

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. 5503/100/10

BEING A BY-LAW TO MANAGE AND REGULATE MUNICIPAL PARKS

WHEREAS the City of Port Colborne has designated lands and properties owned by and within the City of Port Colborne as parks for the use, benefit and pleasure of the public and where it is desirable to prevent any person from interfering with the enjoyment by the public of such use, benefit and pleasure;

AND WHEREAS it is deemed desirable to maintain, protect, control and regulate the use and enjoyment of lands and properties owned by and in the City of Port Colborne designated as parks;

AND WHEREAS Section 9 of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and further that Section 128 of the said *Municipal Act*, provides that a local municipality may prohibit and regulate with respect to public nuisance, including matters that in the opinion of Council, are or could become, or cause public nuisances;

AND WHEREAS Section 8 (3) of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, provides that a by-law under section 10 and 11 respecting a matter may, regulate or prohibit respecting the matter and require persons to do things respecting the matter, and to provide for a system of licences, permits, approvals and registrations respecting the matter, and to impose conditions as a requirement of obtaining, continuing to hold or renew a license, permit, approval or registration;

AND WHEREAS Section 11 of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, provides that a lower tier municipality may pass by-laws respecting matters within the sphere of jurisdiction including "culture, parks, recreation and heritage";

AND WHEREAS section 429(1) of the *Municipal Act 2001, S.O. 2001, Chapter 25, as amended*, provides that a municipality may establish a system of fines for offences under a bylaw passed under the *Municipal Act*"

AND WHEREAS the Council of the City of Port Colborne deems it expedient to enact a by-law to provide for the maintenance, operation, management and regulation of Municipal Parks in the City of Port Colborne;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE ENACTS AS FOLLOWS:

PART I - DEFINITIONS AND APPLICATION

1. In This By-law,
 - (a) "Animal" includes birds and reptiles;
 - (b) "Authorized emergency vehicle" means:
 - (i) any vehicle owned or operated by employees of the City of Port Colborne, or its agents or contractors while the operator is engaged in the performance of his or her duties;
 - (ii) any vehicle owned or operated by a Police Service, a Fire Department, the Regional Municipality of Niagara, a Ministry of the Province or a Ministry/Department of the Federal Government;
 - (iii) any vehicle owned or operated by an ambulance service, a mortuary or

- a funeral home while the operator is engaged in the performance of his or her duties;
- (iv) any vehicle owned or operated by a public utility including but not limited to vehicles owned or operated by Canada Post, a telephone company, a natural gas utility, a hydro electric power provider, and any other public utility, telegraph or telecommunications company, provided that such vehicles are each clearly identified by a crest or other marking and provided the operator is actively engaged in the provision of the services offered by the utility; or
- (v) any service vehicle owned or operated by an accredited road side service agency or automobile club or a licensed towing agency while the operator is providing a towing or other emergency roadside service.
- (c) "**Authorized sign**" means any sign, notice, or other device placed or erected in or upon a Park under the authority of this By-law;
- (d) "**Bicycle**" shall mean a light weight vehicle, propelled only by the efforts of the rider, consisting of a frame, wheels, seat, pedals and a steering device and includes a tricycle, a unicycle and a bicycle to which a trailer device designed for the purpose of conveying children is attached, but does not include baby carriages, wheelchairs, children's tricycles or similar children devices appropriate to sidewalks or a motor assisted bicycle or mini-bike.;
- (e) "**City**" means the Corporation of the City of Port Colborne;
- (f) "**Control**" includes care and custody;
- (g) "**Council**" means the municipal council of the Corporation of the City of Port Colborne or its designate;
- (h) "**Commercial motor vehicle**" means a Motor Vehicle having attached to it a truck or delivery body or unit;
- (i) "**Commercially operated watercraft**" means a watercraft in which the owner or operator transports or offers to transport persons and/or personal property for a fee;
- (j) "**Designated area**" means any area defined, set aside or constructed for a specific use which may include posted conditions;
- (k) "**Director**" means the Director of *Community Services*, for the City and includes his designate and successor;
- (l) "**Enforcement Officer**" means a person commissioned or authorized to fill a public situation or to perform any public duty; appointed for the purpose of enforcing bylaws of the municipality, and includes and municipal law enforcement officer appointed by the Council of the Corporation of the City of Port Colborne and any police constable who is a member of the Niagara Regional Police Service or the Ontario Provincial Police Service;
- (m) "**Leash free park**" means a park or a designated area within a park, or a public open space set aside as an area where dogs are not required to be leashed or otherwise restrained;
- (n) "**Motor vehicle**" means a motor vehicle within the meaning of the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8 as amended;
- (o) "**Motorized recreational vehicle**" means a motorized snow vehicle as

defined in the *Motorized Snow Vehicles Act, R.S.O. 1990, c. M44, as amended*, go-cart, trail bike, mini bike, all-terrain vehicle, or similar vehicle, propelled or driven by an internal combustion engine;

