

BY-LAW NO. 162-10

OF THE

CORPORATION OF THE CITY OF CAMBRIDGE

Being a by-law of the Corporation of the City of Cambridge to provide for the use, regulation, protection and government of the parks of the City of Cambridge and to repeal by-law 102-10.

WHEREAS the *Municipal Act*, 2001, as amended, provides that the council of a local municipality may pass by-laws respecting matters within the sphere of jurisdiction of culture, parks, recreation and heritage.

NOW THEREFORE the Corporation of the City of Cambridge enacts as follows:

DEFINITIONS:

1. In this by-law:

- (a) "City" means the geographical boundaries of the Corporation of the City of Cambridge;
- (b) "Corridor" means the width of a water feature from top of bank to top of bank including any enclosed area in which the water feature is located or, where there is no enclosure, the riparian buffer;
- (c) "Commissioner" shall mean the Commissioner of the Community Services Department or designate;
- (d) "Municipality" means the Corporation of the City of Cambridge;
- (e) "Park" includes any land or premises within the City used for park or recreational purposes including but not limited to green spaces, trails, water features, riparian buffers, wooded areas and land covered by water and all portions thereof owned by or made available by lease, agreement, or otherwise to the municipality, that is or hereafter may be established, dedicated, set apart or made available for use as a public open space or golf course, including any buildings, structures, facilities, erections and improvements located in or on such lands;
- (f) "Park" or "Parked," when referring to a motor vehicle, vehicle, motorized snow vehicle, motorized recreational vehicle, all terrain vehicle, self-propelled implement of husbandry or any other vehicle or conveyance of any description, has the same meaning as in the *Highway Traffic Act*;
- (g) "Park facility" includes any and all buildings, structures, facilities, erections and improvements located on park lands;
- (h) "Person" includes a corporation, partnership, sole proprietorship, and municipality;
- (i) "Riparian buffer" means a minimum 30 meter strip of land maintained on each side of a water feature measured from the top of each bank in a direction that is opposite to the location of the water feature;

- (j) For the purpose of this by-law, an animal shall be deemed to be "running at large":
 - (i) when found in any place other than the premises of the owner of the animal and not under the control of any person or not under leash, and no leash
 - (ii) when on the premises of the owner of the animal and not tied up or in a properly enclosed area.
- (k) "Service animal" includes a guide dog and other trained service animal identifiable as such and used principally to assist persons with a visual, hearing or other impediment;
- (l) "Motor Vehicle" means a motor vehicle within the meaning of the *Highway Act*, and includes a self-propelled implement of husbandry;
- (m) "Motorized Snow Vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicle Act*;
- (n) "Motorized Recreational Vehicle" means a go-cart, trail bike, mini bike, all terrain vehicle, or similar vehicle powered by an engine or other mechanical or electrical device and includes a self-propelled implement of husbandry;
- (o) "Vehicle" has the same meaning as in the *Highway Traffic Act*;
- (p) "Waste" includes garbage, refuse, debris, litter, grass clippings, tree and garden cuttings, brush and leaves, containers, crockery, dishes, glassware, bottles, plastic containers, cans, paper, cardboard, clothing, any vegetative or animal matter or excretion, broken concrete, asphalt pavement, industrial or chemical lubricants, hydrocarbons, patio slabs, sidewalk slabs and building materials;
- (q) "Water feature" includes rivers, lakes, streams, creeks, storm water management ponds, locks, reservoirs, estuaries, swales, man made or natural streams, man made ditches, and other geographical features containing water at some time during the year but does not include private or municipal swimming pools or decorative man-made, self-contained garden ponds on private residential property.

SCOPE:

- 2. This by-law applies to any lands or premises within the City used for park purposes, and open space together with the avenues, streets, boulevards, drives and approaches leading directly into or within 30 metres of a park boundary.

CONDUCT:

- 3. No person shall in any park:
 - (a) Enter into an area in a park where it is signed to prohibit or restrict admission to the public, except in accordance with the sign;
 - (b) Create a nuisance or any way interfere with the use and enjoyment of the park by other persons;
 - (c) Consume, serve or sell alcohol beverages unless authorized by a permit issued by the municipality and after having complied with all of the requirements of the Liquor License Board of Ontario;
 - (d) Leave or deposit any waste of any kind whatsoever except in the receptacles provided by the municipality for such purposes;

