recreation Facilities and Parks Usage Bylaw, 1998.

Purpose

2. The purpose of this Bylaw is to regulate the use of Parks and Recreation Facilities owned by The City of Saskatoon.

Definitions

3. For the purposes of this Bylaw:
 - (a) “Advertising” means a public announcement to make an activity, service, event, festival or organization generally known and which may be presented by way of one of the following signs:
 - (i) “Permanent” means stationary, made of lasting materials and erected for an extended period of time;
 - (ii) “Temporary” means for the duration of the activity or event; and
 - (iii) “Freestanding” means movable or portable, standing alone or on its own foundation or supporting frame and erected on a daily basis;
 - (b) “Casual Use” means the occasional or irregular use of a recreation facility or park;
 - (c) “City” means The City of Saskatoon;
 - (d) “Council” means the Council of The City of Saskatoon;

- (e) “Extended Event Use” means an activity or festival of a sporting, cultural, artistic or recreational nature which requires the use of all or a portion of a Recreation Facility or park for a maximum of five consecutive days including set up and take down;
- (f) “Major Event Use” means an activity or festival of a sporting, cultural, artistic or recreational nature which requires the use of all or a portion of a Recreation Facility or park for more than five consecutive days including set up and take down;
- (f.1) “Model Aircraft” means an aircraft with a total weight not exceeding 35 kg that is mechanically driven or launched into flight for recreational purposes and that is not designed to carry persons or other living creatures;
- (g) “Park” means Municipal Reserve or other lands maintained for recreational purposes, owned by the City and designated as one or more of the following:
 - (i) “District Park” means a park which serves the recreational requirements of four to five neighbourhoods, and may accommodate city-wide and high school activities;
 - (ii) “Linear Park” means a park which serves the recreational requirements and acts as a linkage by providing a connection between parks and other destinations through non-motorized means of travel;
 - (iii) “Multi-District Park” means a park which serves the recreational requirements of the suburban development area, city-wide programs, and meets the requirements of national/international competition;
 - (iv) “Neighbourhood Core Park” means a park which serves the recreational requirements of elementary schools, neighbourhood residents, as well as some intra-neighbourhood league play;
 - (v) “Neighbourhood Park” means a public park which serves the outdoor recreation requirements of the residents of a specific neighbourhood in which the Park is located. A Neighbourhood Park may also serve as a playground for elementary schools of the neighbourhood;

- (vi) “Neighbourhood Pocket Park” means a park which serves the recreational requirements of all neighbourhood residents, particularly those near the periphery of the neighbourhood;
- (vii) “Riverbank Park” means a park that abuts the South Saskatchewan River or is separated from the South Saskatchewan River only by a street and includes, but is not limited to: Meewasin Park, the Mendel site, Kinsmen Park, Kiwanis Memorial Park, Friendship Park, Victoria Park, Diefenbaker Park, Rotary Park and Cosmopolitan Park; and
- (viii) “Special Use Park” means a park which serves the unique needs of that particular open space;
- (g.1) “Peace Officer” means a peace officer as defined in *The Summary Offences Procedure Act, 1990*.
- (g.2) “Public Square” means land owned, operated or controlled by the City or another civic agency and intended for public gatherings, displays or events and includes: City Hall Square and, in particular, the lands bordered by 3rd Avenue and 4th Avenue North, and 23rd Street and 24th Street East; and the lands that comprise River Landing including, Market Square and, in particular, the lands that are bordered by 3rd Avenue South, 19th Street, Avenue C South and the South Saskatchewan River;
- (h) “Recreation Facility” means any building owned by The City of Saskatoon that is used for recreation purposes;
- (h.1) “Seasonal Commercial Enterprise” means any person who has obtained a permit to sell goods or services in a park on a temporary basis with specific start and end dates.
- (i) “Temporary Structure” means a structure which has no permanent foundation and without limiting the generality of the foregoing, includes tents, portable washrooms and portable stages; and
- (i.1) “Unmanned Aerial Vehicle” means a power driven aircraft, other than a Model Aircraft, that is designed to fly without a human operator onboard;
- (j) “Wildlife” means wildlife within the meaning of *The Wildlife Act, 1997 (Saskatchewan)*.

