

Regional District of Nanaimo
Request for Proposal
Park Operator – Horne Lake Regional Park

ATTACHMENT 1
Park Use Regulation Bylaw No.1399, 2004 and 1399.01 (2009)

Reprint of Park Use Regulations Bylaw 1399 (2004) and 1399.01 (2009)

REGIONAL DISTRICT OF NANAIMO BYLAW NO. 1399

A BYLAW TO PROVIDE FOR THE REGULATION OF PARK USE IN THE REGIONAL DISTRICT OF NANAIMO

WHEREAS by Supplementary Letters Patent dated October 19, 1972, amended September 21, 1979, the Regional District of Nanaimo was granted “Division XI – Park and Green Belt Acquisition” functions;

AND WHEREAS Bylaws No. 798 to 806 converted the community parks functions to a local service for each of Electoral Areas A, B, C, D, E, F, G and H respectively;

AND WHEREAS the Regional District of Nanaimo may, by bylaw, establish regulations, prohibitions and requirements with respect to the management, maintenance, improvement, operation and use, including establishing a system of licenses, permits and approvals with or without terms and conditions, with respect to regional and community parks, trails and other land the District holds for the purpose of parks;

AND WHEREAS the Board of the Regional District of Nanaimo is desirous of establishing such regulations, prohibitions and requirements;

NOW THEREFORE, the Board, in open meeting assembled, enacts as follows:

SECTION 1 TITLE

1.1 This Bylaw may be cited as “Regional District of Nanaimo Park Use Regulations Bylaw No. 1399, 2004”.

SECTION 2 REPEAL

2.1 Bylaw No. 842, Regional District of Nanaimo Electoral Area ‘B’ Community Parks Regulation Bylaw No. 842, 1992, is hereby repealed.

SECTION 3 APPLICATION AND EXEMPTIONS

3.1 This bylaw is applicable to all parks, as defined in Section 4 of this bylaw and without restricting that definition includes properties identified in Schedule “A”, within Electoral Areas ‘A’, ‘B’, ‘C’, ‘D’, ‘E’, ‘F’, ‘G’ and ‘H’ of the Regional District of Nanaimo.

3.2 Notwithstanding anything contained in this bylaw,

- i. District employees are exempt from this bylaw while carrying out their duties or performing their functions;
- ii. District contractors and agents are exempt from this bylaw while carrying out their duties or performing their functions only when such exemption is provided for in their terms of engagement; and,
- iii. where the District holds park under subparagraph 4.1(q)(iv) below, the person or agency granting the lease, license, statutory right-of-way or permit is exempt from this bylaw, unless otherwise provided under the terms by which the District holds the land.

SECTION 4 INTERPRETATION

4.1 In this bylaw:

- (a) **“Animal”** means any organism other than man.
- (b) **“Authorized personnel”** means District employees and contractors.
- (c) **“Bylaw Enforcement Officer”** includes a peace officer or a person appointed as a Bylaw Enforcement Officer by the Board of the Regional District of Nanaimo.
- (d) **“To camp”** means to sleep overnight with or without a shelter of any kind including, but not restricted to, a motor vehicle, recreational vehicle, tent, lean-to or other natural shelter.
- (e) **“Campground Rules”** mean the regulations, prohibitions and requirements, including fees and conditions of use, as described in Schedule “B” that apply in District parks containing campgrounds.
- (f) **“Common facilities”** mean anything other than natural park features, and include toilets, showers, shelters, water pumps, stairs, boardwalks, decks, congregate spaces, notices or signs, bridges, trails, docks and wharves, kiosks, gates, fences, picnic tables, and benches.
- (g) **“Curfew hours”** mean the time between 11 pm and 7 am.
- (h) **“Cycle”** means a device having any number of wheels that is propelled by human power and upon which one or more persons may ride.
- (i) **“Designated campsite”** means an authorized and numbered space for overnight camping by a registered camper.
- (j) **“District”** means the Regional District of Nanaimo.
- (k) **“District Manager”** means the Regional District of Nanaimo Manager of Recreation and Parks.
- (l) **“Household or other garbage”** includes garbage, trash, refuse, cans, bottles, papers, ashes, cuttings or other waste of any kind, including toxic and hazardous substances, that is not generated by a person in connection with reasonable park use.
- (m) **“Leash”** means a chain or other material, not exceeding two (2) metres in length, suitable for control of the type and size of animal attached to the leash.
- (n) **“Litter”** means any garbage, cans, bottles, papers, ashes, refuse, cuttings, trash or rubbish generated by a person while in the park and engaged in activities ordinarily connected with reasonable park use.
- (o) **“Management Plan”** means a guiding document approved by the District for the use, operation and maintenance of one or more parks.
- (p) **“Natural park feature”** includes any native or non-native tree, shrub, flower, berry, bough, grass or plant of any kind; soil, sand, gravel, rock, mineral, wood, fallen timber or other living or dead natural material.
- (q) **“Park”** means any property that:
 - i. the District has possession and control of pursuant to the *Park (Regional) Act* or “Regional Trails Regulation”;
 - ii. the District has possession and control of pursuant to Section 941 of the *Local Government Act*;
 - iii. for the purpose of park, the District holds in fee simple;
 - iv. for the purpose of park, the District holds by Crown Lease or Crown License, by permit or lease from the Ministry of Transportation, or by lease, statutory right-of-way or occupancy or access agreement with a private landowner; and
 - v. the District acquires possession or control of, holds or otherwise has an interest in, has a license or access to, for the purpose of park, further to any of subparagraphs 4.1(q)(i)-(iv) subsequent to the enactment of this bylaw;and includes property commonly referred to as regional parks and trails, community parks and trails and water or beach accesses.
- (r) **“Park Use Permit”** means a permit for special use of a park.

- (s) **“Peace Officer”** means a constable or a person having the powers of a constable and includes a member of the Royal Canadian Mounted Police.
 - (t) **“Petroglyph”** means a rock carving typically made by First Nations people and of recognized historic and cultural value.
 - (u) **“Pictograph”** means a rock painting typically made by First Nations people and of recognized historic and cultural value.
 - (v) **“Registered camper”** means a person who has purchased use of a designated campsite.
 - (w) **“Special use”** means:
 - i. any commercial or non-commercial service, activity or event that is intended to attract or requires participants or spectators and includes: a festival; competition; tournament; procession, drill, performance, concert, gathering, march; fishing derby; show; party; outdoor ceremony; regatta; animal show; group training or lesson or recreational programming; operation of a model airplane, vehicle or vessel; television or motion picture filming; and research, survey or petition activity;
 - ii. any use of reservable common facilities; and
 - iii. any incursion onto park property for non-park purposes including access for water lines, structures, road, signs or fences.
 - (x) **“Sun shelters”** include any lightweight open-sided structure intended for use as a sunscreen.
 - (y) **“Traffic control device”** means a sign, signal, line, parking meter, marking, space, barrier, or device placed or erected in order to control vehicular or non-vehicular traffic flow on roads, parking lots, trails and bridges.
 - (z) **“Vehicle”** means a device in, upon or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human-power or used exclusively upon stationary rails or tracks. Without limiting the generality of the foregoing, this provision includes cars, trucks, motorcycles, scooters, recreational vehicles, and trailers but does not include medi-scooters and wheelchairs.
 - (aa) **“Vessel”** includes any ship, boat, seaplane, parasail, sail board, kite board, canoe, kayak, row boat or paddle boat used or other device designed to be used for navigation on, in or under water.
- 4.2** The intent of this bylaw is to permit the reasonable use of parks by the public in a manner that accommodates individual rights, including the rights of freedom of assembly and freedom of expression, within the context of operating parks that are intended to provide the benefits of outdoor recreation and enjoyment for the general community and preservation and protection of natural park features.
- 4.3** In the event that any portion of this bylaw is declared *ultra vires* by a court of competent jurisdiction, then such portion shall be deemed to be severed from the bylaws and the remainder of the bylaw shall continue in full force and effect.
- 4.4** When the singular or neutral are used in this bylaw they include the plural or the feminine or the masculine or the body politic, and vice versa, where the context or the parties require.
- 4.5** The headings to the clauses in this bylaw have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this bylaw or any provision of it.
- 4.6** For certainty and clarity, this bylaw applies to all parks currently held by the District and any subsequent acquisitions.

SECTION 5 PARK REGULATIONS, PROHIBITIONS AND REQUIREMENTS

5.1 Rules and Signage

Every person shall comply with this bylaw, campground rules, traffic control devices and any other regulations, prohibitions or requirements where such additional regulations, prohibitions or requirements have been authorized by the District Manager and identified on posted signage.

