

<b>BYLAW NO. 610</b>	
<b>Bylaw name:</b>	Bylaw No. 610 being “Electoral Areas Parks Regulations Bylaw No. 103, 2010, Amendment No. 7”
<b>Participants:</b>	Electoral Area ‘A’ (Baynes Sound / Denman – Hornby Islands), Electoral Area ‘B’ (Lazo North) and Electoral Area ‘C’ (Puntledge – Black Creek)
<b>Purpose:</b>	A bylaw to amend the parks regulations bylaw to include new parks and greenways and to update park regulations.
<b>Amends bylaw:</b>	Electoral Areas Parks Regulations Bylaw No. 103, 2010
<b>Repeals bylaw:</b>	N/A
<b>Staff contact:</b>	Doug DeMarzo, General Manager of Community Services

<b>STATUS</b>	
<b>Committee approval:</b>	<p>January 13, 2020 Electoral Areas Services Committee:</p> <p>“THAT the recently constructed trail along the unopened Eagles Drive road allowance extending from Tasman Road down to the opened portion of Eagles Drive authorized under Ministry of Transportation and Infrastructure permit #2018-05977 be added to Bylaw No. 103;</p> <p>AND FURTHER THAT this trail be named Eagles Greenway;</p> <p>AND THAT the recently acquired Hornby Island boat ramp authorized under Provincial Licence of Occupation # 931917 be added to Bylaw No. 103;</p> <p>AND FURTHER THAT this park be named Shingle Spit Boat Launch;</p> <p>AND THAT Bylaw No. 103 being “Electoral Areas Parks Regulations Bylaw No. 103, 2010” be amended to reflect the following changes as noted in the staff report dated January 7, 2020:</p> <ul style="list-style-type: none"> <li>i. regulations related to motorized vehicles in parks;</li> <li>ii. signature location on research permits;</li> <li>iii. adding the identified new parks and greenways, maps, designations and other housekeeping revisions;</li> </ul> <p>AND FINALLY THAT Bylaw No. 104 being “Municipal Ticket Information Bylaw No. 104, 2010” be amended to update the fines</p>

	Schedule 1 for Electoral Areas Parks Regulation Bylaw No. 103, as outlined in the staff report dated January 7, 2020.”
<b>1st &amp; 2<sup>nd</sup> readings:</b>	
<b>3rd reading:</b>	
<b>Ministry approval:</b>	N/A
<b>Final adoption:</b>	

# COMOX VALLEY REGIONAL DISTRICT

## BYLAW NO. 610

**A bylaw to amend the parks regulations bylaw to include new parks and greenways and to update park regulations.**

**WHEREAS** the Comox Valley Regional District adopted Bylaw No. 103 being the “Electoral Areas Parks Regulations Bylaw No. 103, 2010” on April 27, 2010;

**AND WHEREAS** the board desires to update the bylaw to add recently acquired, expanded and/or newly named parks, and to update and apply certain parks regulations;

**NOW THEREFORE** the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

### **Amendment**

1. Bylaw No. 103 being “Electoral Areas Parks Regulations Bylaw No. 103, 2010” is hereby amended by:

a) Replacing section 19 “Vehicle control”, which reads:

“19. (1) The regulations relating to vehicle control are as follows:

- (a) no person shall operate a vehicle, ebike or cycle below the natural boundary or high tide mark in a park, off the designated road ways, or in such a manner as to disturb the natural features of a park;
- (b) no person shall ride any cycle or ebike in a park or on a trail except on public roads or trails designated for such use except authorized personnel patrolling on a cycle or ebike in a park or on a trail;
- (c) no person shall operate or cause to be operated a motorcycle, dirt bike or other motorized vehicle, other than a wheelchair or ebike, on or along a park trail except authorized personnel engaged in the development or maintenance of the park;
- (d) no person under the age of 16 years shall operate an ebike in a regional district park;
- (e) no person shall park or station any vehicle on any public right-of-way in a park in such a manner as to impede proper use of the road or in such a place or manner as to damage vegetation or landform, or to restrict or inhibit public recreational use of a park; with the exception of vehicles used for parks maintenance, security, or pre-approved programming or permit; and;
- (f) no person shall park or leave a vehicle in a closed park or parking area with the exception of vehicles used for parks maintenance, security, or pre-approved programming or permit

(2) Any motor vehicle parked in violation of this bylaw may be removed and impounded, and the owner of the motor vehicle shall pay the cost of removal and impoundment before the motor vehicle is returned to the said owner.”

With the following section 19 “Vehicle control”, which reads:

"19. (1) No person shall in a regional district park drive, propel, park or otherwise operate a motor vehicle, motorcycle, dirt bike, all-terrain vehicle or other motorized vehicle:

- (a) on a trail with the exception of a wheelchair or mobility device;
- (b) in a closed park or closed parking area;
- (c) below the natural boundary or high tide mark;
- (d) in such a manner that damages natural features, park facilities or improvements;
- (e) in such a manner as to impede intended use of the park.

(2) No person shall in a regional district park ride an ebike or cycle:

- (a) in a closed park or closed parking area;
- (b) below the natural boundary or high tide mark;
- (c) on trails that are not designated for such use;
- (d) in such a manner as to damages natural features, park facilities or improvements.

(3) No person under the age of 16 years shall operate an ebike in a regional district park.