Part I Management of Parks

Designation and Registration of Parks

4. (1) Parks shall be designated as Municipal Reserve.
- (2) Parks shall be listed in a parks register kept by the City Clerk. The register shall include the name, address, legal description and size of each Park.

Use of Parks

5. (1) A person shall apply to the City for permission for casual use, extended event use or major event use of a Park.
 - (2) The City may approve a proposed event if it meets the park use criteria set out in Subsection (3) and it can be scheduled in accordance with the priority of use allocation set out in Section 6.
 - (3) The City may allow the use of a Park if:
 - (a) the use is compatible with the physical capabilities of the Park;
 - (b) the use does not cause permanent damage to the Park or extra expense for the City;
 - (c) the use is compatible with the other activities and events previously approved and can occur simultaneously in the Park;
 - (d) the use does not jeopardize public safety;
 - (e) the use does not include soliciting of any kind; and
 - (f) the sale of goods is not the primary purpose for the use.
 - (4) The granting of permission to use a Park does not relieve the user from the requirement to comply with all applicable municipal, provincial and federal laws, including The Noise Bylaw, No. 6052.
- 5.1 Notwithstanding Section 5, the City may issue a permit to operate a Seasonal Commercial Enterprise in a park.

Priority of Use Allocation of a Public Park

6. (1) The City shall approve the use of a Park, other than a Neighbourhood Park, according to the following priorities:
 - (a) first priority shall be given to the City's contractual obligations with respect to the use of the Park;
 - (b) second priority shall be given to one-time events that are provincial, national or international in scope;
 - (c) third priority shall be given to annual, seasonal use bookings such as league play; and
 - (d) fourth priority shall be given for all other uses.
- (2) The City shall allocate the use of a Neighbourhood Park according to the following priorities:
 - (a) first consideration shall be given to events offered by community associations in the neighbourhood; and
 - (b) second consideration shall be given to events sponsored by youth sports organizations for children under 14 years of age.

Riverbank Parks

7. The City may refuse to allow use of a Riverbank Park for an event where intensive use of the Park in connection with a previous event has resulted in damage to the grass.

Part II Management of Recreation Facilities

Use of Recreation Facilities

8. (1) A person shall apply to the City for permission to use a Recreation Facility.
- (2) The City may allow the use of the Recreation Facility if:
 - (a) the Recreation Facility is suitable for the event or performance;

- (b) the event or performance does not conflict with other activities that were previously approved;
- (c) the event or performance does not create any extra maintenance problem or extra expense for the City; and
- (d) the event or performance does not jeopardize public safety.

Priority of Use Allocation of a Recreation Facility

9. The City may approve the use of a Recreation Facility according to the following priorities:
- (a) first priority shall be given to the City's contractual obligations for the use of the Recreation Facility;
 - (b) second priority shall be given to one-time provincial, national or international events or performances;
 - (c) third priority shall be given to regularly scheduled Leisure Services Department programs;
 - (d) fourth priority shall be given to seasonally occurring events; and
 - (e) fifth priority shall be given to casual use. Allocation for casual use shall be made on a first-come-first-served basis and must not conflict with other allocated uses.

Part III General Provisions

Deposit

10. The City may require a non-refundable deposit or damage deposit from an applicant prior to the granting of permission for the use of a Park or Recreation Facility. The amount of the deposit or damage deposit shall be in the discretion of the City.

Contract

11. (1) If an application for the use of a Park or Recreation Facility is approved by the City, the applicant shall be required to enter into a contract with the City with respect to the use.
- (2) The applicant shall pay to the City such fees for the use of the Park or Recreation Facility as may from time to time be established by Council.

