



## **BYLAW NO 02-2020 WATERFRONT PARK BYLAW**

OF THE VILLAGE OF WABAMUN IN THE PROVINCE OF ALBERTA

### **A BYLAW OF THE VILLAGE OF WABAMUN GOVERNING THE USE OF THE PARKING AND LAUNCH AREAS AT THE WATERFRONT PARK**

**WHEREAS,** pursuant to the Municipal Government Act, Chapter M-26 R.S.A. 2000, and amendments thereto, the Village of Wabamun Council has the power to pass a Bylaw within the Village

**WHEREAS,** pursuant to the Municipal Government Act, Chapter M-26 R.S.A. 2000, and amendments thereto, a council may pass bylaws for municipal purposes respecting the following matters: the safety, health and welfare of people and the protection of people and property; people, activities and things in, on or near a public place or a place that is open to the public; and the enforcement of bylaws;

**WHEREAS,** pursuant to the Municipal Government Act, Chapter M-26 R.S.A. 2000, and amendments thereto, the Council of the Village of Wabamun deems it advisable and necessary to develop regulations for the use of the parking and launch areas at the Waterfront Park in the Village of Wabamun

**NOW THEREFORE,** the Council of the Village of Wabamun, duly assembled, enacts the following:

1. **BYLAW TITLE:** This Bylaw may be referred to as the Waterfront Park Bylaw.

2. **INTERPRETATIONS:**

For the purpose of this Bylaw:

- a. Day - The period of time between the hours of 05:00 a.m. and 11:00 p.m.
- b. Enforcement Officer – A Bylaw Enforcement Officer or a Community Peace Officer or a Village Employee delegated with the authority to enforce the Bylaws of the Village of Wabamun
- c. Recreational Vehicle or RV - a boat or a vehicle that provides temporary accommodation for recreation or travel purposes and includes, but is not limited to, campers, tent trailers, travel trailers, fifth wheel trailers and motor homes; or as defined in the Traffic Safety Act;
- d. Ticket Machine - A mechanical device designed for the purpose of collecting a fee and issuing a ticket or daily pass

- e. Trailer - A vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport watercraft, property, or persons and includes, but is not limited to, any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily or as defined in the *Traffic Safety Act*,
- f. Vehicle - Any motorized vehicle propelled by any power other than muscular power or as defined in the *Traffic Safety Act*,
- g. Waterfront Park – is identified as Plan 8622234, Lot 1 in the Village of Wabamun and for the purpose of this Bylaw also includes all adjacent parking lots in this area owned by the Village of Wabamun
- h. Waterfront Park Daily Pass - Purchased at the ticket machine and identifies that a fee has been paid and the day that the vehicle will be allowed to lawfully park in the Waterfront Park area
- i. Waterfront Park Permit – The permit issued by the Village of Wabamun for seasonal use of the designated parking area and boat launch at the Waterfront Park

### **3. PARKING AREA REGULATIONS**

- a. A vehicle is considered to be parked when it has come to a full stop and the engine is turned off, whether occupied or not, regardless of the vehicle's location in the Waterfront parking areas with the following EXCEPTIONS:
  - i. When parked temporarily for a limit of five (5) minutes and for the purpose of, and while actually engaged in, loading or unloading passengers, OR
  - ii. When parked temporarily to a limit of fifteen (15) minutes in the staging area to secure the boat, OR
  - iii. When complying with a direction given by an Enforcement Officer or traffic control device
- b. All persons parking their vehicle at the Waterfront Park must comply with the signage posted and park in the appropriate designated areas for their vehicle size and purpose.
  - i. No parking will be allowed in the zone marked for Emergency Use Only.
  - ii. No parking will be allowed in the No Parking Zone
  - iii. No parking will be allowed in the traffic flow or launching area or pedestrian zone at any time.
- c. Vehicles shall be parked in accordance to the lines set out; no parallel parking permitted.
- d. Only small vehicles without an attached trailer will be allowed to park in the East Parking Lot.
- e. The Middle and West Parking Lots are available for large vehicles with or without an attached trailer including RVs.
- f. Overnight parking is not permitted at the Waterfront Park Area.
- g. Overnight mooring to any of the Village docks is not permitted at the Waterfront Park Area.

### **4. WATERFRONT PARK PERMIT AND DAILY PASS**

- a. The Waterfront Park Permit or Daily Pass must be clearly displayed on the front dash or hanging from the rear view mirror of every vehicle using either the parking or launching

areas of the Waterfront Park.

