

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

BY-LAW 20**-****

BEING A BY-LAW TO REGULATE PUBLIC SPACES IN THE MUNICIPALITY OF KILLARNEY

WHEREAS s. 11 of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended provides that a municipality may pass by-laws respecting matters within the sphere of jurisdiction of culture, parks, recreation and heritage;

AND WHEREAS pursuant to Section 63(1) of the Municipal Act, S.O. 2001, c. 25, as amended, and Section 170 (15) of the Highway Traffic Act, R.S.O. 1990, c.H. a municipality may upon discovery of any vehicle parked or standing in contravention of a municipal by-law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for the removal, care and storage of the vehicle, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act R.S.O. 1990 c. R.25. as amended;

AND WHEREAS pursuant to Section 119 of the Municipal Act, S.O. 2001, c. 25, as amended, a municipality is authorized to prohibit or regulate the discharge of guns or other firearms, air-guns, spring-guns, cross-bows, long-bows or any other weapons;

AND WHEREAS pursuant to Section 127 of the Municipal Act, S.O. 2001, c. 25, as amended, a municipality may prohibit the depositing of refuse or debris from the land without the consent of the owner or occupant of the land;

AND WHEREAS pursuant to Section 128 of the Municipal Act, S.O. 2001, c. 25, as amended, a municipality may prohibit and regulate with respect to public nuisance, including matters that, in the opinion of Council are or could become or cause public nuisances;

AND WHEREAS pursuant to Section 425 of the Municipal Act, S.O. 2001, c. 25, as amended, provides that any person who contravenes any by-law of a municipality passed under the authority of the Municipal Act is guilty of an offence;

AND WHEREAS Section 429 of the Municipal Act 2001, S.O., as amended provides that a municipality may designate an offence as a continuing offence and provide for a minimum and maximum fine for each day or part of a day that the offence continues;

AND WHEREAS pursuant to Section 2 of the Trespass to Property Act, R.S.O. 1990, c. T.21, as amended, makes it an offence for every person who is not acting under right or authority conferred by law and who, without the express permission of the occupier, the proof of which rest on the defendant, enters on premises when entry is prohibited under the Act or engages in an activity on the premises when the activity is prohibited under the Act or does not leave the premises immediately after he or she is directed to do so by the occupier of the premises or a person authorized by the occupier;

AND WHEREAS pursuant to Section 5 of the Trespass to Property Act, R.S.O. 1990, c. T.21, as amended, allows a municipality as “occupier” to post signs, prohibiting activities within an area;

AND WHEREAS the municipality of Killarney deems it desirable to regulate parks and public spaces in the municipality;

NOW THEREFORE the Municipality of Killarney enacts the following:

SECTION 1 – SHORT TITLE

1.1 This By-law shall be cited as the “Public Spaces By-Law”.

SECTION 2 – APPLICATION

2.1. The provisions of this By-law shall apply to:

- a. Municipal Properties or Buildings designated as “Public Spaces” in Schedule “A”
- b. Municipal Properties, Parks or Parkettes designated in Schedule "A”
- c. Municipal Properties, Public Boat Launches or Wharfs as designated in Schedule “A”

2.2 Where a provision of this By-law states that permission or written permission must be obtained from the municipality, that permission shall be given at the discretion of the Chief Administrative Officer (CAO) unless otherwise specified in the by-law.

2.3 The Municipality reserves the right to rescind any permissions given under this by-law in the event that a provision of any municipal by-law is violated through the activity being permitted, if the activity that was permitted is being performed outside of the scope that was permitted or if the permission was given in error.

2.4 No permissions given under this by-law shall continue after 7 days of the permission being granted.

2.5 Unless stated otherwise, the provisions of this by-law shall not apply to municipal staff, emergency services, or other authorized persons actively fulfilling their duties.

2.6 If a Public Space is rented by a person, such a person shall be deemed to have obtained written permission from the municipality with respect to use outside hours of operation.

