



DISTRICT OF HIGHLANDS BYLAW NO 470

A BYLAW FOR THE MANAGEMENT, CONTROL AND USE OF PARKS, BEACHES AND PUBLIC OPEN SPACES WITHIN THE DISTRICT OF HIGHLANDS

The Council of the District of Highlands, in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited as “Parks Management Bylaw No. 470, 2025”.

2. DEFINITIONS

“*animal*” means any domestic mammal, reptile, amphibian, or bird.

“*Authorized personnel*” includes the *Chief Administrative Officer*, Conservation Officers, Bylaw Enforcement Officer, Animal Control Officers, Fire Chief, Assistant Fire Chief, Corporate Officer, Royal Canadian Mounted Police, and any employee designated as such by the District of Highlands.

“*business day*” means every day other than Saturday, Sunday, or a Statutory holiday

“*chattel*” means any item of moveable personal property, but does not include a motor *vehicle*;

“*Chief Administrative Officer*” means an employee of the District of Highlands or their designate;

“*commercial operator*” means an individual or entity engaged in filming or drone activity for business, media production, promotional, or other revenue generating purposes.

“*District*” means the District of Highlands;

“*environmentally sensitive area*” means any part of a *park* that has any of the following characteristics:

- areas or landscape features identified in the Sensitive Ecosystems Inventory for Eastern Vancouver Island and the Gulf Islands, published by the British Columbia Ministry of Environment and Parks;
- areas or landscape features identified in a plan, map or bylaw of the *District* as environmentally significant, an environmental protection area, or a development permit area for protection of the environment; or
- areas or landscape features designated in a plan, map or bylaw of the *District* for another similar purpose that is consistent with the conservation of ecological values.

“*geocache*” means a small waterproof container containing writing materials, used by the public for recreational hiding and seeking using mobile devices;

“*natural park feature*” means any tree, shrub, herb, flower, wildflower, grass, turf or plant of any kind; soil, silt, gravel, rock, mineral, wood, fallen timber or other park material;

“*park*” means any open space, beach, lake or watercourse, vacant lot, or other outdoor public space owned, controlled, or operated by the *District*, including without limitation all lands reserved or dedicated as *park* by bylaw, or dedicated as *park* by the deposit of a subdivision or reference plan, or conveyed in trust to the District of Highlands for *park* purposes;

“*roadway*” means any portion of a *park* constructed for use by vehicular traffic or in regular use by vehicular traffic;

“*vehicle*” means any device used to transport or draw a person or object. This includes, but is not limited to:

- animals;
- motorized vehicles such as motorcycles, all-terrain vehicles, and electric bicycles; and
- devices powered by human effort, including bicycles, skateboards, or any other human-powered conveyance.

“*wildlife*” means any native or non-native mammal, bird, insect, reptile, fish or other indigenous creature.

3. COMPLIANCE WITH OTHER BYLAWS

This Bylaw shall be interpreted and applied in conjunction with all other bylaws of the *District*. Nothing in this Bylaw shall be construed to exempt any person from compliance with any other applicable municipal bylaws, regulations, or policies, as may be amended or replaced from time to time.

4. REGULATIONS

1) Park Hours

No person shall access a *park* between 10:00 p.m. and 7:00 a.m., without written permission from the *Chief Administrative Officer*.

2) Public Conduct

a. No person shall:

- i. obstruct or interfere with anyone lawfully using the *park*
- ii. behave in a disorderly, dangerous, or offensive manner in the *park*
- iii. climb, walk, or sit on structures not intended for that use, nor deface, remove, or destroy any *natural park feature* or other structure in the *park*
- iv. injure, deface, or destroy any sign or notice lawfully posted in the *park*

b. Everyone must comply with all prohibitions and restrictions displayed by signs in the *park*.

3) Noise

Amplification devices, broadcasts, or any disruptive noise in the *park* are prohibited without written permission from the *Chief Administrative Officer*.

4) Liquor

No person shall possess, distribute, sell, or consume liquor as defined in the *Liquor Control and Licensing Act*, without written permission from the *Chief Administrative Officer* and a Special Event Permit from the Province, and then only in accordance with the permission and the Special Event Permit.

5) Animals and Wildlife

- a. No person shall molest, disturb, frighten, injure, kill, catch, trap or snare any *wildlife* in the *park* except as permitted by provincial or federal authorities, or the *Chief Administrative Officer*.
- b. No person shall permit or cause a horse to enter or remain in any *park*, except in areas expressly designated by the *District* for equestrian use.
- c. No person shall allow an animal to run at large and must ensure the animal is under control at all times to prevent annoyance, injury, or damage to property.
- d. Any person bringing a dog or other animal into a *park* must:
 - i. clean up and dispose of any excrement in designated waste containers
 - ii. if no container is available, remove the excrement from the *park*
- e. *Authorized personnel* may require any person to restrain or remove a dog or other animal from the *park* if deemed necessary.
- f. Notwithstanding any provision of this Bylaw, nothing shall interfere with the rights of any person using a certified guide dog or service dog.