5.2 Delegation

- (a) Where a provision of this bylaw makes reference to the District Manager, or authorized personnel, then the District Manager, or authorized personnel, as the case may be, are authorized to so act.
- (b) Without limiting the generality of the foregoing, the District Manager is authorized to:
 - i. post signs that may identify additional regulations, prohibitions or requirements consistent with the intent of this bylaw;
 - ii. deal with park use permits further to section 5.19, including authorizing the exclusive use of a park; and,
 - iii. remove or cause to be removed from a park:
 - (A) any obstruction placed therein contrary to the provisions of this bylaw;
 - (B) anything erected therein contrary to the provisions of this bylaw;
 - (C) any vehicle parked or left standing therein contrary to the provisions of this bylaw
 - (D) any sign placed therein contrary to the provisions of this bylaw;
 - (E) any vehicle being used or driven in a manner contrary to the provisions of this bylaw;
 - or
 - (F) any vessel parked or moored contrary to the provisions of this bylaw.
- (c) Without limiting the generality of the foregoing, authorized personnel, including the District Manager, are authorized to:
 - i. post signs or traffic control devices in parks that:
 - (A) designate the maximum speed to be traveled by vehicles on roads, parking lots, trails and bridges;
 - (B) designate areas where parking of vehicles is permitted;
 - (C) designate the direction that vehicles are to travel upon roadways;
 - (D) designate areas that are to be used for certain functions or purposes;
 - (E) set out rules and regulations governing the use of certain facilities;
 - (F) designate areas in which certain activities are prohibited;
 - (G) limit the use of roadways or other facilities;
 - (H) give warning of danger; and,
 - (I) prohibit entry to the park or facilities;
 - ii. remove any person from a park who fails to leash their animal when requested; and
 - iii. restrict or prohibit access to water bodies within a park.

5.3 Public Conduct

- (a) No person shall:
 - i. behave in a disorderly, dangerous, violent or offensive manner, or molest or injure another person or another person's property;
 - ii. loiter or engage in a public display of lewd or sexual acts;
 - iii. obstruct or interfere with any person or traffic lawfully using a park or any common facilities located therein; or
 - iv. hinder, deter or interrupt any person in the exercise of any of their duties in charge of any special use activity or event.
- (b) No person except the holder of a park use permit granting specific exemption shall:
 - i. make or cause noises or sounds, including yelling, screaming, the blowing of horns and the playing of musical instruments, radios, tape players, compact disc players, vehicle sound

- systems or similar devices or as produced by the operation of model cars, boats or airplanes or any equipment, generators, vehicles, vessels or machinery, which disturb or tend to disturb the quiet, peace, enjoyment, and comfort of others in the park, adjacent landowners or persons in the vicinity; or
- ii. make, play or cause to be made or played electrically or electronically amplified sound of any kind.
- (c) All persons shall use toilets to relieve themselves if toilets are provided in a park. Where no toilet is provided, no person shall relieve themselves in public view or within 300 metres of a private residence outside the park.
 - (d) No person may consume or possess liquor, except:
 - i. holders of a park use permit granting exemption; and
 - ii. registered campers and their guests within designated campsites.
 - (e) No person shall enter or otherwise remain within a park for any purpose whatsoever during curfew hours, except:
 - i. a registered camper;
 - ii. a person using a Level 3 park as described in Schedule "A";
 - iii. a person who has a park use permit granting exemption; and
 - iv. the houseguests of a contractor occupying a park residence.

5.4 Vehicles

- (a) No person shall:
 - i. drive, propel or otherwise operate any vehicle, except:
 - (A) on designated roadways or in designated parking areas;
 - (B) in conformance with traffic control devices;
 - (C) in such a manner that natural park features are not disturbed; and
 - (D) where applicable, in conformance with a park use permit;
 - ii. drive, propel or otherwise operate an all terrain vehicle (ATV), dirt bike or recreational motorcycle;
 - iii. drive a vehicle in such a manner as to disturb the enjoyment of the park by other persons;
 - iv. bring in or allow to remain in a park a mobile home, whether or not outfitted for use as accommodation; or
 - v. clean, repair or carry out maintenance on a vehicle.
- (b) Where no speed limit is posted, no person shall drive a vehicle at a greater speed than 10 kilometres per hour.

5.5 Parking

- (a) No person except the holder of a park use permit granting exemption shall:
 - i. park a vehicle anywhere except in designated parking areas;
 - ii. park or station a vehicle in such a manner as to impede the proper use of a road or parking area;
 - iii. park or station a vehicle in contravention of a traffic control device; or
 - iv. park or station an ATV, dirt bike or recreational motorcycle.
- (b) No person except a registered camper or the holder of a park use permit granting exemption shall park or leave a vehicle in a park during curfew hours.
- (c) Vehicles, and ATVs, dirt bikes and recreational motorcycles parked, stationed or left in violation of this bylaw, traffic control devices or posted signs may be towed away immediately, at the owner's expense.

5.6 Camping

- (a) No person shall camp in a park, except a registered camper in a Level 1 park.
- (b) Without limiting the applicability of this bylaw, all registered campers shall abide by campground rules as described in Schedule “B” and any other authorized regulations, prohibitions or requirements posted at District campgrounds.

5.7 Vessels

- (a) No person except the holder of a park use permit granting exemption shall:
 - i. launch or remove a vessel from a body of water except:
 - (A) from a designated boat launch ramp, or
 - (B) by physically carrying, and not dragging, the vessel to and from the water;
 - ii. be off designated roadways or interfere with natural park features in order to launch a vessel;
 - iii. operate a vessel within an area designated by signs or buoys for swimming or along waterfront in a way that will endanger, disturb or otherwise interfere with the free use of the water for the purpose of bathing and swimming except in the immediate vicinity of a boat launch and for the purpose of approaching or moving away from the boat launch on a line perpendicular to shore;
 - iv. run a vessel ashore except in designated boat beaching areas;
 - v. impede or endanger pedestrian movement along a beach or foreshore;
 - vi. moor a vessel to dry land; or
 - vii. store a vessel on land or water.
- (b) No person except a registered camper or the holder of a park use permit granting exemption shall leave a vessel on land or water during curfew hours.
- (c) No person shall bring in, park, station, operate, launch or run ashore a personal watercraft.
- (d) When on the water, all persons operating a vessel shall abide by Canadian Coast Guard regulations. No person shall exceed the Coast Guard shoreline speed restriction of 10 kilometres per hour (5.4 knots or 6.2 miles per hour) while operating within 30 metres (100 feet) of shore.

5.8 Cycling and Horseback Riding

- (a) No person shall operate a cycle or ride a horse:
 - i. where prohibited by traffic control devices or posted signs;
 - ii. along a beach or below any water course’s top of bank, natural boundary or high tide mark unless on a trail identified by posted signs as permitting cycle or horse use; or
 - iii. in such a way as to damage natural park features, common facilities or other improvements including roadways and trails.

5.9 Domestic and Wild Animals

- (a) No person, except a person with a disability accompanied by a guide animal on a leash, shall bring a domestic animal into a park or a section of park where such animals are prohibited by posted sign.
- (b) No person shall permit a domestic animal to run or roam at large or to feed on vegetation.
- (c) A person having custody of an animal must exercise effective control over the animal by restraining it with a leash or by having the animal respond and return immediately when called by the handler.
- (d) A person having custody of an animal must exercise control over the animal to ensure that it causes:
 - i. no annoyance, including barking or howling for a continuous period of ten (10) seconds or more;
 - ii. no injury to wild animals;
 - iii. no injury to any person or their animal(s); and

- iv. no damage to any public or private property, natural park feature or common facility.
- (e) A person having custody of an animal shall when requested by authorized personnel restrain the animal with a leash or remove the animal from a park.
- (f) A person having custody of a dog must remove any excrement deposited by the animal to a waste container. This provision does not apply to Level 4 parks as identified in Schedule "A" unless signed to the contrary at a park.
- (g) No person shall:
 - i. feed, snare, trap, catch or hold by any means or purposely disturb, frighten, molest or injure any wild animal; or
 - ii. store or set out food in a way that will attract wild animals.

5.10 Firearms, Hunting, Fishing and Shellfish Harvesting

- (a) No person except the holder of a park use permit granting exemption shall hunt or carry or discharge any firearm, air gun, blank ammunition starting pistol, bow or crossbow, slingshot or similar device.
- (b) No person shall fish or harvest shellfish without having the requisite provincial or federal license.
- (c) No person shall fish or harvest shellfish
 - i. in a designated swimming area, or
 - ii. in a way that impedes or endangers the free use of waterfront by swimmers and bathers.