- (p) "**Organized sport or activity**" means a sport, game or activity pre-planned by a group or organization whether or not formally constituted and whether or not the players or members wear uniforms;
- (q) "**Park**" means any land, including land covered by water and all portions thereof owned by or made available by lease, agreement, or otherwise to the City, that is or hereafter may be established, dedicated, set apart or made available for the use, benefit and pleasure of the public, and that has been or hereafter may be placed under the jurisdiction of the Director including any and all roadways, buildings, structures, facilities, erections, and improvements located in or on such land, save and except where such land is governed by other by-laws of the City;
- (r) "**Permit**" means any written authorization of Council, or a committee established by Council or the Director where such authority has been delegated by Council
- (s) "**Person**" means an individual or any business entity including a firm, partnership, association, corporation or society, but does not include the City or the Niagara Regional Police Service or any of their employees, who are acting within the course and scope of their employment.
- (t) "**Persons with disabilities**" and "**disabled person**" includes any person who is blind or who has any degree of physical disability, which requires the physical reliance upon a wheelchair, crutches, braces, canes or other similar remedial appliance or device, or upon an animal trained to provide guidance or other form of assistance;
- (u) "**Post**" or "**posted**" refers to the erection or presence of permissive, regulatory, restrictive, warning, or prohibitive signs;
- (v) "**Posted area**" means an area where such signs are erected;
- (w) "**Public parking area**" or "**parking space**" means any area of the Park which has been set aside and designated by the City for the parking of vehicles and where there is an authorized sign indicating said designation or otherwise regulating said parking;
- (x) "**Residence**" means a place that is actually occupied or used as a residential building;
- (y) "**Roadway**" means that part of a Park that is set aside and improved for the use of vehicular traffic and bicycles, but does not include a Trail;
- (z) "**Trail**" means a multi-purpose thoroughfare controlled by The City and set aside for use by pedestrians, cyclists and persons using Wheeled Conveyances whether or not it is improved or located in a Park, and includes any bridge or structure with which it is contiguous;
- (aa) "**Vehicle**" means:
 - (i) cars, trucks, boats, all terrain vehicles, motorcycles, motorized snow vehicles or other devices which may be propelled by a motor; and
 - (ii) trailers, campers, non-power boats or other devices which may be towed behind other vehicles; but

(iii) does not include bicycles and wheeled conveyances.

(bb) "**Watercraft**" means any device for conveyance in or on water and includes but is not limited to paddleboats, powerboats, rowboats, sailboats, sailboards, canoes, kayaks, or dinghies. (See also "commercially operated watercraft".)

(cc) "**Wheeled conveyance**" means roller-skates, in-line-skates, roller skis, skateboards, scooters, motorized 3 or 4 wheeled scooters designed for persons with infirmities, motorized wheelchairs, baby carriage or cart, child's wagon, stroller or sleigh or other similar devices but excludes bicycles, vehicles or any other motorized scooters.

2. (1) In this By-law, whenever a word imparts the masculine gender it is deemed to include the feminine gender.
- (2) In this By-law, the singular sense is deemed to be inclusive and interchangeable with the plural sense.
- (3) This By-law is subject to the provisions of any by-law of the City regulating the control of dogs or other animals.

PART II - LANDS DESIGNATED PARK

3. The properties listed on Schedule "A" to this By-law are designated "Park" for purposes of this by-law.

PART III - USE OF FACILITIES

Prohibited Hours of Entrance

4. (1) No Person shall enter or remain in a Park when it is closed to the public except as otherwise expressly authorized by permit.
- (2) A Park shall be closed to the public:
 - (a) Where there is displayed at, within or adjacent to a Park a Posted sign or notice as to the times such Park is closed to the public, during the times so indicated on such sign or notice; or
 - (b) In the absence of a Posted sign or notice as referred to in subsection 3(2)(a) a Park shall be closed to the public each day between 11:00 o'clock in the afternoon (11:00 p.m.) and 6:00 o'clock the following morning (6:00 a.m.).