SECTION 3 - DEFINITIONS

In this By-law:

- 3.1 **“Chief Administrative Officer”** means the CAO appointed by the municipality.
- 3.2 **“Camping Equipment”** means portable cooking equipment, sleeping bags or rolls, backpacks or packsacks, tents, tarps or lean-tos, or other such items.
- 3.3 **“Campsite”** means any place of temporary abode and any place where Camping Equipment as defined is left or stored.
- 3.4 **“Chattels”** means a moveable item of personal property, including but not limited to watercraft, vehicles, camping equipment, or other items.
- 3.5 **“Climbable Structure”** means any structures designed and built for the intended purpose of being climbed.
- 3.7 **“Council”** means the elected council of the Municipality of Killarney.
- 3.8 **“Designated Area”** means an area of any park or public space that is designated by the Park Services Manager or municipality for a specific purpose or use.
- 3.9 **“Dock”** means securing a watercraft in any way to a public dock or the shoreline of a public property whether it is attended by a person or not and shall include removing a watercraft wholly or partially from the water and placing it on land owned by the municipality or anchoring a watercraft.
- 3.10 **“Emergency Services”** means any emergency healthcare, fire, rescue, or law enforcement agencies with jurisdiction in the Municipality.
- 3.11 **“Firearm”** means any object that could be described as a firearm, including but not limited to an air gun, air rifle, air pistol, spring guns, bow, crossbow, or any weapon or any type of device from which a projectile can be discharged and that is capable of causing bodily injury or death, including, but not limited to, handguns, shotguns, rifles, pellet guns and paintball guns.
- 3.12 **“Fire Chief”** means the Fire Chief appointed by the Municipality of Killarney.
- 3.13 **“Hazardous Waste”** means any Waste that has the potential to harm anyone through inadvertent handling of said Waste and also means the usual containers for, or any other container that at one time held said Waste, empty or otherwise.

This includes but is not limited to any materials that are or may become under any reasonable circumstances:

- i) Corrosive
- ii) Toxic
- iii) Reactive

- iv) Combustible
- v) Flammable
- vi) Explosive
- vii) Pressurized
- viii) Sharp(e.g. glass, knives, sewing needles, etc...)
- ix) Biohazardous
- x) Carcinogenic

- 3.14 **“Littering”** means the act of throwing, depositing, dropping, leaving, placing or dumping, or causing to be thrown, deposited, dropped, left, dumped or placed any item of waste.
- 3.15 **“Municipal Law Enforcement Officer or MLEO”** means any person or persons appointed by the Municipality of Killarney to enforce the provisions of this By-Law. and shall include any Peace Officer.
- 3.16 **“Municipality”** means the Corporation of the Municipality of Killarney.
- 3.17 **“Organized Tournament”** means a series of organized games related to sports played over multiple days whether consecutive or nonconsecutive.
- 3.18 **“Park Services Manager”** means any person appointed by the Municipality of Killarney to manage the operations of any Parks or Public Spaces within the Municipality.
- 3.19 **“Public Space”** means any real property or portions of real property owned or leased by the Municipality to which the public is ordinarily invited or permitted to be in or on, and includes, but is not necessarily limited to, the grounds of public facilities or buildings, any public transit exchange, transit shelter or bus stop, and public parkades or parking lots.
- 3.20 **“Park”** means any real property owned or subject to a right of occupation by the Municipality for the purposes of pleasure, recreation or community uses of the public including public parks, playgrounds, public squares, pathways and other public places and all improvements and shall include all beaches and other public areas adjacent to lakes or streams including foreshore or land covered by water; but does not include the travelled portion of a highway.
- 3.21 **“Person”** means and includes any individual, corporation, partnership or party and the heirs, executors, administrators or other legal representatives of the same, to whom the context can apply according to law.
- 3.22 **“Prohibited Animal”** means any Animal that has been designated as prohibited under the Responsible Animal Ownership By-Law as amended.
- 3.23 **“Smoke”** means to inhale, exhale, burn or carry a lighted cigarette, cigar, pipe, hookah pipe, electronic cigarette, or other smoking equipment, that burns or vaporizes tobacco, marijuana or any other substance.