- (e) Cause injury to any person or damage to any property;
- (f) Kill, injure, hunt, trap, destroy, damage or disturb any animal or bird;
- (g) Destroy, damage or disturb the nest or den or egg of any fish, bird or animal;
- (h) Cut, destroy, remove, damage, deposit or plant any tree, flower, plant, plant material, shrub or flowerbed without written permission from the municipality;
- (i) Use any park facility without having paid the required fees, if any;
- (j) Light or build a fire except in fireplaces or fire pits provided for in designated areas after having first obtained a permit from the municipality to do so;
- (k) Operate any amplifying system or loudspeaker without the written consent of the municipality;
- (l) Use any radio, tape player, compact disc player, car radio, or any other sound reproducing system in a manner which disturbs or interferes with other persons in or near the park;
- (m) Dwell, camp or reside in a park, unless authorized by permit from the municipality or the consent in writing of the Director;
- (n) Place, install or erect any temporary or permanent structure;
- (o) Build, repair, paint or store any motor vehicle, motorized snow vehicle or motorized recreational vehicle or any trailer, structure, fence or playground equipment unless employed by the municipality for that purpose.

ANIMALS:

4. While in a park, no person responsible for any animal shall:
- (a) Permit any animal to run at large, except within an area designated as a leash-free area by by-law 92-04;
 - (b) Permit any animal to disturb wildlife or damage any park facility, property or plant material;
 - (c) Fail to pick up and remove forthwith excrement left by an animal and dispose of it in a sanitary manner in a receptacle for litter or in some other suitable container, excluding persons reliant upon a service animal where it is being used to aid a person with a visual, hearing or other disability;
 - (d) Permit any animal to enter into an area in a park where it is signed to prohibit or restrict admission to the animal except in accordance with the sign;
 - (e) As owner or person having control of any animal, permit such animal to run unleashed or permit such animal to swim in any water in or adjoining any park, bathing beach or swimming pool, with the exception of fenced leash free zones as designated by the City;
 - (f) Fail to immediately control or remove an animal that shows aggressiveness toward people or other animals or at the direction of a police officer, municipal law enforcement officer or municipal employee;
 - (g) Permit an animal to leave a designated area unless under the control of a person.

ENCROACHMENT:

5. Without written consent from the municipality, no person shall encroach upon or take possession of any park or part thereof by any means whatsoever, including but not limited to:
 - (a) The construction, installation or maintenance of any fence or structure;
 - (b) The planting, installation or maintenance of any plant, plant material, shrub, tree or garden;
 - (c) Leave, deposit, store or dump any waste or plant materials of any kind what so ever;
 - (d) Store, maintain, repair or construct a vehicle of any description, trailer, building, structure, fence or playground equipment in any park;
 - (e) Remove, destroy or construct any new pavement, sidewalk, crosswalk, trail, grass plot or roadway or any part thereof without written consent from the municipality.

GAMES, SPORTS AND ORGANIZED ACTIVITIES:

6. While in a park no person shall:
 - (a) Hold a picnic, organized gathering or event for more than forty (40) persons, without first obtaining a reserved use permit, from the municipality;
 - (b) Interfere with a picnic, organized gathering or event authorized by permit;
 - (c) Arrange or engage in any organized sport or activity, except in areas set aside and signed for such purposes and in accordance with the sign;
 - (d) Interfere with an organized sport or other recreational activity occurring within a designated area;
 - (e) Use a designated area where same is signed to prohibit or restrict such use except in accordance with the sign;
 - (f) Use a sports area that has been temporarily or permanently closed;
 - (g) Ski, toboggan, snowboard, skibob, or sled in any area signed to restrict same except in accordance with the sign;
 - (h) Play tennis except in areas set aside and signed for such purposes and in accordance with the sign;
 - (i) Practice archery or operate power model aircraft except in areas set aside and signed for such purposes and in accordance with the sign;
 - (j) Skateboard in a park in areas where prohibited;
 - (k) Play or practice golf or strike a golf ball except in those areas set aside and signed for such purposes and in accordance with the sign;
 - (l) Unless authorized by permit from the municipality, engage in wedding photography at Mill Race Park, each day between the hours of 10:30 am and 8:00 pm, from April 1st to November 15th.
 - (m) Participate in angling (fishing) where signs are posted prohibiting such activity.

VEHICLES & TRANSPORTATION:

7. (1). No person shall in any park ride, park or drive any horse, motor vehicle, motorized snow vehicle, motorized recreational vehicle, all terrain vehicle, golf cart, trailer, carriage, wagon, sleigh, self-propelled implement of husbandry or any other vehicle:

- (a) Except upon the roadways and parking lots which have been signed as areas designated for such use and only in accordance with the sign;
- (b) In excess of posted speed limits;
- (c) Except were signed as an area designated for such use without written consent from the municipality;
- (d) Upon a roadway or trail which has been signed as a bicycle or hiking trail.

(2) This section does not apply to vehicles owned by the municipality, motor vehicles, motorized snow vehicles or motorized recreational vehicles or any other conveyance operated by municipal employees or operators of ambulance, police or fire department vehicles, horses, or any other conveyances, while engaged in the duties of their employment.