(4) Any motor vehicle parked in violation of this bylaw may be removed and impounded, and the owner of the motor vehicle shall pay the cost of removal and impoundment before the motor vehicle is returned to the said owner.

(5) Motor vehicles, ebikes and cycles used by authorized personnel for parks maintenance, park patrols, security, or where the regional district has granted permission in writing shall be exempt from the above. In regional district parks where a public road allowance forms part of the trail system vehicle use is permitted by those with an access permit from the Ministry of Transportation and Infrastructure."

- b) Adding the following parks and greenways to schedule "A" (Comox Valley Regional District Parks):
  - Electoral Area 'C' – Eagles Greenway
  - Electoral Area 'A' - Shingle Spit Boat Launch
- c) Deleting schedule "E" and replacing it with Schedule 'A' attached to and forming part of this bylaw.
- d) Adding to schedule "F" the park maps for the following parks and greenways:
  - Electoral Area 'C' – Eagles Greenway
  - Electoral Area 'A' – Shingle Spit Boat Launchas attached to this bylaw as schedule 'B'.

**Citation**

This Bylaw No. 610 may be cited as “Electoral Areas Parks Regulations Bylaw No. 103, 2010, Amendment No. 7”.

**Read a first and second time this**    **day of**    **2020.**

**Read a third time this**    **day of**    **2020.**

**Adopted this**    **day of**    **2020.**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 610 being “Electoral Areas Parks Regulations Bylaw No. 103, 2010, Amendment No. 7” as adopted by the board of the Comox Valley Regional District on the    day of    , 2020.

\_\_\_\_\_  
Corporate Legislative Officer

**Schedule 'A'**

***Research Permit Application Form***

Application must be received fourteen days prior to the date the research will begin. Applicants must be 19 years of age or older. The applicant must agree to conditions specified in the research permit and sign a waiver of liability.

**PART I:** *(to be completed by the applicant)*

**Date:** \_\_\_\_\_

**Applicant(s):** \_\_\_\_\_

**Company/Organization Name:** *(if applicable)* \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Time Period of Permit** *(day/month/year):* \_\_\_\_\_

**Approximate Date(s) of Visit:** \_\_\_\_\_

**Park:** \_\_\_\_\_ **Specific Location:** \_\_\_\_\_

**Park:** \_\_\_\_\_ **Specific Location:** \_\_\_\_\_

**Park:** \_\_\_\_\_ **Specific Location:** \_\_\_\_\_

**Number of Researchers Involved:** \_\_\_\_\_

**Research Project Title:** \_\_\_\_\_

**Purpose of Research Project:** \_\_\_\_\_

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**Research Project Description:** \_\_\_\_\_

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**Research Methodology:** \_\_\_\_\_

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- After hours access required?
- Does research involve species at risk?
- Does the research involve in-stream work?
- Provincial and/or Federal Permit Required? *(please attach copy)*

**Potential impact on park vegetation and/or wildlife (describe):** \_\_\_\_\_

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Date Received:		Received by:		File No.:	
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### **Research Permit Conditions**

1. A report summarizing the research and its findings will be submitted to CVRD Community Services.
2. Researchers must comply with all CVRD park rules and bylaws as well as provincial and federal acts and regulations.
3. No vegetation or wildlife will be removed from the park, unless specified under special conditions.
4. Trapping is not permitted, unless specified under special conditions.
5. Research must be conducted during park hours, unless specified under special conditions.
6. All flagging tape or markings must be inconspicuous, kept to a minimum and removed when the research is complete.
7. Researchers should wear a high-visibility vest while conducting research in the park
8. Researchers will carry a signed copy of the research permit which may be inspected by CVRD staff and the public at any time.
9. Researchers will respond to inquiries from park visitors in a friendly and courteous manner.
10. If required, researchers will post a sign when in the park with the title of the research project and contact information.

Special Conditions: (To be completed by CVRD community services staff)

1. WorkSafe BC coverage and/or general liability insurance.



**PART III: WAIVER OF LIABILITY**

In consideration of being permitted to use certain lands and premises owned or under the control of the Comox Valley Regional District (CVRD) known as \_\_\_\_\_

Park(s) (the Premises) and other good and valuable consideration the undersigned agrees:

To indemnify and save harmless the CVRD, its officers, agents and employees from and against all claims, demands, losses, costs, damages, actions, suits or proceedings by whomever made, brought of prosecuted and in any manner based upon, arising out, related to, occasioned by or attributable in any way to the activities and use of the Premises by the undersigned, its servants, agents, employees or contractors, excepting always liability arising solely out of the negligent act or omission of the CVRD.

I, \_\_\_\_\_, being the duly designated representative, hereby indicate that I have read and understand the terms of this Research Permit and the Waiver of Liability as it appears above.

I agree to the above terms and conditions described above and will provide CVRD with a written report summarizing the findings of this research project on or before: \_\_\_\_\_.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**PART IV – CVRD APPROVAL**

Approved by \_\_\_\_\_ (name)

\_\_\_\_\_ (position)

Permit issued on \_\_\_\_\_ (date)

Permit Expires on \_\_\_\_\_ (date)

Signed \_\_\_\_\_

CVRD Community Services  
770 Harmston Avenue, Courtenay, B.C. V9N 0G8  
Telephone: 250-334-6000 Fax: 250-334-4358

Schedule 'B' – new maps in Bylaw No. 103, Schedule 'F'