Hours of Operation

- 11.1 (1) No person shall enter into or remain in a park between the hours of 12:00 a.m. and 5:00 a.m.
- (2) This Section shall apply to all parks as defined in this Bylaw, except a Riverbank Park.
- (3) This Section shall not apply to:
 - (a) persons who, upon written application, have obtained permission from the City to use a park after 12:00 a.m. or before 5:00 a.m.; and
 - (b) City employees or peace officers who enter a park in the course of their duties.
- (4) In exercising its authority pursuant to Clause (3)(a), the City may grant its permission with or without conditions.
- (5) In addition to any other penalty that may be imposed pursuant to this Bylaw, any person in contravention of this Section may be requested to leave the park by a peace officer.

Temporary Structures in Parks

12. (1) No person shall erect a temporary structure in a Park without a permit from the City.
- (2) If any person erects a Temporary Structure contrary to Subsection (1), the City may notify the person, verbally or in writing, to remove it immediately, and, if the person fails to do so, the City may remove and dispose of the Temporary Structure at the expense of the person who erected the Temporary Structure.

Advertising in Parks or Recreation Facilities

13. (1) No person shall advertise in a Park or Recreation Facility unless written or verbal permission to do so has been received from the City.
- (2) The City shall allow advertising in a Park or Recreation Facility only if such advertising is done by a person who sponsors a festival, activity or an event, and the advertisement is part of such festival, activity or event.
- (3) The City may allow a sponsor who provides resources to support capital projects to place a permanent advertising sign on the capital project that the sponsor is supporting.
- (4) Permanent advertising signs must be affixed to a building or other structure approved by the City. The sign content must be limited to the name, symbol or slogan of the sponsor or its product.
- (5) A sponsor who provides resources to support a program or special event may place temporary advertising signs, banners, posters and displays in a Park or Recreation Facility during that program or special event.
- (6) Freestanding advertising ground signs shall not be permitted in a Park except during special events.

Litter

14. (1) No person shall leave litter or deposit any substance in any Park or Recreation Facility.
- (2) If any person leaves litter or deposits any substance in any Park or Recreation Facility contrary to Subsection (1), the City may notify the person, verbally or in writing to remove it immediately, and if the person fails to do so, the City may remove the litter or substance at the expense of the person so notified.

Gaming and Indecent Acts Prohibited

15. No person shall engage in any gaming or commit any indecent or obscene act in any Park or Recreation Facility.

Disorderly Conduct Prohibited

16. No person shall conduct themselves in a disorderly manner in a Park or Recreation Facility and no person shall make any loud, unnecessary or unusual noise in a Park or Recreation Facility except as permitted in The Noise Bylaw, No. 6052.

Sleeping Overnight in a Park

17. No person shall sleep in a Park between the hours of 9:00 p.m. and 6:00 a.m.

Destruction of Wildlife

18. No person shall injure or kill any wildlife in any Park unless written permission to do so has been received from the City.

Fireworks and Firearms Prohibited

19. (1) No person shall discharge any firearm or any weapon in any Park or Recreation Facility unless written permission to do so has been received from the City.
- (2) No person shall discharge any firework in any Park unless written permission to do so has been received from the City.

Golfing

20. No person shall play golf in any Park, except at Holiday Park Golf Course, Wildwood Golf Course and Silverwood Golf Course.

Model Aircraft and Unmanned Aerial Vehicles

21. No person shall fly Model Aircraft or Unmanned Aerial Vehicle in any Park or Recreation Facility except as permitted by the City.

Destruction of Plants and Property

22. No person shall damage or destroy any vegetation or any structure in a Park or Recreation Facility.

Planting Prohibited

23. No person shall plant vegetation in a Park unless written permission to do so has been received from the City.

Chemicals Prohibited

24. No person shall discharge a chemical, including herbicides or pesticides, in a Park unless written permission to do so has been received from the City.

