

# ***THE CITY OF VAUGHAN***

## ***BY-LAW***

### **BY-LAW NUMBER 116-2009**

**A By-law to further amend By-law 134-95, as amended, being a By-law for the Use, Regulation, Protection and Government of Parks in the City of Vaughan**

**WHEREAS** section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the *Municipal Act, 2001*), provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate, and to enhance its ability to respond to municipal issues

**AND WHEREAS** paragraph 4 of section 11(3) of the *Municipal Act, 2001* provides that a lower-tier municipality may pass by-laws respecting culture, parks, and heritage

**AND WHEREAS** the Council of The Corporation of the City of Vaughan passed the Parks By-law on May 8, 1995, being By-law 134-95, as amended by By-law 196-2000, which provided for the Use, Regulation, Protection and Government of Parks in the City of Vaughan

**AND WHEREAS** the Council of The Corporation of the City of Vaughan has determined that it is desirable to make amendments to the Parks By-law 134-95, as amended

**NOW THEREFORE**, the Council for The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. The definition of "motorized recreational vehicle" is deleted and the following substituted therefor:  
"motorized recreational vehicle" means a vehicle propelled by an internal combustion engine, electric motor, pneumatic motor, hydraulic motor, or any combination thereof, including but not limited to a snowmobile, go-cart, trail bike, mini bike, all-terrain vehicle, scooter, or motorized skateboard.
2. The definition section is hereby amended by adding the following definition in alphabetical sequence:  
"alcoholic beverage" means spirits, wine, beer, or any combination thereof, and includes any alcohol in a form appropriate for human consumption as a beverage, alone or in combination with any other matter.
3. The following section is hereby added:  
2(b) No person shall enter into or remain in any park between the hours of 11:00 p.m. and 5:59 a.m.
4. The following sections are hereby added:  
3(e) move or use any structure, facility or equipment, other than for its intended use.  
3(f) carry or possess any glass container or other breakable container while in playground areas.

5. Section 6(c) is hereby amended by replacing the terms "sand or wood" with the terms "sand, wood, or mulch;"

6. Section 7(d) is hereby deleted and the following substituted therefor:

- (d) dump or drain any other material or liquid onto any soils or into the waters of any pool, pond, lake, stream, fountain, or watercourse of any kind, including but not limited to the backflushing of pools or hot tubs, or the redirecting of downspouts.

7. Section 9 is hereby deleted and the following substituted therefor:

**9. Encroachment**

No person shall:

- (a) encroach upon or take possession of any park by any means whatsoever, including but not limited to the construction, installation or maintenance of any fence or structure, the dumping or storage of any materials or plantings, and any planting, cultivating, grooming or landscaping, unless in accordance with municipality encroachment by-law and policy; or
- (b) alter any park fence, including the addition of gates, or otherwise creating access points to a park through a fence.

8. Section 10 is hereby deleted and the following substituted therefor:

**10. Alcoholic Beverages**

While in any park, no person shall possess, consume, sell, or:

- (a) possess an unsealed container of an alcoholic beverage;
- (b) consume an alcoholic beverage; or
- (c) serve and sell an alcoholic beverage

unless in accordance with the *Liquor License Act*, R.S.O. 1990, c. L.19, as amended, and the City of Vaughan Municipal Alcohol Policy.

9. Section 11(b) is hereby amended by replacing the phrase "charcoal or solid fuelled portable" with the word "any".

10. Section 11(c) is hereby deleted.

11. Section 12(a) is hereby amended by inserting the phrase "which must be produced for examination forthwith upon demand," in between the terms "permit," and "hold".

12. The following sections are hereby added:

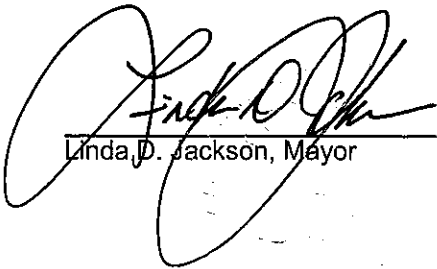
35(2)(b) pick up and remove forthwith excrement left by the dog and dispose of it in a sanitary manner in a receptacle for litter or some other suitable container.

35(3) Subsection 35(1)(a) shall not apply to animals within a designated leash free area.

13. The section is hereby added:

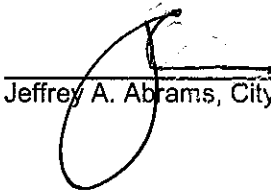
45(5) Any police officer or municipal law enforcement officer who on reasonable grounds believes that an individual is contravening, or has contravened any provision of this by-law, may direct such individual to immediately identify themselves and produce suitable documentation to verify their identity.

READ a FIRST, SECOND and THIRD time and finally passed this 26<sup>th</sup> day of May, 2009.



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Linda D. Jackson, Mayor



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Jeffrey A. Abrams, City Clerk