Restricted Areas

5. (1) While in a Park, no Person shall enter into areas Posted that prohibit or restrict admission of the public.
- (2) No Person shall drive a Vehicle, ride a bicycle or use a Wheeled Conveyance on a Park roadway, pathway or trail which is closed or where such use is prohibited except as specifically authorized by Permit.

Conduct

6. While in a Park, no Person shall:
 - (1) indulge in any riotous, violent, threatening, or illegal conduct or use profane or abusive language;
 - (2) cast, throw, or in any way propel any object in such a manner as may or

does endanger or cause injury or damage to any person or property;

- (3) create a nuisance or in any way interfere with the peaceful enjoyment of the park by other persons

Injury and Damage

7. No Person shall, in any Park, unless expressly authorized by Permit:

- (1) climb or descend any natural formation, including but not limited to a cliff, precipice, rock face, overhang, or gorge, or any building, structure or equipment, unless such equipment or structure is specifically created, designed or erected for the purpose of climbing.
- (2) break, injure, deface, move or remove the whole or any part of any flowers, plant material, trees, or other vegetation or any building, structure, equipment or other property of the City;
- (3) move, remove, excavate, disturb, alter, damage, or cause the deterioration or erosion of, the whole or any part of rocks, boulders, rock faces, soil, sand, wood or like substance, or any other property or thing;
- (4) in any manner, disturb ground which is under repair, prepared for planting, has been newly seeded or sodded, or is in an area posted to that effect;
- (5) conduct archaeological research, or remove any relic, artifact or natural object; or
- (6) drive, park or walk in any area Posted to prohibit same.

Waste and Pollution

8. No Person shall in any Park:

- (1) subject to (2) and (3) herein, dispose of or dump garbage, litter, tree trimmings, refuse or any other matter or thing, except that which is generated through the normal use of the park, and shall only deposit same in receptacles provided for such purpose;
- (2) dispose of or dump garden refuse;
- (3) unless authorized by Permit, dump or deposit snow, fill, soil, building or construction materials;
- (4) dispose of, cause the release of, dump, drain or discharge any material or substance, whether solid or liquid and whether toxic, hazardous (as defined by the *Environmental Protection Act*, R.S.O. 1990, as amended) or otherwise, on or into any soil or the waters of any pool, pond, lake, stream, fountain or watercourse, regardless of the place of origin and the means of transmission or transportation of said material or substance, unless expressly authorized by permit.
- (5) urinate or defecate except in a public washroom or portable facility provided for that purpose

Animal and Fish

9. While in any Park, no Person shall:

- (1) feed or attempt to feed any wild bird or fish or any bird or fish owned by or under the control of the City unless Posted otherwise;

- (2) throw, deposit, place or attempt to throw, material of any kind whatsoever in any area where birds or fish are kept for public display; or
- (3) kill, attempt to kill, maim or in any way injure or molest any bird, waterfowl or fish that is kept for public display.

Encroachment

10. (1) Unless expressly authorized by Permit, no Person shall encroach upon or take possession of any Park, or any part or area within a Park, by any means whatsoever, including but not limited to the placing, construction, installation or maintenance of any fence, structure or other thing, the dumping or storage of any materials, or by planting any plant or otherwise cultivating, grooming or landscaping any part of the grounds thereof;
- (2) Where the Council determines that an encroachment upon a part or area of a Park will be reasonable in the circumstances and will not be detrimental to the interests of the City, the Council may authorize by Permit an encroachment upon a part or area of a Park, upon such terms and conditions as the Council may deem appropriate in the circumstances, and may take or require to be taken such measures or actions as the Council deems reasonable to ensure that any authorized encroachments are and continue to be satisfactory to the City.
- (3) The Director is authorized to remove or cause to be removed, and to dispose of or cause to be disposed of, any unauthorized or no longer authorized encroachment from any Park by any means and in any manner whatsoever, as the Director may, in the exercise of an absolute discretion, deem appropriate in the circumstances, including but not limited to the issuance of an order to remove an encroachment against the person or persons responsible for the encroachment.
- (4) No Person, responsible for an authorized encroachment, shall fail to comply with the terms and conditions of the Permit authorizing such encroachment.
- (5) No Person responsible for an encroachment shall fail to remove an encroachment, when directed or ordered by the Director, where such encroachment is not authorized or no longer authorized by Permit.
- (6) In the event that a Person or Persons, against whom an order to remove an encroachment from a Park has been made or issued by the Director, fails to comply with said order within the time indicated on the order, the Director may cause the encroachment to be removed and disposed of, all at the expense of such Persons or Persons and the amount of such expense may be recovered by the City by action or may be added by the City Clerk to the collector's roll against any lands with the City of Port Colborne owned by such Person or Persons and collected in a like manner as municipal taxes.