6) Damage

- a. No person shall remove, destroy or damage any *natural park feature*, either organic or inorganic, or other *park* property of any kind in the *park* except with the written permission from the *Chief Administrative Officer*.
- b. No person shall in any way foul or pollute any lake, stream, pond, watercourse within any *park* property.

7) Trees and Other Natural Park Features

- a. No person, other than *authorized personnel* acting in the course of their duties, shall remove any *natural park feature* or engage in excavation, digging, cutting, or any other disturbance of the natural terrain within the *park* without written permission from the *Chief Administrative Officer*.
- b. No person shall operate a power saw within the *park*, except for *authorized personnel*.

8) Dumping and Littering

- a. No person shall deposit or dispose of garbage, offensive materials, or any other substances in the *park*, except in designated receptacles provided for that purpose.
- b. No person shall deposit garbage that is generated outside the *park* in a park garbage receptacle.

9) Fire, Fireworks, and Smoking

- a. No person shall ignite or maintain any fire within the *park*, except where authorized by the *District Fire Chief*.
- b. No person shall use a barbecue or camp stove for the preparation of food or drink in a *park*.
- c. No person shall use or explode any fireworks, or fire or explode any combustible or explosive material except where authorized by the *District Fire Chief*.
- d. No person shall throw or place any lighted match, cigar, cigarette, or other burning substance within the *park*.

10) Firearms and Hunting

No person, other than *authorized personnel* or a member of the Armed Forces of Canada acting in a lawful capacity, without written permission from the *Chief Administrative Officer*, carry or discharge any firearm, bow or crossbow, or as permitted by *District* bylaws.

11) Camping

No person shall:

- a. camp overnight in or on any portion of any *park*;
- b. construct or place in or on any portion of any *park* or beach a tent or temporary building or structure without obtaining written permission from the *Chief Administrative Officer*.

12) Watercraft

All motorized watercraft including boats or other vessels are not permitted within a *park*.

13) Vehicles and Parking

- a. No person shall ride, operate, or park a *vehicle*, trailer or boat except in designated *parking* areas.
- b. No person shall *park* a *vehicle*, trailer, or boat in the *park* if it displays signage or other advertising offering it for sale, lease, or rent.
- c. Any *vehicle* left unattended for more than 24 hours in a designated *parking* area, as indicated by appropriate signage, may be towed at the owner's expense upon the direction of *authorized personnel*.
- d. *Authorized personnel* may remove, or cause to be removed, any *vehicle* found parked in violation of this Bylaw. Such *vehicles* may be detained, impounded, or otherwise dealt with.
- e. No person shall clean, service, or repair any *vehicle*, trailer, or boat within the *park*.

14) Business Activities

- a. No person shall sell, offer for sale, or display any goods, materials, or refreshments, nor conduct any business activities within the *park* without written permission from the *Chief Administrative Officer*.
- b. No person shall post, paint, distribute, or otherwise display any advertisement, banner, sign, placard, or handbill of any kind in the *park* without obtaining written permission from the *Chief Administrative Officer*.

15) Filming

- a. Filming or operation of drones in any *park* is prohibited without obtaining written permission from the *Chief Administrative Officer*.
- b. Permission will only be issued to *commercial operators*. Recreational drone use is not permitted within *park* boundaries.

16) Geo Caching

- a. *Geocaches* may be placed in a *park* with written permission from the *Chief Administrative Officer*.
- b. Approval will only be granted if:
 - i. the container is clearly marked “*Geocache*” on the outside of the container and includes the owner’s contact information inside;
 - ii. does not contain any food items or other materials that may attract wildlife;
 - iii. *geocaches* are placed:
 - at least 500 metres apart;
 - in locations that do not pose an increased risk of injury to participants;
 - in a manner that minimizes disruption to *natural park features*; and
 - without disturbing soil, vegetation, wildlife, or *environmentally sensitive areas*.
- c. The *Chief Administrative Officer* may remove or direct the removal of any *Geocache* that:
 - does not have proper identification or owner information;
 - is situated in an unsuitable location; or
 - causes unintended and unacceptable damage to *parks* due to concentrated use.
- d. *Geocache* owners are responsible for inspecting their *Geocache* at least once per year to ensure ongoing compliance with this Bylaw.
- e. If the *Geocache* has not been used by another geocaching participant for a period of one (1) year, the owner must remove it immediately.