- b. The Property Owner, as written on the land title and/or tax roll, can register for their seasonal Waterfront Park Permit at the Village Office during regular working hours.
- c. A seasonal Waterfront Park Permit may be purchased by all others at the Village Office during regular office hours. The fee charged will be in accordance to the rates set out in Schedule A attached
- d. A Property Owner may choose to distribute their Waterfront Park Permit to a secondary party, for example to a tenant living in the dwelling located at the civic address for which the Waterfront Park Permit was issued to; however, this is at the Property Owner's own risk and any enforcement action taken due to non-compliance of this Bylaw may affect the Property Owner regardless of who is holding their Permit.
- e. A Waterfront Park Permit shall expire on December 31 of the year it was issued.
- f. A Waterfront Park Daily Pass can be purchased from a Ticket Machine located at the Waterfront Park site and is valid only for the day it is issued.

## **5. WATERFRONT PARK FEES**

- a. A limit of one Waterfront Park Permit will be available free of charge for each civic address in the Village of Wabamun regardless of how many Property Owners are registered on the land title and/or tax roll.
- b. The Waterfront Park Daily Pass is required for all patrons utilizing the boat launch and/or the designated Waterfront Park Parking space(s) with the EXCEPTION OF
  - i. Those vehicles displaying a seasonal Waterfront Park Permit
  - ii. Emergency or Enforcement Vehicle(s)
  - iii. Village of Wabamun employee or contractor vehicle(s) carrying out approved Village business
- c. Fees shall be in effect once the Ticket Machine is present and in operation at the Waterfront Park; regularly scheduled for the months of May through October, weather and conditions permitting.

## **6. REFUNDS**

- a. No monies will be refunded or credit provided if the Waterfront Park Permit or Daily Pass is returned, lost, destroyed, confiscated or otherwise.
- b. The Waterfront Park Permit provided free of charge to each civic address has no cash value and is not eligible for a refund or credit of any kind.
- c. A new or substitute Waterfront Park Permit or Daily Pass shall not be provided under any circumstance; the purchase of a new Permit or Pass is required to utilize the Waterfront Park areas.

## **7. ENFORCEMENT**

- a. Enforcement of this Bylaw shall be carried out by a designated Enforcement Officer.
- b. Failing to comply with the regulations set out herein, regardless of whether a valid Waterfront Park Permit or Daily Pass is displayed, may result in the vehicle owner being charged a penalty as set out in Schedule A attached and/or the confiscation of the Waterfront Park Permit.

- g. Failure to display a valid Waterfront Park Permit or Daily Pass may result in a penalty as set out in Schedule A attached
- c. Any person or persons found to be causing willful or negligent damage to any equipment, machinery, infrastructure, or property in the Waterfront Parking Area may be fined in accordance to the fees set out in Schedule A attached and/or the confiscation of the Waterfront Park Permit.

**8. GENERAL**

- a. Should any provision of the Bylaw be found invalid, the invalid provision shall be severed and the remaining Bylaw shall be maintained.
- b. The Fees, Rates and Schedules of this Bylaw are an integral part of this Bylaw and are included in Schedule A attached
- c. With passage of this bylaw, Bylaw 10-2019 is hereby repealed.
- d. This Bylaw shall come into force upon Third and Final Reading.

**READ A FIRST TIME IN COUNCIL THIS 4th DAY OF FEBRUARY, 2020**

**READ A SECOND TIME IN COUNCIL THIS 4th DAY OF FEBRUARY, 2020**

**READ A THIRD AND FINAL TIME IN COUNCIL THIS 4th DAY OF FEBRUARY, 2020**

\_\_\_\_\_  
SIGNED BY THE CEO THIS DATE

\_\_\_\_\_  
CHIEF ELECTED OFFICIAL

\_\_\_\_\_  
SIGNED BY THE CAO THIS DATE

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

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**SCHEDULE A**

**WATERFRONT PARK USER FEES**

- a) Seasonal Waterfront Park Permit:
  - i. Village Property Owner Free (once a year only)
  - ii. Seasonal Fee \$150.00
  - iii. Replacement Permit \$150.00 (no pro-rating permitted)
  - iv. Vendor Staff Parking Pass \$100.00
  
- b) Daily Pass at the Ticket Machine for boat launching and/or vehicle w/ boat trailer parking in center or west parking lot - \$20.00 per day
  
- c) Daily Pass at the Ticket Machine for single vehicle parking (no trailer) in east parking lot - \$10.00 per day

**ENFORCEMENT PENALTIES:**

- a) First Offence \$150.00
- b) Second Offence \$250.00
- c) Every subsequent Offence \$350.00
- d) Administration Fee \$50.00
- e) Appeal Fee \$150.00

In addition to the penalty charged, the offender may be required to surrender their Waterfront Park Permit and pay for any damages or costs occurring from this offense or the collection of the enforcement penalties. Vendor staff passes may only be used for staff of approved and licensed vendors