5.11 Garbage and Pollution

- (a) No person shall deposit or leave litter in or upon a park except in the containers provided for such purpose.
- (b) No person shall bring in, deposit or leave any household or other garbage in or upon a park.
- (c) No person operating a recreational vehicle shall release sewage except where a sani-station is provided for that purpose.
- (d) No person shall foul or pollute in any way, including washing in a lake, stream or river or around wells, any area of water including wells and water pumps.
- (e) No person shall observe oil, gasoline or other undesirable spills on land or water and including a well without immediately alerting authorized personnel.

5.12 Damage and Interference

- (a) No person shall:
 - i. alter, remove, move, deface, cut, damage or destroy any building or structure or other improvement, common facility or other fixture;
 - ii. alter, deface, cut, scrape, grind, bury or uncover or otherwise damage any petroglyph or pictograph;
 - iii. remove or deposit soil or gravel;
 - iv. store any material or objects of any kind;
 - v. climb, walk or sit upon any wall or fence, or climb up on or jump off of a bridge;
 - vi. damage or destroy the utility of any court or play structure or in any way interfere with or obstruct their free use by those lawfully entitled to use them;
 - vii. bring in, build or cause to be built any temporary or permanent structure including a fence or playground equipment;
 - viii. erect a tent or other permanent or temporary shelter or set up an encampment. Sun shelters having a footprint no greater than three metres by three meters are excluded from this provision; or
 - ix. obstruct or cause to obstruct public access to a park.
- (b) No person shall place graffiti on walls, pavement, common facilities, natural park features, petroglyphs or pictographs or elsewhere in a park.
- (c) No person shall let off, turn on, or discharge any water so that the water runs to waste out of any tap, pipe, hose or other fixture.

5.13 Fire

- (a) No person except the holder of a park use permit granting exemption shall:
 - i. light a fire except in designated fire pits provided for that purpose or in a portable hibachi, barbecue or propane stove;
 - ii. build a fire exceeding 1-metre in height; or
 - iii. set off any fireworks or other explosive material.
- (b) No person shall discard on the ground or into a garbage container any lighted or burning matter including a match, cigar or cigarette.
- (c) No person shall observe a fire not in a designated fire pit without immediately alerting authorized personnel.

5.14 Natural Environment

- (a) No person except the holder of a park use permit granting exemption shall:
 - i. remove, move, cut, prune, top, apply herbicides, fungicides or insecticides to, or ii. damage or destroy any natural park feature;
 - ii. pick wild or cultivated flowers, salal, coniferous boughs or other plants except edible berries and mushrooms;
 - iii. deposit plant waste, debris or compost; or
 - iv. plant or fertilize any vegetation.
- (b) Without limiting the foregoing, no person except the holder of a park use permit shall:
 - i. alter, disturb or harm natural park features for the purpose of creating a play space, cycle jump, game course or other defined area for playing; or
 - ii. denude an area of edible berries or mushrooms.

5.15 Play

- (a) No person shall play ball or any games so as to molest or interfere with or become a nuisance to others.
- (b) The playing of any games on or in any court, playground, ball field or anywhere else may be restricted and regulated at any time by authorized personnel.

5.16 Special Use and Commerce

- (a) Except for authorized personnel or where authorized by a park use permit, no person shall:
 - i. undertake or engage in a special use;
 - ii. carry on a commercial or industrial undertaking of any kind or nature or provide professional, personal or other services;
 - iii. post, paint or distribute any advertisement, sign, handbill, pamphlet, poster or placard of any kind; or
 - iv. operate, park or station any vehicle displaying advertising or equipped with a public address system.

5.17 Park Use Permits

- (a) Application for a park use permit shall be made to the District Manager who may:
 - i. grant, refuse, revoke, renew or refuse to renew a park use permit;
 - ii. establish park use permit fee amounts that differ from the general rates described in Schedule "C";
 - iii. impose terms and conditions on obtaining, holding or renewing a park use permit;
 - iv. determine the amount of a park use permit fee refund in the event of a cancellation; or
 - v. refer an application to the District Board for determination.
- (b) An applicant for a park use permit may appeal the decision of the District Manager to the District Board by submitting a written request to the Board Chairman within 15 days of issuance of a decision by the District Manager.

- (c) A park use permit application must be accompanied by the required permit fee, damage deposit and proof of comprehensive general liability insurance, as set out in Schedule “C”.
- (d) Conditions associated with a park use permit may include:
 - i. the confinement of a special use to a specific location within a park, to certain time periods or to participation by certain people;
 - ii. that the applicant supply, install and service additional garbage receptacles or portable toilets or pay the District for additional servicing required as a result of the permitted activity;
 - iii. that the applicant provide and pay for the provision of appropriate fire and police or security protection during the course of the special use;
 - iv. restrictions on the use of generators and other mechanical, electrical or electronic devices; the playing of live or recorded music; and the erection or placement of any temporary structures, seating, tables, flags, banners or other gear associated with the special use activity;
 - v. specific exemptions from provisions of this bylaw;
 - vi. any other terms and conditions specific to the nature of the special use requested given consideration of the impact of the special use on the park, park users and neighbours; and
 - vii. any other terms and conditions consistent with the intent of this bylaw.
- (e) A park use permit may not be issued unless all the following criteria are met:
 - i. the special use conforms to any management plan produced for a park;
 - ii. the location of the permitted activity will not cause a significant or permanent negative environmental impact on the park and is sensitive to the use of the park by others;
 - iii. the applicant assumes full responsibility for the special use and indemnifies the District to its satisfaction; and
 - iv. the applicant has satisfied the requirements of paragraphs (c) above and agreed to the conditions set out in his park use permit.
- (f) Without limiting the authority of the District Manager, a park use permit may be refused if the applicant has previously contravened this bylaw.
- (g) The holder of a park use permit must also comply with the regulations, prohibitions and requirements of all other government bodies and local authorities including this and other District bylaws, for example, Bylaw No. 1010 Special Events Regulatory Bylaw for events involving more than 500 people, unless specifically exempted in writing.
- (h) In addition to any other penalties and enforcement actions, where the holder of a park use permit has not satisfied the terms and conditions of his permit:
 - i. a park use permit may be revoked;
 - ii. a park use permit fee or a damage deposit may be forfeited to the District;
 - iii. the District may exercise any rights under the applicant’s insurance; and
 - iv. the applicant may be required to pay, at the rate specified in Schedule “C”, the cost of preparations, repairs, clean-up or park restoration undertaken by the District consequent to special use, failure to do so entitling the District to do the work at the applicant’s expense.

SECTION 6 ENFORCEMENT

6.1 This bylaw may be enforced by Bylaw Enforcement Officers in the course of their duties.

6.2 A Bylaw Enforcement Officer may, in his sole discretion, order a person who does anything contrary to this bylaw or campground rules to:

- (a) cease and desist contravention of the bylaw;
- (b) leave a park immediately or within a period of time specified by the Bylaw Enforcement Officer;
- (c) remove or cause to be removed any animals, cycles, vehicles, vessels, structures, buildings or other things that are in contravention of the bylaw; or
- (d) restore any damage caused to natural park features, common facilities or other park property;

and every person so ordered shall comply.

- 6.3** Bylaw Enforcement Officers and District employees may enter onto private property, with or without consent of the landowner, for the purposes described in, and in accordance with, Section 16 of the *Community Charter*.

SECTION 7 PENALTIES

- 7.1** Any person who contravenes a provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who refuses or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, is guilty of an offence and:
- (a) on summary conviction, is liable for a fine of not less than \$50.00 and not more than \$10,000; or
 - (b) on conviction of a ticket offence under the District's Ticket Information Utilization Bylaw No. 1015 or Schedule "D" of this Bylaw, is liable for the fine imposed.

SECTION 8 REMEDIAL ACTION

- 8.1** Where a person has damaged or removed any natural park feature or common facility, the person is required to replace that natural park feature or common facility with one of similar value, or pay an equivalent amount to the District upon demand.
- 8.2** Where a person has been requested to do something under a provision of this bylaw, and that thing has not been done within the time specified:
- (a) authorized personnel may fulfil the requirement at the expense of the person;
 - (b) authorized personnel may enter onto the person's property, if necessary or convenient, to fulfill the requirement; and
 - (c) the District may recover the costs incurred from that person as a debt.

Introduced and read three times this 23rd day of November 2004.

Reconsidered and adopted this 23rd day of November 2004.