Notices Not to be Torn Down

25. No person shall deface or destroy a notice posted by the City in a Park or Recreation Facility.

Business Prohibited in Parks

26. No person shall carry out commercial activity in any Park or Recreation Facility unless written permission to do so has been received from the City.

Vehicles in Parks

27. (1) No person shall drive a motor vehicle in any Park unless written or verbal permission to do so has been received from the City.
- (2) No vehicle shall be permitted within Cranberry Flats other than on designated access roadways and designated parking lots.
- (3) This Section does not apply to City maintenance vehicles.

Snowmobiles Not Permitted Within City Parks

28. (1) No person shall operate a snowmobile in a Park unless written or verbal permission to do so has been received from the City.
- (2) Subsection (1) does not apply to a snowmobile used by the City to set out ski trails.

Hot Air Balloons

29. No person shall:
- (a) tether hot air balloons; or
 - (b) launch a hot air balloon for free flight in a Park unless written permission has been received from the City.

Part IV Public Square Provisions

Use of Public Square

30. (1) A person shall apply to the City for permission for casual use, extended event use or major event use of a Public Square.
- (2) The City may approve a proposed event if it meets the criteria for use set out in Subsection 5(3) and the applicable City policies and does not conflict with other uses of the Public Square or any neighbouring Park.
- (3) The City may impose appropriate conditions for the use of a Public Square on the applicant.

Contract

31. (1) If an application for a proposed event in a Public Square is approved by the City, the applicant may be required to enter into a contract with the City with respect to the use.
- (2) The applicant shall pay to the City such fees for the use of a Public Square as may from time to time be established by the City.

Temporary Structure in a Public Square

32. (1) No person shall erect a Temporary Structure in a Public Square without a permit from the City.

- (2) If any person erects a Temporary Structure contrary to Subsection (1), the City may notify the person, verbally or in writing, to remove it immediately and, if the person fails to do so, the City may remove and dispose of the Temporary Structure at the expense of the person who erected the Temporary Structure.

Business Permit Required

33. No person shall carry out commercial activity in a Public Square unless written permission to do so has been received from the City.

Sleeping Overnight in a Public Square

34. No person shall sleep in a Public Square between the hours of 9:00 p.m. and 6:00 a.m.

Destruction of Property

35. No person shall damage or destroy any structure in a Public Square.

Fireworks and Firearms Prohibited

36. (1) No person shall discharge any firearm or any weapon in a Public Square unless written permission to do so has been received from the City.
- (2) No person shall discharge any firework in a Public Square unless written permission to do so has been received from the City.

Part V Enforcement

Enforcement

37. (1) The administration and enforcement of this Bylaw is hereby delegated to the City Manager of The City of Saskatoon.
- (2) The City Manager is hereby authorized to further delegate the administration and enforcement of this Bylaw to the General Managers of

the Community Services Department, the Infrastructure Services Department and the Fire and Protective Services Department for The City of Saskatoon.

- (3) The General Managers of the Community Services Department, the Infrastructure Services Department and the Fire and Protective Services Department for The City of Saskatoon may appoint an employee, agent or other officer to enforce this Bylaw.

Offences and Penalties

- 38. (1) Any person who contravenes any Section of this Bylaw is guilty of an offence and is liable on summary conviction:
 - (a) in the case of an individual to a fine of not more than \$2,000.00; and
 - (b) in the case of a corporation to a fine of not more than \$5,000.00.
- (2) In addition to the penalties set out in Subsection (1), if any person contravenes any section of this Bylaw and causes damage to the Park or Recreation Facility, the City may do the necessary repairs or work at the expense of the person in contravention of the Bylaw.

Bylaw No. 3187 Repealed

- 39. Bylaw No. 3187 is repealed.

Coming into Force

- 40. This Bylaw shall come into force on the day of its final passing.

Read a first time this 13th day of July, 1998.

Read a second time this 13th day of July, 1998.

Read a third time and passed this 13th day of July, 1998.

"Henry Dayday"
Mayor

"Marlene Hall" "SEAL"
Acting City Clerk