PARKING:

8. No person shall in any park:

- (a) Park or leave unattended any vehicle, motor vehicle, motorized snow vehicle or motorized recreational vehicle, self-propelled implement of husbandry or any other conveyance except in a designated parking area;
- (b) Park or leave a vehicle between the hours of 11:00 pm and 7:00 am except in a designated area allowing for such overnight parking;
- (c) Stop or park a vehicle in a designated area for parking, except in a parking space and in accordance with posted conditions;
- (d) Park a vehicle, motor vehicle, motorized snow vehicle, motorized recreational vehicle, self-propelled implement of husbandry or any other conveyance in a designated fire route or in such a manner as to obstruct a fire hydrant.

COMMERCIAL ENTERPRISES:

9. No person shall in any park:

- (a) Distribute or display any pamphlet, notice, bill or advertisement or post, stencil or otherwise affix any such document or other paper to any tree, bush, shrub, fence, post, building or structure except in designated areas after having first obtained a permit from the municipality to do so;
- (b) Unless authorized in writing by the Commissioner or designate and after having obtained all necessary licenses, sell or keep for sale any goods, wares, merchandise, confectionery, tobacco or refreshments of any kind; or
- (c) Place, maintain or allow to remain therein any coin-operated machine or game of any nature or kind.

HOURS OF OPERATION:

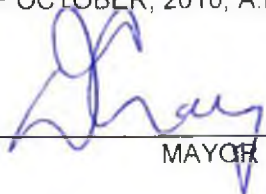
10. Subject to written authorization from the Commissioner or designate to the contrary, all parks shall be closed each day from 11:00 pm to 7:00 am and no person except a member of the Waterloo Regional Police Force or a municipal employee while on duty shall enter any of the said parks or remain there while the park is closed.

REGULATION AND ENFORCEMENT:

11. The City may cause signs to be erected describing any of the provisions of this by-law.
12. Any person who contravenes any provision of this by-law is upon conviction guilty of an offence and is liable to any penalty as provided for by the Provincial Offences Act, R.S.O., 1990, c. P.33, as amended, of any successor legislation .
13. Where any act or thing required to be done in accordance with this by-law is not done, the City may cause the matter or thing to be done and recover the costs of so doing by adding the costs to the tax roll of the property and collecting them in the same manner and with the same priority as municipal taxes.
14. This by-law shall come into effect on the date of the final passing thereof.
15. By-law #102-10 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME

ENACTED AND PASSED THIS 12TH DAY OF OCTOBER, 2010, A.D.


MAYOR


CLERK

SCHEDULE 'A'
TO BY-LAW NO. 162-10
OF THE
CORPORATION OF THE CITY OF CAMBRIDGE

City of Cambridge Parks

NORTH AREA

Hespeler Community	Address	Closest Major Street/Road
Bechtel Park	Franklin Blvd.	Winston Boulevard
Crescent Park	Ramsey Avenue	David Street
Ellacott Landing	Queen Street	Renwick Avenue
Forbes Park	Forbes Street	Kribs Street
Forbes Park Extension	Rife Avenue	Kribs St.
Hespeler Library	Tannery Street	Adam Street
Hespeler Mill Pond	Queen Street	Guelph Avenue
Hespeler Optimist Park	Ellis Road/Hespeler Arena	Cooper Street
Hespelerview Parkette	Poplar Avenue	Sacha Road
Hillcrest Park	Elizabeth Street	Gerrard Avenue
Jacob's Landing	Guelph Avenue	Milling Road
"Red" Wildfong Parkette	Melran Drive	McMeeken Drive
Riverside Park (H)	Queen Street	Spring Street
Rotary Club of Cambridge Preston Hespeler Park	Hammett Street	Redwood Avenue
Sault Park	McMeeken Drive	Melran Drive/Pratt Place
Scheidel Woodlot	Edward Street	Winston Blvd
Silverheights Park	Nicholas Crescent	Sacha Road
Victoria Park (H)	Fisher Mills Road	Guelph Avenue
Weaver Park	Weaver Street	Heather Avenue
W.S. McVittie Park	Johnston Avenue	Shamrock Street
Wilford Parkette	Winston Blvd	Karl Court
Woodland Park	Kribs Street	Strathcona Street