Joe Stanhope
Chairperson

Carol Mason
General Manager, Corporate Services

Schedule “A”

DISTRICT PARKS

Electoral Area	Location/Name	Legal Description	Use¹
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Level 1 Parks – Parks with Campgrounds

B H	Descanso Bay Horne Lake	Nanaimo Gabriola LD, S20 LA & B Plan VIP73679 Alberni LD, B1 140 VL&M Plan VIP691N exc Plan 46603	RP RP
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Level 2 Parks – Improved Parks, Trails and Other Open Spaces

A	3500 Hallberg Road Morden Colliery Trail Nanaimo River	Bright LD, DL7 L32 PID 002706831 Plan 25967 Cedar LD, R1 S12 & 13 Pcl A, S14 Pcl B, S15 Pcl C, R2 S14 Pcl B, S15 Pcl A and Cranberry LD, R8 S12 Pcl A; all Plan DD6974-N Cranberry LD, S7 R8 PID 008996318 Cranberry LD, S6 R8 W25 ac S6R8 PID 008996369	O CT RP
B	1574 Whalebone Drive 1612 Whalebone Drive 1656 Whalebone Drive 1748 Tashtego Crescent Rollo McClay Joyce Lockwood Descanso Bay Road #26 Narrows Road #38	Nanaimo Gabriola LD, S31 Plan 17658 Nanaimo Gabriola LD, S31 Plan 17658 Nanaimo Gabriola LD, S31 Plan 17658 Nanaimo Gabriola LD, S31 Plan 17658 Nanaimo Gabriola LD, S18 Plan VIP51655 Nanaimo Gabriola LD, S16 UCL (N of S16 & E of S31) Plan 17658 Nanaimo Gabriola LD, S25 between L16 & 17 Plan VIP14718 Nanaimo Gabriola LD, S28 between L15 & 16 Plan 17835	CP CP CP CP CP CP BA BA
C	2201 Bramley Road	Cranberry LD, R2 S11 L1 PID 001992627 Plan 42672	O
E	Jack Bagley Nanoose Place Fire Hall 2457 Nanoose Road Brickyard Beachcomber	Nanoose LD, DL6 Lot A PID 001486772 Plan 13317 Nanoose LD, DL6 L2 PID 016373677 Plan 50996 Nanoose LD, D130 L7 Plan 27190 PID 002571633 Nanoose LD, DL130 L3, 4, 5 & 6 Plan 27190 Nanoose LD, DL78 Plan 47638 Nanoose LD, DL38 B1 A Lots 29 & 30 PIDs 005276420 & 005276446 Plan VIP10777	CP O O CP CP RP
F	Fire Hall Fire Hall Fire Hall	Nanoose LD, DL104 L1 PID 001384546 Plan 29491 Nanoose LD, B1 521 L40 PID 001081608 Plan 32293 Cameron LD, DL4 L1 PID 000018732 Plan 38539	O O O

¹ Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

Electoral Area	Location/Name	Legal Description	Use ²
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Level 2 Parks – Improved Parks, Trails and Other Open Spaces (continued)

G	1035 Maple Lane Drive	Nanoose LD, DL1 Plan 30958	CP
	Boulton	Nanoose LD, DL49 L66 PID 000166677 Plan 32604	CP
	Hawthorne Rise	Nanoose LD, DL49 Plan 40962 & VIP76162	CP
	Fire Hall	Newcastle LD, DL80 L1 PID 000591122 Plan 41282	O
	Needen Way	Nanoose LD, DL81 Plan 42840	CP
	836 San Malo Crescent	Nanoose LD, DL181 Plan 45190	CP
G	Women's Institute Hall	Newcastle LD, DL11 Lot A PID 000158321 Plan 32528	O
	1000 Miraloma Drive	Nanoose LD, DL88 Plan VIP65008	CP
	1046 Tara Crescent	Nanoose LD, DL29 Plan VIP69574	CP
G	San Pareil Boardwalk	Nanoose LD, DL181, inter-tidal flat W of L1, 2 & 3 Plan 45190	CT
	H	Lighthouse Community Centre	Newcastle LD, DL32 Lot A PID 008840024 Plan 45846
H	Sunnybeach Road #18	Newcastle LD, DL33 between L1 Plan VIP72052 & LA Plan 73539	BA

Level 3 Parks – Commuter Trail

G	Barclay Crescent Bridge	Nanoose LD, DL28, between L10 Plan VIP23031 & L1 Plan 26472	RT
	Fern Road Woods Trail	Nanoose LD, DL78 Plan 1694 between B115 L7 & B1 16 L17	RT

Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces

A	1625 Fawcett Road	Cedar LD, DL36 S16 R5 VIP14877	CP
	2931 Ivor Road	Cedar LD, S19 R4 Plans 35760 & 41900	CP
	2180 Addison Way	Cedar LD, S10 R1 Lot D PID 002071681 Plan 42783	CP
B	Malaspina Galleries	Nanaimo Gabriola LD, S24 Plan 13535	CP
	1463 Moby Dicks Way	Nanaimo Gabriola LD, S31 Plan 17658	CP
	1486 Moby Dicks Way	Nanaimo Gabriola LD, S31 Plan 17658	CP
	1645 Whalebone Drive	Nanaimo Gabriola LD, S31 Plan 17658	CP
	1961 Clamshell Drive	Nanaimo Gabriola LD, S3 Plan 23476	CP
	2061 South Road	Nanaimo Gabriola LD, S3 Plan 24754	CP
	1220 Fleet Street	Nanaimo Gabriola LD, S18 Plan 30963	CP
	1888 Stalker Road	Nanaimo Gabriola LD, S4 Plan 41031	CP
	1185 The Strand	Nanaimo Gabriola LD, S18 Plan 45781	CP

² Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

Electoral Area	Location/Name	Legal Description	Use ¹
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Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces (continued)

B	3045 Coast Road	Nanaimo Gabriola LD, S4 PID017390397 VIP52510	CP
	1103 Sea Fern Lane	Nanaimo Mudge LD, S26 Plan 15752	CP
	Petroglyph Trail	Nanaimo Gabriola LD, S2 VIP66198	CT
	1412 Coats Drive	Nanaimo Gabriola LD, S9, Plan VIP69975 & S10 Plan VIP75929	CP
	De Courcy Island	Nanaimo De Courcy LD, S24, Plan VIP71391	CP
	Cox Community Park	Nanaimo Gabriola LD, S20, PID 002138719, Rem N1/2 of N1/2 of S20	CP
	Link Bay Road	Nanaimo De Courcy LD, S24, Plans 39964 & 46938	CP
	Decourcy Drive	Nanaimo Gabriola LD, S21 PID 004799071, Plan 12655	CP
	Decourcy Drive #15	Nanaimo Gabriola LD, S21 between L14 Plan VIP12655 & L1 Plan VIP13796	BA
	Tinson Road #011	Nanaimo Gabriola LD, S21 between L45 & 46 Plan VIP12655	BA
Spring Beach #044	Nanaimo Gabriola LD, S2 Plan VIP21158 between L17 & 26	BA	
The Strand #87	Nanaimo Gabriola LD, S8 Plan VIP17698 between L36 & 37	BA	
C	2840 Riverbend Road	Cranberry LD, R6 S4 Plan 38144	CP
	2966 Forever Road	Cranberry LD, R6 S4 Plan 38144	CP
	1919 Plecas Road	Cranberry LD, R5 S13, Plan 50377	CP
	1563 Nanaimo River Rd	Douglas LD, DL5 Plan VIP59461	CP
	431 Virostko Road	Cranberry LD, R2 S13 Plan VIP69191 & Plan DD4495N Pcl C PID 009694854	CP/CT
1730 Nanaimo River Rd	Douglas LD, DL3 L9 Plan VIP73765	CP	
Trans Canada Trail	Cranberry LD, R1 pt S3-5 & 16-20, & pt Bl 87; Nanaimo LD, R1 pt S4; Bright LD, pt Bls 714 & 87; Douglas LD, pt Bl 87	RT	
Haslam Creek Bridge	Bright LD, pt Bl 87 Plan DD61352-N & Bl 1252 PID 008721084	RT	
D	Benson Creek	Mountain LD, R1 S18 Bl A, Plan VIP4TU1485	RP
E	3005 Dolphin Drive	Nanoose LD, DL78, Plan 14212	CP
	Blueback	Nanoose LD, DL78 Plan 15983	CP
	Crowsnest	Nanoose LD, DL78 Plan 22994	CP
	2450 Collins Crescent	Nanoose LD, DL6 Plan 23588	CP
	1809 Ballenas Road	Nanoose LD, DL68 L1 PID 002066734 Plan 27376	O
	Enos Creek	Nanoose LD, DL78 Plan 29112	CP
	1808 Amelia Crescent	Nanoose LD, DL68 L86 PID 001271482 Plan 30341	CP
2940 Powder Point Road	Nanoose LD, DL78 Plan 36514	CP	
Electoral Area	Location/Name	Legal Description	Use¹

¹ Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces (continued)