Alcohol and Gambling

11. All Parks in the City are hereby designated as a recreational area as a place where the possession of liquor is prohibited in accordance with the *Liquor Licence Act*.
12. While in a Park:
 - (1) No Person shall be in possession of, consume, serve or sell any alcoholic beverages unless authorized by a Permit issued by Council or its designate and a licence issued by the Alcohol and Gaming Commission of Ontario.

- (2) Any Person who serves or sells any alcoholic beverages in a Park pursuant to a Permit issued by Council and a licence issued by the Alcohol and Gaming Commission of Ontario shall comply with current Council policy respecting liability insurance, and shall comply with all other terms and conditions of the Permit.
- (3) No Person shall play or bet at or against any game conducted, dealt or carried on with cards, dice, or other devices for money, chips, shells, credit or other thing representative of value, or maintain or inhabit any gambling table or other instrument of gambling or gaming; unless otherwise authorized by the Director or designate and under authority of a municipal or provincial lottery licence.

Campfires and Barbecues

13. While in any Park, unless expressly authorized by Permit or in a permitted area designated by Posted signs, no Person shall:
 - (1) light, build or stoke an open fire or bonfire or move, alter, or expand authorized fire pit locations;
 - (2) use any solid, liquid or gas fueled portable barbecue, and, under no circumstances shall the fuel tank, cylinder or container for use with a liquid or gas fueled barbecue exceed twenty (20) pounds capacity;
 - (3) use fuel other than charcoal or briquettes in any stationary barbecue; or
 - (4) leave a barbecue or fire unattended without first extinguishing the barbecue or fire and ensuring that any remaining embers, coals, ashes or other residue, are fully extinguished and cold.

Camping and Lodging

14. Unless authorized by Permit, no Person shall dwell, camp or lodge in any Park.

Tents and Structures

15. Unless authorized by Permit and in compliance with the Building Code Act of Ontario and the Ontario Fire Code, no Person shall place, install or erect any temporary or permanent tent or structure in any Park.

Bathing, Swimming and Sun Bathing

16. No Person shall in any Park:
 - (1) enter any public swimming pool, except at times designated for swimming;
 - (2) in, or adjacent to, any swimming pool, fail to abide by posted signs or fail to obey the instructions of any lifeguard or other authorized Person;
 - (3) swim, bathe or wade in any fountain, pond, water course, lake or stream, except in a designated swimming, wading or bathing area;
 - (4) utilize facilities without being properly attired, including appropriate swim wear or beach clothing;
 - (5) dress or undress adjacent to any swimming wading or bathing area except in facilities provided for such purpose; or,
 - (6) bring into any swimming, wading or bathing area and the waters attendant thereto any underwater spear or shooting device or any other weapon.

Use of Wash and Change Rooms

17. (1) No Person shall enter any washroom, change-room, bathhouse or bathing station, or portion thereof, in any Park, set apart for the opposite sex provided that this shall not apply to children who are 12 years of age or younger and who are, at that time, under the care of a parent or guardian.
- (2) No Person shall loiter in any washroom, change-room, bathhouse or bathing station, in any Park, or conduct themselves in such a manner as to be objectionable to another person using, or in the vicinity of, said washroom, change-room, bathhouse or bathing station.

PART IV - GAMES AND SPORTS

Sports or Activities

18. (1) While in any Park, no Person shall:
 - (a) arrange or engage in an Organized Sport or Activity, unless authorized by Permit; or
 - (b) interfere with an Organized Sport or Activity authorized by Permit.
- (2) In addition to the prohibitions set out in subsection (1), while in any Park, no Person shall utilize a Designated Area without a Permit where same is Posted to prohibit or restrict such use.
- (3) No Person shall, while in a Park, take part in any game, sport or activity except within an area specifically set aside for that game, sport or activity.

Fishing

19. (1) No person shall fish in an area Posted to prohibit same in any Park.
- (2) No Person shall fish in any Park except in compliance with any provincial or federal statute or regulation.
- (3) No Person shall fish in any Park for commercial purposes.

Golfing

20. While in any Park, no Person shall play or practice golf or strike a golf ball, except on a golf course or in a designated area.