City of Cambridge Parks

CENTRAL AREA

Preston Community	Address	Closest Major Street/Road
Arlington Park	Arlington Street	Whitley Street
Brent Park	Michael Crescent	Valentine Drive
Central Park	King Street	Argyle Street
Civic Park (owned by Legion, maintained by City)	Westminster Drive	Margaret Street
Coronation Blvd. (Median)	Coronation Blvd.	Hespeler Road
Cyrus Street Park	Cyrus Street	Hillcrest Road
Dyck Park	Hopewell Road	Severn Avenue
Gore Park	<i>King Street</i>	Concession Road
Grand Valley Drive (Median)	Grand Valley Drive	Concession Road
John Erb Park	Preston Parkway	Hillview Road
Lawrence Street Park	Lawrence Street	Garden Street
Linear Park	Riverside Drive	Westminster Drive
Moyer's Blair Landing	Fountain Street S.	Old Mill Road
Otto Klotz Park	Garden Street	Dolph Street
Philip Crescent Parkland	Philip Crescent	Fairview Road
Preston Heights Woodlot	Preston Parkway	Fountain Street
Ravine Park	Preston Parkway	Linden Drive
Riverside Park (P)	King Street	Eagle Street
Russ Street	Area at end of Russ Street	Eagle Street
Settlers Fork	adjacent to Linear Park Riverside Drive	Westminster Drive
Studiman Park	Trico Drive	Concession Road
Sturdy Park	Lowther Street S.	Rose Street
Witmer Park	Arthur Fach Drive	

Galt Community	Address	Closest Major Street/Road
A. Wayne Taylor Park	Glenvalley Drive	Saginaw Parkway
Deercrest Park I	Saginaw Parkway	Burnett Blvd.
Deercrest Park II	Saginaw Parkway	Townline Road
Ferguson Homestead Park	Cowan Blvd.	Burnett Avenue
Clochmhor Park	Elgin Street North	Franklin Boulevard
Gail Street Park	Gail Street	Crystal Court
Grills Parks	Sekura Crescent	Munch Avenue
Gordon Chaplin Park	Elmwood Avenue	Jarvis Street
Greenway Park	Glamis Road	The Greenway
Lions Can-Amera Park	Saginaw Parkway	Cowan Blvd.
MacTeith Park	MacTeith Street	Glamis Road
Northview Heights Lookout Park	Carter Crescent	Elgin Street North
Perbeck Parkette	Mill Creek Road	Wendy Court

City of Cambridge Parks

SOUTH AREA

Galt Community	Address	Closest Major Street/Road
Angewood Park	Angela Crescent	Grand Ridge Drive
Byton Lane Park	Byton Lane	Grand Ridge Drive
Cenotaph/Memorial Garden	8 Grand Avenue North	
Centennial Park	Main Street	Shade Street
Churchill Park	Highway 24	Christopher Drive
Dalton Court	Queen's Square	Grand Avenue
Decaro Park	Gatehouse Drive	Myers Road
Dickson Park	Park Hill Road	George Street
Domm Park	Princess Street	Blair Road
Fraser Woodlot	Culham Drive	Grand Ridge Drive
Fairlake Parkette	Fairlake Drive	Stirling MacGregor Drive
Gore Fountain/Queen's Sq.	Queen's Square	Grand Avenue
Hancock Park	First Avenue	Glenmorris Street
Heise Park	Bismark Drive	Dunedin Court
Hill 60 Park	Myers Road	Cheese Factory Road
Lincoln Park	Vimy Street	South Street
Lyn Cross Walkway	George Street	Hobson Street
Mill Race Park	Water Street	Park Hill Road
Moffat Creek Woodlot Park	Elgin Street South	Champlain Blvd.
Moffat Woodlot	Copperfield Drive	Franklin Blvd.
Morva Rouse Parkette	Blair Road	Clearview Drive
Riverbluffs Park	George Street	Hobson Street
Santa Maria Drive	Santa Maria Drive	
Sim Court Park		Sim Court
Soper Park	Dundas Street	Shade Street
Southgate Drive Parkland	Southgate Road	Salisbury Avenue
St. Andrews Park	St. Andrews Street	Lansdowne Road
Stirling MacGregor Park	Grand Ridge Drive	St. Andrews Street (24A)
Thompson Park	Bismark Ave.	Blair Road
Vardon Park	Vardon Avenue	Lauris Avenue
Victoria Park (G)	Wentworth Avenue	Vair Place
Waterworks Park	Middleton Street	First Avenue
Westview Woodlot	Devils Creek Drive	
Willard Park	Beechwood Road	Southwood Drive
Storm Water Management Pond	310 West River Road	
Water Street	Riverbank Properties	

2010/10/12

DATED: OCTOBER 12TH, A.D., 2010

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Being a by-law of the Corporation of the City of Cambridge to provide for the use, regulation, protection and government of the parks of the City of Cambridge and to repeal by-law 102-10.

1ST READING: OCTOBER 12TH, 2010.

2ND READING: OCTOBER 12TH, 2010.

3RD READING: OCTOBER 12TH, 2010.

ALEX MITCHELL
CITY CLERK