E	2301 Weston Place 2297 Weston Place 1542 Crab Road 8428 Rumming Road 3471 Carmichael Road Henley Place Arbutus Grove Wall Estate 3383 Redden Road Dolphin Lake Schooner Ridge Dolphin Marsh Claudet Road 2453 Ainsley Place 2531 Rowland Road	Nanoose LD, DL6 L22 PID 000978060 Plan 38573 Nanoose LD, DL6 Plan 38573 Nanoose LD, LD52, Plan 44310 Nanoose LD, DL186 Plans 47433 Nanoose LD, DL78 Plan 51142 Nanoose LD, DL30 & 78 Plan 51707 Nanoose LD, DL117 Plan 43915 Nanoose LD, DL22 Plan 50198 Nanoose LD, DL30 Plan 53134 Nanoose LD, DL30 Plan 60049 Nanoose LD, DL78, 30, Plan 59180 Nanoose LD, DL30, 78 Plan 60602 Nanoose LD, DL62 L1 PID 002732548 Plan 26234 & LA PID 011167084 Plan 46810 Nanoose LD, DL78, Plan VIP68559 Nanoose LD, DL67, Plan VIP75472	O CP CP CP CP/CT CP/CT CP CP CP/CT CP CP CP CP CP CP
F	3529 Harris Crescent 2753 Old Alberni Hwy 1281 Gregory Road 1023 Allsbrook Road 1209 Kilby Road 898 Hillier Road 3171 Brooklin Lane No civic No civic 3857 Wild Road Malcolm Property Little Qualicum River Arrowsmith Trail	Cameron LD, DL74 Plan 24741 Nanoose LD, DL143 Plan 37624 Nanoose LD, DL140 Plan 37952 Nanoose LD, DL43 Plan 39421 Nanoose LD, DL149 Plan 43286 Cameron LD, DL4 Plan 46163 Cameron LD, DL4 Plan 48368 Newcastle LD, Bl 1375 Plan 41053 Cameron LD, DL8, Plan VIP1981, 52834 Cameron LD, DL9 Plan 52495 Cameron LD, DL9 Lot A, SW ¼ Plan DD4504N PID 008738505 Newcastle LD, Bl 359 L1 Plan VIP 69346 Cameron LD, pts Bl 415, 1324 & 1377	CP CP CP CP CP CP CP CP CP CP CP RP RT
G	FCPCC 676 Barclay Crescent 1013 Centre Crescent 1225 Sunrise Drive 1592 Marine Circle No civic 943 Lee Road 675 Chartwell Boulevard Top Bridge	Nanoose LD, DL28 L4 Pcl A PID 006365876 Plan DD5360-N; L2 Exc E 4.5 ch PID 006365779 Plan 2570; L3 Exc Pl 26472 PID 005572681 Plan 9203 Nanoose LD, DL28 Plan 27077 Newcastle LD, DL9 Plan 28564 Nanoose LD, DL49 L23 PID 001397826 Plan 29438 Nanoose LD, DL28 Plan 30213 Nanoose LD, DL29 Plan 32898 Nanoose LD, DL29 Plan 45825 Nanoose LD, DL88 Plan 49333 Nanoose LD, Bl 419 Plan 30113	O CP CP O/CP CP CP CP CP CP
Electoral Area	Location/Name	Legal Description	Use²

Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces (continued)

¹ Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

² Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

G	1030 Ganske Road 1257 Lee Road 903 Riley Road 597 Columbia Drive 807 Miller Road 740 Miller Road	Newcastle LD, DL76 Plan 60023 Nanoose LD, DL29 & 28 Lot B PID 023004533 Plan 60349 Nanoose LD, DL81, Plan 51544 Nanoose LD, DL28 Plan VIP62528 Nanoose LD, DL28 Lot A PID 023846194 Plan 65679 Nanoose LD, DL29 & 83 Lot 2 PID 025783017 Plan VIP76030	CP CP CP CP CP CP
	Admiral Tryon Blvd	Nanoose LD, DL28 between L22 Plan 22290 & L1 Plan 33977	BA
	Little Qualicum River Estuary	Newcastle LD, DL 11, 110, Lot 1 PID 025651561 Plan 75238	RCA
	Englishman River	Nanoose LD, Block 602 L1 Plan VIP76721 PID 025900323 & all remainder B1 602	RP
	River's Edge	Nanoose LD, B1 564 L1, PID 025862804 Plan 76468; L7 PID 025920260 Plan 76856; L19 PID 025920383 Plan 76856; L11 PID 025863649 Plan 76472; L38 PID 025863525 Plan 76471; L1 Plan VIP75276 PID 025665545	RP/O
	Top Bridge Trail	Nanoose LD, DL 129 L3 PID 006718876 Plan VIP2072	RT
	H	5354 Gainsburg Road Rose Park 4776/4877 Ocean Trail 2905 Marshall Road 241 Huson Road Dunsmuir 5162 Pearl Road 68 Islewood Drive 3875 Bovanis Road 3876 Bovanis Road 212 Kenmuir Road 151 Jamieson Road Illusion Lakes 216 Kenmuir Road 4370 Kelsey Road 95 Esary Road 7123 Island Highway W. No civic	Newcastle LD, DL1 Plan 20442 Newcastle LD, DL22 Lot 1 PID 018048757 Plan VIP55641 Newcastle LD, DL82 Plan 31044 Newcastle LD, DL9 Plan 34434 Newcastle LD, DL9 Plan 34642 Newcastle LD, DL31 Plan 37285 Newcastle LD, DL27 Plan 38181 Newcastle LD, DL22 L20 PID 000668443 Plan 41507 Newcastle LD, DL22 Plan 41640 Newcastle LD, DL22 L8 PID 000775088 Plan 41662 Newcastle LD, DL9 Plan 42807 Newcastle LD, DL40 Plan 43604 Alberni LD, B1 360 Plan 37698 Newcastle LD, DL9 Plan 52606 Newcastle LD, DL36 Plan VIP53143 Newcastle LD, DL36 Plan VIP61726 Newcastle LD, DL85 Plan VIS4417 Newcastle LD, DL 20 L1 Plan 6994

Electoral Area	Location/Name	Legal Description	Use ¹
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Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces (continued)

¹ Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

H	Wildwood	Newcastle LD, DL85 L38 PID 006659985 Plan 2018	CP
	5320 Gainsburg Road	Newcastle LD, DL1, 86 L2 PID 024784338 Plan VIP70719	CP
	2910 Leon Road	Newcastle LD, DL9 Plan VIP65473	CP
	Alert Road #11	Newcastle LD, DL16 between LA Plan VIP11435 & L1 Plan VIP10527	BA
	Franksea Road #14	Newcastle LD, DL33 between L1 Plan VIP918R & LA Plan VIP28923	BA
	Baywater Road #17	Newcastle LD, DL20 between L1 Plan VIP74109 & LA Plan VIP61092	BA
	Crane Road #23	Newcastle LD, DL22 between rem. Lot 1, Plan 12132 & Pt 2 Plan 5622	BA
	Nile Road #24	Newcastle LD, DL22 between L2 Plan VIP41640 & L2 Plan VIP12132	BA
	Bowser Road #31	Newcastle LD, DL36 between L4 Plan VIP21618 & LA Plan VIP58219	BA
	Buccaneer Beach Rd #36	Newcastle LD, DL40 between L35 & 36 Plan 16121	BA
	Shoreline Drive #42	Newcastle LD, DL28 Plan 24584 between L9 & 10	BA
	Deep Bay Drive #47	Newcastle LD, DL1 between L70 & 71 Plan VIP20442	BA
	Lighthouse Country Trail	Newcastle LD, Whistler Road from DL32 LA Plan 45846 to DL85 L38 Plan 2018, & DL85 Plan 2018 Corduroy Rd from sthly bndry Noonday Rd to wstly bndry L39	RT
	Horne Lake Caves Road	Alberni LD, DL251 nrthly bndry of Road	RT
Hunts Creek Bridge	Alberni LD, DL254 PID 001903276 Plan VIP1753R	RT	

Schedule "B"

CAMPGROUND RULES APPLICABLE TO LEVEL 1 PARKS

1. Registration

At Horne Lake Regional Park, all campers must register and pay at the park office upon arrival. At Descanso Bay Regional Park, campers may proceed to the campground and set up camp in their reserved site, or in a site with no 'reserved' sign posted, and register and pay when authorized personnel make their rounds.

2. Fees

(a) *Horne Lake Regional Park*

Wooded sites – \$17 per night

Waterfront and overflow sites – \$22 per night

Non-profit youth group rate – \$2 per head per night

Boat launch – \$5 per launch; \$2 per launch for Owners of Strata Plan – VIS 5160.