17) Advertising and Signage

- a. No person shall operate or station any *vehicle* within the *park* that displays advertising or is equipped with a public address system intended for advertising, demonstrations, or attracting attention.
- b. Election signage is prohibited in all *parks*, including on fences, trees, structures, and *vehicles*.

18) Construction

- a. No person shall construct, install, or place any temporary or permanent structures or facilities within the *park* without prior authorization from the *Chief Administrative Officer*.
- b. No person shall load or unload building materials, construction supplies, industrial equipment, or heavy machinery within the *park* boundaries.

5. STORING AND IMPOUNDING PROPERTY

- 1) *Authorized personnel* may remove, seize and impound or cause the removal, seizure or impoundment of any *chattel* abandoned or apparently abandoned, deposited, disposed of, stored or left unattended in or on any *park* contrary to this Bylaw.
- 2) After the removal, seizure or impoundment of a *chattel*, the *chattel* shall, by no later than 2:00 p.m. on the next business day following the date of its removal, seizure or impoundment, be made available to be claimed.
- 3) A person entitled to possession of a *chattel* removed, seized or impounded under this Bylaw may arrange to claim it by contacting the *District* office during regular business hours.
- 4) The *Chief Administrative Officer* may cause a *chattel* removed, seized or impounded under this Bylaw to be sold, by public auction, to the highest bidder if:
 - a) the person entitled to possession of the *chattel* has not claimed it within 30 days following its removal, seizure or impoundment; and
 - b) it appears to the *Chief Administrative Officer* that the *chattel* has market value.
- 5) The *Chief Administrative Officer* shall cause a *chattel* removed, seized or impounded under this Bylaw to be disposed of as garbage if:
 - a) the person entitled to possession of the *chattel* has not claimed it within 30 days following its removal, seizure or impoundment; and
 - b) it has been determined by the *Chief Administrative Officer* that the *chattel* has no market value.
- 6) Where a *chattel* is sold at public auction, the proceeds of such sale shall be applied by the *District* as follows:
 - a) firstly, to pay the costs of the auction;
 - b) secondly, to pay all removal and storage costs incurred by the *District* in relation to the *chattel*; and
 - c) thirdly, where any surplus remains, to pay such surplus to the person entitled if that person's identity and location are known.
- 7) Where a surplus remains and the identity or location of the person entitled to it is unknown, the surplus shall be applied by the *District* as follows:
 - a) the surplus shall be held for one (1) year following the date of the auction; and
 - b) if the surplus has not been claimed by the person entitled within one (1) year of the date of the auction, the surplus shall be paid into the general revenue of the *District* and shall be absolutely forfeited to the *District*.
- 8) For certainty, nothing in this section limits or prohibits the immediate removal and disposal of garbage or offensive matter or substances from a *park* by the *District*, its employees or agents.

6. TEMPORARY CLOSURES

- 1) The *Chief Administrative Officer* may order any *park*, or part of a *park*, to be closed to the public, and may cause notices to be posted at the entrances to the *park*, or part of the *park*, indicating that it is closed to the public if the closure is necessary for:
 - a) maintenance, renovation, or other work;
 - b) the safety of the users or staff due to construction activity or existence of hazardous conditions.
- 2) Except for an employee of the *District* in the performance of their duties, or any person authorized by the *District*, no person shall enter or remain in any *park* or part of a *park* that has been temporarily closed.

7. EXEMPTIONS

Authorized personnel and agents of the *District* are exempt from the provisions of this Bylaw to the extent required to carry out their power or duties.

8. PERMITS

Every person who requires written permission from the *Chief Administrative Officer* to undertake an activity must do so by way of a permit and pay the applicable fee set out in the *District's Fees and Charges Bylaw*. This requirement does not apply to parks managed by external parties under a formal agreement.

9. ENFORCEMENT POWERS

All *authorized personnel* may enforce this Bylaw in the course of their duties and may require anyone violating this Bylaw to leave the *park* immediately or within a specified time, and that person must comply.

10. OFFENCES AND PENALTIES

- 1) Every person who violates any provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Fifty Thousand Dollars (\$50,000.00) plus the costs of prosecution, and six months imprisonment.
- 2) Each day during which a violation, contravention or breach of this Bylaw continues is deemed to be a separate offence.

11. SEVERABILITY

If a section, subsection, paragraph, subparagraph, or phrase of this Bylaw is for any reason declared invalid by a competent jurisdiction, the decision will not affect the validity of the remaining portions of this Bylaw.

12. REPEAL

"District of Highlands Eagles Lake Park Management, Control and Use Bylaw No. 337, 2012" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the 3rd day of November, 2025

READ A SECOND TIME on the 3rd day of November, 2025

READ A THIRD TIME on the 3rd day of November, 2025

ADOPTED on the 17th day of November, 2025



MAYOR



CORPORATE OFFICER