Model Aircraft and Rockets

21. While in any Park, no person shall operate any powered models of aircraft, rockets, Watercraft or any ground vehicle unless authorized by permit.

Aircraft

22. Unless authorized by Permit, no Person shall tether, launch or land any fixed wing aircraft, helicopter, hot air balloon, hang glider, ultra light aircraft or similar conveyance in any Park.

Skating

23. On any natural or artificial ice surface located in any Park, no Person shall:

- (1) use speed skates unless authorized by Permit or in a Posted Area in accordance with the posted conditions;
- (2) skate or act in such a manner as to interfere with and/or endanger any other Person using the surface; or
- (3) use a stick of any kind except in accordance with Posted conditions.

Skiing, Tobogganing and Sledding

24. (1) No Person shall downhill ski, toboggan, snowboard, skibob or sled in any Park that has been Posted to prohibit same.
- (2) No Person shall cross country ski in any Park that has been Posted to prohibit same.

Roller Skates and Skateboards

25. (1) While in any Park, no Person shall:
 - (a) operate or utilize skate boards, traditional roller skates, in-line or linear skates, scooters or like conveyances where signs are Posted to prohibit or otherwise restrict the use of same; or,
 - (b) obstruct, inconvenience or endanger other users of the Park while operating or utilizing skate boards, traditional roller skates or in-line or linear skates, scooters or like conveyances.
- (2) While in a Park, no Person shall fail to give way to the right while operating or utilizing a skate board, traditional roller skates, in-line or linear skates, a scooter or a like conveyances on any trail, path or roadway.
- (3) While in a Park, no Person while operating or utilizing a skate board, traditional roller skates, in-line or linear skates, a scooter or a like conveyance shall fail to yield the right of way to any other person or persons travelling on foot.
- (4) While in a Park, no Person while operating or utilizing a skate board, traditional roller skates, in-line or linear skates, a scooter or a like conveyance shall fail give an audible warning when overtaking and passing any other person.
- (5) While in a Park, no Person while travelling together with another Person or Persons, at any time, whether on foot or otherwise, may do so in such a manner as to occupy more than 50% of the width of any path or trail.
- (6) While in a Park, no child of 16 years of age or less shall fail to wear a proper Canadian Standards Association approved bicycle helmet while riding a bicycle.
- (7) While in a Park, no Person having a child of 16 years of age or less under their care shall allow said child to ride a bicycle except when wearing a proper Canadian Standards Association approved bicycle helmet.
- (8) While in a Park, no child of 16 years of age or less shall fail to wear a proper Canadian Standards Association approved helmet while riding on or using rollerskates, in-line skates, scooters, skate boards or like conveyances.
- (9) While in a Park, no Person having a child of 16 years of age or less under their care shall allow said child to ride on or use rollerskates, in-line skates, scooters, skate boards or like conveyances except when wearing a proper

Canadian Standards Association approved helmet.

Tennis

26. No Person shall enter, walk, or play upon or otherwise use any area or part thereof in any Park, designated for the purpose of playing tennis, or any area enclosed as a tennis court or tennis courts, except in accordance with the posted rules and regulations, unless otherwise expressly authorized by Permit.

PART V - VEHICLES

Roadway

27. (1) The Council or, where such authority has been delegated by Council, the Director, or designate, or a Committee established by Council, is authorized to establish appropriate regulations to manage and control the use of the Park roadways.
- (2) Unless authorized by Permit, no Person shall, while in any Park, drive, operate, pull or ride any vehicle except on a roadway or public parking area.

Signs

28. (1) There may be erected one or more of the following signs in a Park:
- (a) Signs displaying the symbol for "No Parking" , "No "U" Turns", as specified under the *Highway Traffic Act*.
 - (b) Signs displaying the word "Yield", "Stop" or a symbol in lieu thereof, specified under the *Highway Traffic Act*.
 - (c) Signs displaying the maximum speed limit, specified under regulations to the *Highway Traffic Act*.
 - (d) Signs indicating "one-way traffic", or lane use designated or indicating that a roadway or drive is closed to vehicular traffic or to a particular class of vehicular traffic specified under regulations to the *Highway Traffic Act*.
 - (e) Signs prohibiting entry by vehicles or persons.
 - (f) Signs indicating a public parking area, time limit for parking, service roads
- (2) The signs referred to in subsection 1 may contain,
- (a) an exception or exceptions relating to an activity permitted in a particular area;
 - (b) additional information relating to the regulation of traffic or parking.