Programmed recreation campsites – as authorized by District Manager

Programmed recreation – as authorized by District Manager

Rentals – as authorized by District Manager

Firewood and other goods – as authorized by District Manager

(b) *Descanso Bay Regional Park*

All sites \$15/night

Non-profit youth group rate – \$2 per head per night

Firewood and other goods – as authorized by District Manager

Any person who has not paid a required fee will be charged double the regular rate. The Goods and Services tax may be charged in addition to the above noted fees.

3. Number of People and Vehicles per Designated Campsite

At each designated campsite there may be no more than:

(a) eight (8) people, including no more than four (4) adults, an adult being 16 years of age or older; and

(b) one recreational vehicle (RV).

A second non-RV vehicle may be permitted by authorized personnel at a designated campsite for an additional nightly charge of 50 per cent of the campsite fee if space permits.

4. Length of Stay

The maximum length of stay for a camper is fourteen days per season, not necessarily consecutively. Additional stays may be allowed by authorized personnel if vacancies permit.

5. Campsite Condition

Campers must remove all garbage from their campsites and fire pits before vacating a site.

6. Noise

During the hours between 11 pm and 7 am, all campers shall be quiet. During the remainder of the day, noises or sounds generated at one campsite must not be sufficient to bother neighbouring campers.

7. Boat Launch Ramp at Horne Lake Regional Park

All vessels requiring a trailer must be launched at the boat launch ramp. All launchers must register and pay at the park office before launching a vessel, and carry with them when on the water any boating rules and maps provided at registration. The ramp opens at 7 am and closes by no later than 9:30 pm or dusk, whichever is earlier. All vessels must be out of the water by ramp closing time.

Schedule “C”

PARK USE PERMIT FEES¹				
Special Uses	Permit Fee²	Damage Deposit	Site Preparation and Clean-up Costs	Comprehensive General Liability Insurance
1. Use of common facilities such as shelters and congregate spaces for groups involving up to 50 people	\$50 / day	n/a	Repair to facilities at cost, plus Hourly charge-out rate of \$28/person and \$25/vehicle	n/a
2. Non-profit recreation services or activities such as training, guiding and recreation programming	\$15 / day	\$100		\$2,000,000
3. Commercial recreation services or activities such as training, guiding and recreation programming	\$100 / day	\$100		\$2,000,000
4. Events such as festivals, shows, parties, competitions, regattas, ceremonies, and the operation of model planes	\$100 / day	\$100		\$2,000,000
5. Commercial filming (video, motion picture or television) or still photography	\$250 / permit	\$500		\$5,000,000
6. Research activity including survey and petition work	\$50 / permit	\$100		\$2,000,000
7. Access through a park for utilities or vehicles	\$500 / year	n/a		\$2,000,000

¹ All fees are subject to the Goods and Services Tax.

² A permit fee exemption may be granted where a special use is deemed to be of benefit to a park. Non-profit groups including schools that involve participants less than 18 years of age only are exempt from the requirement to pay a permit fee.

Schedule ‘D’

FINE SCHEDULE

Description of Offence	Section of Bylaw	Minimum Fine
Failure to comply with rules and signage	5.1	\$100
Unacceptable public conduct	5.3	\$100
Improper use of a vehicle	5.4	\$100
Improper parking	5.5	\$100
Failure to obey camping rules	5.6	\$100
Improper use of a vessel	5.7	\$100
Inappropriate cycling or horseback riding	5.8	\$100
Failure to control or manage an animal	5.9(a) to (f)	\$ 50
Behaviour detrimental to a wild animal	5.9(g)	\$100
Hunting; carrying or discharging guns or bows	5.10(a)	\$200
Improper fishing or shellfish harvesting	5.10(b)(c)	\$ 50
Littering	5.11(a)	\$ 50
Depositing garbage or polluting with undesirable materials	5.11(b)to (d)	\$200
Failure to alert authorities about a known pollution event	5.11(e)	\$ 50
Causing damage or interfering	5.12	\$100
Unacceptable use of fire, lit materials or explosives	5.13(a)(b)	\$100
Failure to alert authorities about known at-large fires	5.13(c)	\$ 50
Improper treatment of the natural environment	5.14	\$100
Unacceptable play behaviour	5.15(a)	\$ 50
Unauthorized special use or commercial activity	5.16	\$100
Failure to comply with the terms of a park use permit	5.17(g)(h)	\$100
Failure to obey or obstruction of a Bylaw Enforcement Officer	6.2, 6.3	\$100

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1399.01

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO
PARK USE REGULATIONS BYLAW NO. 1399, 2004**

WHEREAS the “Regional District of Nanaimo Park Use Regulations Bylaw No. 1399, 2004” defines the regulations, prohibitions and requirements pertaining to use of regional and community park properties;

AND WHEREAS the Regional District of Nanaimo Board wishes to amend Bylaw No. 1399, 2004;

NOW THEREFORE the Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. “Regional District of Nanaimo Park Use Regulations Bylaw No. 1399, 2004” is hereby amended by:
 - (a) deleting reference to Electoral Area ‘D’ in Section 3.1;
 - (b) amending the definition of “Cycle” by adding as a final clause “and includes electric bicycles”;
 - (c) deleting the definition of “District Manager” in its entirety and replacing it with the following:

“District Manager” means the Regional District of Nanaimo Manager of Parks Services;
2. Schedule ‘A’ of Bylaw No. 1399 is hereby repealed and replaced with Schedule ‘A’ attached hereto and forming part of this bylaw.
3. Schedule ‘B’ of Bylaw 1399 is hereby repealed and replaced with Schedule ‘B’ attached hereto and forming part of this bylaw.
4. This bylaw may be cited as “Regional District of Nanaimo Park Use Regulations Amendment Bylaw No. 1399.01, 2009.”

Introduced and read three times this 26th day of May, 2009.

Adopted this 26th day of May, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Schedule `A' to accompany "Regional District of Nanaimo Park Use Regulations Amendment Bylaw No. 1399.01, 2009"

Chairperson

Sr. Mgr., Corporate Administration

Schedule 'A'

DISTRICT PARKS

Electoral Area	Location/Name	Legal Description	Type*
Level 1 Parks -- Parks with Campgrounds			
B	Descanso Bay	Lots A & B VIP73679 Nanaimo Gabriola	RP
H	Horne Lake	Bk 40 VL&M PL691N Exc PL46603 Alberni	RP
Level 2 Parks -- Improved Parks			
A	Nanaimo River	S7 R8 exc VIP70950 & W 25 acres S6 R8 exc VIP70831Cranberry	RP
	Thelma Griffiths	Lot 1 VIP79928 S11 & 12 R6 Cranberry	CP
B	Malaspina Galleries	Park VIP13535 S24 Nanaimo Gabriola	CP
	Rollo McClay	Park VIP51655 S18 Nanaimo Gabriola	CP
	Joyce Lockwood	ULC N of S16 & E of S31 Nanaimo Gabriola	CP
B	Cox	Rem N 1/2 of N 1/2 of S20 Nanaimo Gabriola	CP
	Whalebone	Park VIP17658 S31 Nanaimo Gabriola	CP
	Petroglyph Trail	Park VIP66198 S2 Nanaimo Gabriola	CT
	Sea Fern	Park VIP15752 S26 Nanaimo Mudge	CP
C	Meadow	Lot 11 VIP80079 S14 R4 Mountain	CP
E	Beachcomber	Lots 29 & 30 VIP10777 Bk A DL38 Nanoose	RP
	Jack Bagley	Rem A VIP13317 DL 6 Nanoose	CP
	Nanoose	Lots 3, 4, 5 & 6 VIP27190 DL130 Nanoose	CP
	Brickyard	Park VIP47638 DL78 Nanoose	CP

Electoral Area	Location/Name	Legal Description	Type*
F	Veterans	Lots 31 & 46 VIP1989 DL139 Nanoose	CP
G	Little Qualicum River Estuary	Lot 1 VIP75238 DL 11 & 110 Newcastle	RCA
	Maple Lane	Park VIP30958 DL1 Nanoose	CP
	San Malo	Park VIP45190 DL181 Nanoose	CP
	Boultbee	Lot 66 VIP32604 DL49 Nanoose	CP
	Hawthorne Rise	Park VIP40962/75836/76162 DL49 Nanoose	CP
	Neden Way	Park VIP42840 DL81 Nanoose	CP
	Women's Institute Hall	Lot A VIP32528 DL11 Newcastle	CP
	Tara	Park VIP69574 DL29 Nanoose	CP
H	Centennial	Park VIP37285 DL31 Newcastle	CP
	Lions	Lot A VIP45846 DL32 Newcastle	CP
	Deep Bay Creek	Park VIP20442 DL1 & Lot 2 VIP70719 DL1&86 Newcastle	CP
	Wildwood Dr	Park VIP81348 DL85 Newcastle	CP
Level 3 Parks -- Active Transportation			
A	Morden Colliery	DD6974-N Pcl A S12 & S13 R1, Pcl B S14 R1 & R2, Pcl C S11 R8 & rem S15 R1, Lot A VIP66235 S15 R2 Cranberry & Cedar	RT
A	Nelson Rd	Crown foreshore off Nelson Rd between Lot 1 VIP14877 S16 R5 & Lot 28 S17 R5 VIP3779 Cedar	WA
B	Descanso Bay	Descanso Bay Rd between Lots 16 & 17 VIP14718 S25 Nanaimo Gabriola	WA
	Spring Beach	Spring Beach Dr between Lots 17 & 25 VIP21158 S2 Nanaimo Gabriola	WA
	The Strand	The Strand between Lots 36 & 37 VIP176998 S18 Nanaimo Gabriola	WA
B	El Verano	Narrows Rd between Lots 15 & 16 VIP17835 S28 Nanaimo Gabriola	WA
G	Admiral Tryon	Admiral Tryon Blvd betw'n Lot 22 VIP22290 & Lot 1 VIP33977 DL28 Nanoose	WA
	Millennium Bridge	Barclay Cres between Lot 9 VIP23031 & Lot 83 VIP26472 DL28 Nanoose	RT
	Top Bridge Crossing	Allsbrook Rd between Park VIP30113 Bk 419 & Park VIP33339 Bk 564 Nanoose	RT
H	Sunny Beach	Sunny Beach Rd between Lot 1 & Lot A VIP73539 DL33 Newcastle	WA

Electoral Area	Location/Name	Legal Description	Type*
Level 3 Parks -- Active Transportation (cont'd)			
H	Franksea	Franksea Rd between Lot 1 VIP918R & Lot A VIP28923	WA
		DL33 Newcastle	
	Deep Bay	Deep Bay Dr between Lots 23 & 24 VIP20442 DL1	WA
		Newcastle	
	Shoreline	Shoreline Dr between Lots 9 & 10 VIP24584 DL28	WA
		Newcastle	
	Buccaneer Beach	Buccaneer Beach Rd between Lots 35 & 36 VIP16121	WA
		DL40 Newcastle	
	Bowser	Bowser Rd between Lot 4 VIP21618 & Lot A VIP58219	WA
		DL36 Newcastle	
	Nile	Nile Rd between Lot 1 VIP41640 & Lot 2 VIP12132	WA
		DL22 Newcastle	
	Crane	Crane Rd between pt Lot 1 VIP12132 & Pt Lot 2	WA
		VIP5622 DL22 Newcastle	
	Baywater	Baywater Rd between Lot 1 VIP74109 & Lot A VIP61092	WA
		DL20 Newcastle	
	Alert	Alert Rd between Lot A VIP11435 & Lot 1 VIP10527	WA
		DL16 Newcastle	
	Thompson Clarke - Ocean Trail	Pt Lot 1 VIP31751 & Ocean Trail between E&N & Lot 50 VIP31044 DL82 Newcastle	CT
Level 4 Parks -- Undeveloped			
A	Fawcett	Park VIP14877 S16 R5 DL36 Cedar	CP
	Ivor	Park VIP35760 S19 R4 Cedar	CP
	Glynneath	Park VIP41900 S19 R4 Cedar	CP
	Addison	Lot D VIP42783 S10 R1 Cedar	CP
	Morden Colliery east	Lot 1 VIP66841 S15 R1 Cedar	CP
	Morden Colliery adjuncts	Park VIP59634 S14 R1 Cedar	CP
	Kipp	Park VIP78539 S14 R6	CP
	Woodridge	Lot 22 VIP80144 S16 & 17 R8 Cranberry	CP
	Whiting	Lot 9 VIP84318 S1 R6 Cedar	CP
	MacMillan	Park VIP85081 S16 R8 Cranberry	CP
B	Coats Marsh	Rem NW 1/4 S10 Nanaimo Gabriola	RP
	South w	Park VIP24754 S3 Nanaimo Gabriola	CP
	Fleet	Park VIP30963 S18 Nanaimo Gabriola	CP
	Stalker	Park VIP41031 S4 Nanaimo Gabriola	CP
	The Strand	Park VIP45781 S18 Nanaimo Gabriola	CP
	South e	Park VIP52510 S4 Nanaimo Gabriola	CP
	Coats e	Park VIP69975 S9 Nanaimo Gabriola	CP
	Cardale 1	Park VIP71391 S24 Nanaimo De Courcy	CP

Electoral Area	Location/Name	Legal Description	Type*
Level 4 Parks – Undeveloped (cont'd)			
B	Link Bay n	Park VIP39964 S24 Nanaimo De Courcy	CP
	Link Bay s	Park VIP46938 S24 Nanaimo De Courcy	CP
	Coats w	Park VIP75929 S10 Nanaimo Gabriola	CP
	Decourcy	Park VIP12655 S21 Nanaimo Gabriola	CP
	Hyham	Park VIP77409 S4&5 Nanaimo Gabriola	CP
	707 Acres	NE 1/4 S13; NW 1/4 S14; S 1/2 of NE 1/4 S14; N 1/2 of SW 1/4 S15; SE 1/4 S14; E 1/2 of NE 1/4 S10	CP
		Nanaimo Gabriola	
	Dunlop	Park VIP70935 S23 Nanaimo De Courcy	CP
	Dunlop Flewett Trail	Park VIP70935 S10 Nanaimo De Courcy	CP
	Cardale 2	Park VIP82457 S10 & 24 Nanaimo De Courcy	CP
	Seymour	Park VIP82759 S8 Nanaimo Gabriola	CP
C	Benson Creek Falls	Bk A S17 & 18, Bk B S18, Bk C S17 R1 Mountain	RP
	Mount Benson	S7 R4; E 10 ch S7 R3; Bk 787 exc pt P12334 RW & exc pt P128907 & VIP75642; Bk 1161 Mountain	RP
	Mount Arrowsmith Massif	Bk 1380 Cameron	RP
	Trans Canada	pt S4 R1 Nanaimo; pt S3-6 & S16-20 R1, pt S6-11 & S14-16 R2 Cranberry; pt Bk 87, 194, 714, 1252 DL20	RT
		Bright	
	Arrowsmith CPR	pt Bk 415 & pt 1377 & pt Bk 1324 Cameron	RT
	Riverbend 1	Park VIP38144 S3 R6 Cranberry	CP
	Riverbend 2	Park VIP38144 S3 R6 Cranberry	CP
	Plecas	Park VIP50377 S13 R5 Cranberry	CP
	Twilight	Park VIP59461 DL5 Douglas	CP
	Virostko	Park VIP69191 S13 R2 Cranberry	CP
	Southforks 1	Park & Lot 9 VIP73765 & Park VIP77998 DL3 Douglas	CP
	Creekside	Lot 6 VIP80088 S14 & 15 R3 Mountain	CP
	Heather	Park VIP84517 S5 & 6 R3 Cranberry	CP
	Southforks 2	Park VIP84973 DL3 Douglas	CP
	Extension	Park VIP86100 S12 & 13 R1 Cranberry	CP
E	Blueback	Park VIP15983 DL78 Nanoose	CP
	Crowsnest	Park VIP22994 DL78 Nanoose	CP
	Armstrong/Collins	Park VIP23588 DL6 Nanoose	CP
	Enos Crk	Park VIP29112 DL78 Nanoose	CP
	Amelia	Lot 86 VIP30341 DL68 Nanoose	CP
	Powder Pt	Park VIP36514 DL78 Nanoose	CP
	Weston	Park VIP38573 DL6 Nanoose	CP
	Crab	Park VIP44310 DL52 Nanoose	CP
	Rumming	Park VIP47433 DL186 Nanoose	CP
	Carmichael 1	Park VIP51142 DL78 Nanoose	CP
	Henley	Park & Lot 52 VIP51707 DL30 & 78 Nanoose	CP