Parking

29. No Person shall in any Park, unless expressly authorized by a Permit that is clearly displayed in the driver's side front windshield of the vehicle in such a manner as to be readable from the exterior of the Vehicle:
- (1) Park or leave any Vehicle except in a Designated Area for parking;

- (2) Park or leave a Vehicle, except during the times the Park is open to the public, as defined in Section 4 of this by-law or in an area designated for such overnight parking;
 - (3) Park a Vehicle in a Designated Area for parking, except in a proper parking space and in accordance with markings and posted conditions;
 - (4) Park a Vehicle in any area or parking space where signs have been erected to prohibit parking;
 - (5) Stop a Vehicle in any area or parking space where signs have been erected to prohibit stopping;
 - (6) Park or stop a Vehicle in any area or parking space where signs have been erected to reserve the area or space for use by specific persons or Vehicles;
 - (7) Park a Vehicle in a parking space reserved for Persons With Disabilities, unless a disabled person parking permit, issued in accordance with the provisions of the *Highway Traffic Act*, as amended, is properly displayed on or in the Vehicle;
 - (8) Park or stop a Vehicle in any area or parking space except while actively using the Park;
 - (9) Park or stop a Vehicle in such a manner as to interfere with the use of any other area or parking space;
 - (10) Park or allow any Vehicle to stand unattended, unless it is secured in such a manner as to prevent its operation by any person not so authorized by the owner of the Vehicle.
 - (11) Park a Vehicle for a period of time longer than the posted time limit, if any.
 - (12) Park or stop a Vehicle, or allow a Vehicle to stand, contrary to the instructions of an Enforcement Officer, or an employee of the City.
30. No Person shall make use of any roadway or parking lot in any Park for:
- (1) washing, cleaning, servicing, maintaining or, except in the event of an emergency, the repair of any vehicle, unless expressly authorized by permit or,
 - (2) instructing, teaching or coaching any person in the driving of a Motor Vehicle

Bicycles

31. While in a Park, no Person shall:
- (1) Ride or operate any Bicycle where signs are Posted to prohibit same;
 - (2) Obstruct, inconvenience or endanger other users of the Park while riding or operating a Bicycle;
 - (3) Subject to Section 37, fail to comply with all rules of the road normally in force and effect on a highway;
 - (4) Ride abreast of more than one other cyclist;
 - (5) Operate a Bicycle which is not equipped with a bell or horn;

- (6) Operate a Bicycle after dark which is not equipped with a front white light and a rear red light;
- (7) Fail to activate the required Bicycle lighting when operating a Bicycle after dark;
- (8) Ride or operate a Bicycle in any area not set aside for that purpose, or ride a Bicycle in an area set aside for any other purpose; or,
- (9) Fail to maintain proper control of the Bicycle at all times.

Motorized Recreational Vehicles

32. No Person shall ride, drive, park or be in possession or control of a Motorized Recreational Vehicle in any Park except in a Designated Area or when expressly authorized by Permit.

Trucks and Commercial Vehicles

33. No Person shall drive, operate, pull or ride in any Park:
 - (1) any heavy machinery or equipment of any description and whatever the mode of power; or
 - (2) any truck, trailer, or bus whatsoever except a vehicle that is,
 - (i) being used for the purpose of making a delivery to a point within the limits of the Park, while it is proceeding to or from such point of delivery, or
 - (ii) operated for personal, recreational or non-commercial use and provided authorization or a Permit has been issued by the Director or designate
 - (3) Clause 33(1) and 33(2) shall not apply so as to prevent the proper use of a boat launch facility located within a Park.

Speed

34. Unless authorized by Permit, while in any Park, no Person shall operate:
 - (1) any Vehicle or Bicycle on a Roadway at a speed in excess of the posted limit; or
 - (2) a Bicycle other than on a Roadway at a speed which endangers or is liable to endanger any other person using the Park, or which causes another Person using the Park to experience a reasonable apprehension that they are at risk of injury or harm.
35. No Person shall drive a Vehicle or a Bicycle on a one-way Roadway in a direction opposite to the direction of the traffic.

Horses

36. (1) Unless authorized by Permit, no Person as the owner of a horse, or as a person having a horse under their care or control, shall permit the horse to enter or remain in a Park unless:
 - (a) the horse remains within an area designated for use by horses; **and**,
 - (b) the horse is well broken and wearing a bridle.