Electoral Area	Location/Name	Legal Description	Type*
Level 4 Parks – Undeveloped (cont'd)			
E	Arbutus Grove	Park VIP43915 DL117 Nanoose	CP
	Wall Estate	Park VIP50198 DL22 Nanoose	CP
	Redden	Park VIP53134 DL30 Nanoose	CP
	Dolphin Lake	Park VIP60049 DL30 Nanoose	CP
	Schooner Ridge	Park VIP59180 DL30 & 78 Nanoose	CP
	Dolphin Marsh	Park VIP60602 DL30 & 78 Nanoose	CP
	Claudet	Rem Lot 1 VIP26234 & Lot A VIP46810 DL62 Nanoose	CP
	Ainsley	Park VIP68559 DL78 Nanoose	CP
	Rowland	Park VIP75472 DL67 Nanoose	CP
	Richard	Park VIP77847 DL78 Nanoose	CP
	Carmichael 2	Lot 9 VIP78139 DL78 Nanoose	CP
	Northwest Bay	Lot A VIP80339 DL68 Nanoose	CP
	Claudet 2	Lot 3 VIP80939 DL84 Nanoose	CP
	Bonnington	Lots 1, 2 & 3 VIP80854 DL78 Nanoose	CP
	Bradner	Lot B VIP85588 DL78 Nanoose	CP
F	Little Qualicum River	Lot 1 VIP69346 Bk 359 Newcastle	RP
	Arrowsmith CPR	pt Bk 415 & pt 1377 & pt Bk 1324 Cameron	RT
	Harris	Park VIP24741 DL74 Cameron	CP
	Old Alberni Hwy	Park VIP37624 DL143 Nanoose	CP
	Coombs Station	Park VIP37952 DL140 Nanoose	CP
	Allsbrook	Park VIP39421 DL43 Nanoose	CP
	Kerr	Park VIP43286 DL149 Nanoose	CP
	Hilliers	Park VIP46163 DL4 Cameron	CP
	Brooklin	Park VIP48368 DL4 Cameron	CP
	Beside Little Q Falls PP	Park VIP41053 Bk 1375 Newcastle	CP
	Mellon	Park VIP52834 DL 8 Cameron	CP
	Wild	Park VIP52495 DL9 Cameron	CP
	Malcolm	SW 1/4 L Pcl A DD4504N DL9 Cameron	CP
	Meadowood	Lot 2 VIP69346 Bk 359 Newcastle	CP
	Romain	Park VIP82280 DL104 Nanoose	CP
	Dolly Varden	Park VIP77754 Bk 359 Newcastle	CP
G	Englishman River	Lot 1 VIP76721 & rem Bk 602 Nanoose	RP
	Top Bridge	Lot 1 VIP21770 DL123; VIP613R Bk 564; Lot 3 VIP2072 DI 129; Park VIP33339 Bk 564 Nanoose	RT
	Barclay	Park VIP27077 DI 28 Nanoose	CP
	Centre	Park VIP28564 DL9 Newcastle	CP
	Marine Circle/Columbia 1	Park VIP30213 DL28 Nanoose	CP
	Lee 1	Park VIP32898 DL29 Nanoose	CP
	Lee 2	Park VIP45825 DL29 Nanoose	CP
	Top Bridge	Park VIP30113 Bk 419 Nanoose	CP
	Huckleberry	Park VIP60023 DL76 Newcastle	CP
	Lee 3	Lot B VIP60349 DL28 & 29 Nanoose	CP
	Riley	Park VIP51544 DL81 Nanoose	CP
	Columbia 2	Park VIP62528 DL28 Nanoose	CP

Electoral Area	Location/Name	Legal Description	Type*
Level 4 Parks – Undeveloped (cont'd)			
G	Miller north	Lot A VIP65679 DL28 Nanoose	CP
	Miller south	Lot 2 VIP76030 DL126 Nanoose	CP
	Johnstone	Johnstone Rd between Lots 8 & 9 VIP22087 DL49	CP
		Nanoose	
	Mallard	Mallard Rd between Lot 10 VIX3167 & Lot 1 VIP22087	CP
		DL49 Nanoose	
	Rivers Edge	Lot 1 VIP75276; Lot 1 VIP76468; Lot 38 VIP76471;	CP
		Lot 11 VIP76472; Lot 1 VIP76854; Lots 7 & 19	
		VIP76856 Bk 564 Nanoose	
	Sumar	Lot Park VIP79152 DL28 Nanoose	CP
	Lee 4	Park VIP79275 DL29 Nanoose	CP
H	Lighthouse Country	1950 Gazetted Hwy (Whistler Rd) between Lot A	RT
		VIP45846 DL32 & Lot 38 VIP2018 DL85 Newcastle	
	Big Qualicum	VIP1753R pt DL254 Alberni	RT
	Rose	Lot 1 VIP55641 DL22 Newcastle	CP
	Blue Heron	Park VIP31044 DL82 Newcastle	CP
	Ocean Trail	Park VIP31751 DL82 Newcastle	CP
	Marshall	Park VIP34434 DL9 Newcastle	CP
	Huson	Park VIP34642 DL9 Newcastle	CP
	Pearl	Park VIP38181 DL27 Newcastle	CP
	Islewood	Lot 20 VIP41507 DL22 Newcastle	CP
	Bovanis 1	Park VIP41640 DL22 Newcastle	CP
	Bovanis 2	Lot 8 VIP41662 DL22 Newcastle	CP
	Kenmuir 1	Park VIP62179 DL19 Newcastle	CP
	Palm Pacific	Park VIP43604 DL40 Newcastle	CP
	Illusion Lake	Park VIP37698 Bk 360 Alberni	CP
	Kenmuir 2	Park VIP52606 DL9 Newcastle	CP
	Oakdowne main	Lots J & A VIP78305 DL89 Newcastle	CP
	Kelsey	Park VIP53143 DL36 Newcastle	CP
	Henry Morgan	Park VIP61726 DL36 Newcastle	CP
	Hwy 19A Northdowne	Park VIP66049 DL85 Newcastle	CP
	1950 Gazetted Hwy	Park VIP68932 DL20 Newcastle	CP
	Wildwood	Lot 38 VIP2018 DL85 Newcastle	CP
	Leon	Park VIP65473 DL9 Newcastle	CP
	Creekside	Lot C VIP85210 DL22 Newcastle	CP
	Oakdowne Annex 1	Pt Lot G VIP78305 DL89 Newcastle	CP
	Oakdowne Annex 2	Pt Lots B, H & I VIP78305 Newcastle	CT
*Type	(RP) Regional Park (RCA) Regional Conservation Area (RT) Regional Trail		
	(CP) Community Park (CT) Community Trail (WA) Water Access		

Chairperson

Sr. Mgr., Corporate
Administration

Schedule 'B'

CAMPGROUND RULES APPLICABLE TO LEVEL 1 PARKS

1. **Registration**

At Horne Lake Regional Park, all campers must register and pay at the park office upon arrival. At Descanso Bay Regional Park, campers may proceed to the campground and set up camp in their reserved site, or in a site with no 'reserved' sign posted, and register and pay when authorized personnel make their rounds.

2. **Fees**

(a) *Horne Lake Regional Park*

High Season (mid-May to mid-September)

- Wooded sites – \$20.00 per night
- Waterfront and overflow sites – \$24.00 per night
- Extra vehicle wood sites - \$10.00
- Extra vehicle waterfront and overflow sites - \$12.00
- Extra vehicle consecutive-day stays pass - \$75.00

Off-season (mid-September to mid-May)

- Wooded, waterfront and overflow sites - \$10.00 per night
- Extra vehicle - \$5.00

Non-profit Youth Group – \$2.50 per head per night

Boat Launch – \$6.00 per launch; \$50.00 for 10-launch pass

Programmed recreation, retail, rental and packages: as authorized by District Manager.

(b) *Descanso Bay Regional Park*

High Season (mid-May to mid-September)

- All Sites - \$17.00 per night
- Extra vehicle - \$8.50
- Extra vehicle consecutive-day stays pass - \$55.00

Off-season (mid-September to mid-May)

- All Sites - \$10.00 per night
- Extra vehicle - \$5.00

Non-profit Youth Group - \$2.50 per head per night

Programmed recreation, retail and packages: as authorized by District Manager.

3. **Number of People and Vehicles per Designated Campsite**

At each designated campsite there may be no more than:

- (a) eight (8) people, including no more than four (4) adults, an adult being a person 18 years of age or older; and
- (b) one recreational vehicle (RV).

A second non-RV vehicle may be permitted by authorized personnel at a designated campsite for an additional nightly charge of 50 per cent of the campsite fee if space permits.

4. **Length of Stay**

The maximum length of stay for a camper is fourteen days per season, not necessarily consecutively. Additional stays may be allowed by authorized personnel if vacancies permit.

5. **Campsite Condition**

Campers must remove all garbage from their campsites and fire pits before vacating a site.

6. **Noise**

During the hours between 11 pm and 7 am, all campers shall be quiet. During the remainder of the day, noises or sounds generated at one campsite must not be sufficient to bother neighbouring campers.

7. **Boat Launch Ramp at Horne Lake Regional Park**

All vessels requiring a trailer must be launched at the boat launch ramp. All launchers must register and pay at the park office before launching a vessel, and carry with them when on the water any boating rules and maps provided at registration. The ramp opens at 7 am and closes by no later than 9:30 pm or dusk, whichever is earlier. All vessels must be out of the water by ramp closing time.