- 3.24 **“Sport Field”** means any real property owned or subject to a right of occupation by the Municipality for the purposes of pleasure, recreation or other public uses and includes but is not limited to ball fields, soccer fields or other open spaces typically used for playing sports.
- 3.25 **“Structure”** means anything that could be described as a building, shelter, tent, lean-to, or anything built by a person for the purpose of habitation or storage.
- 3.26 **“Swimming Area”** means the area of water thirty metres (30m) from the shoreline of a public beach or other markers established by the municipality. A swimming area shall also include any splash pad.
- 3.27 **“Skating Rink”** means any manmade or natural surface of ice on municipal property that is to be used as a surface for skating or curling.
- 3.28 **“Vicious Dog”** means any dog that has been designated municipally under the Responsible Animal Ownership By-Law as amended, or Provincially under the Dog Owner’s Liability Act R.S.O 1990, c. D16 as vicious.
- 3.29 **“Unmanned Aircraft”** means any drone, model aircraft or flying device controlled remotely by a person.
- 3.30 **“Vehicle”** shall mean and include all conveyances for the carriage or transport of persons, passengers, goods or materials whether self-propelled or drawn or pulled by animals or any mechanical, muscular device or other motive power whatsoever, and shall include but not be limited to motor vehicles, segways, trailers, skateboards, longboards, bicycles and tricycles. The definition shall not mean any means of conveyance required by a individual for mobility, children’s carriages or strollers.
- 3.31 **“Vandalism”** means any damage caused by a person. Damage to a park shall include, but not be limited to, dumping, draining, or discharging of any substance, liquid or solid on to park land or in any water body within a park and shall include any damage made to the park’s turf or flora. Damage to a public space shall include but not be limited to damage caused to any building, structure or facility, either interior or exterior, designated as a public space.
- 3.32 **“Wharf”** means any structure built on, in or adjacent to the water, used for the launching or docking of watercraft and shall include any pier, dock or boat launch on municipal property as defined in Schedule “A”
- 3.33 **“Waste”** means any garbage, refuse or other unwanted materials and includes but is not limited to garbage, cans, bottles, paper, ashes, cigarette or cigar butts, refuse, trash.
- 3.34 **“Watercraft”** means any boat, personal watercraft or other means of conveyance on water.
- 3.35 **“Wild Animal”** means any non-domestic animal or bird.

SECTION 4 - PROHIBITIONS

GENERAL PROHIBITIONS

- 4.1 No Person shall use any land in a park in contravention to this bylaw or to any sign which has been posted prohibiting or regulating actions or activities in that space. Every instance of offence committed under this By-law shall constitute a separate offence. Each day that a contravention of this By-law continues shall constitute a separate and distinct offence.
- 4.2 No Person shall cause or allow the littering of any item defined as Waste in a Park, Public Space or the waters adjacent thereto.
- 4.3 No Person shall cause or allow the littering of any item defined as Hazardous Waste in a park, public space or the waters adjacent thereto.
- 4.4 No Person shall sell or display for sale any product, item or service, or conduct business in a park or public space without written permission obtained from the Municipality.
- 4.5 No Person shall carry or discharge a firearm or a weapon of any description in a park or public space.
- 4.6 No Person shall light or cause to be lit a fire in a park or public space unless they do so in accordance with Section 4.48.
- 4.7 No Person shall light or cause to be lit, any fireworks in any park or public space without written permission from the Fire Chief.
- 4.8 No Person shall use any device that could be described as a barbecue or other such cooking device in a park or Public Space except where permission has been obtained from the Municipality and where they are powered by gas or propane and supervised at all times.
- 4.9 No Person shall use any sport field between November 15 of one year and May 15 of the next year or during periodic maintenance closures without permission from the Municipality.
- 4.10 No Person shall conduct or participate in any event that could be described as a procession, march, drill, performance, ceremony, concert, gathering or meeting in a park or Public Space that disrupts other's use of the park or public space without first obtaining permission of the Municipality.
- 4.11 No Person shall erect, construct, place or build anything that could be described as a shelter, structure or other construction, or penetrate the ground with any object including stakes or posts in any park or public space without written permission from the Municipality.

- 4.12 No Person shall cause or permit vandalism to any park or public space
- 4.13 No Person shall cause damage to any park by digging or breaking soil after or while using a metal detector.
- 4.14 No Person shall obstruct or interfere with any Person who is lawfully using any Park property.
- 4.15 No Person shall post, paint or distribute any sign or advertisements in a park or Public Space without permission from the Municipality.
- 4.16 No Person shall participate in or permit to be played any organized tournament, in a park or Public Space without written permission from the Municipality.
- 4.17 No Person shall climb, walk or sit upon any wall, fence or other structure in or on any park or public space unless it is intended as a climbable structure.
- 4.18 No Person shall take up temporary or permanent residence in or set up anything that could be described as a campsite in a park or public space.
- 4.19 No Person shall cause or allow themselves to be unclothed or partially unclothed in a manner that could be reasonably considered indecent or offensive, in a park or public space.
- 4.20 No Person shall urinate or defecate in any park or any public space except in a provided public or private toilet facility designated by the municipality.
- 4.21 No Person under the age of twelve years of age shall be permitted in any municipal parks or public space, except under the direct supervision of an adult.
- 4.22 No Person shall place or permit the placement or use of any electronic recording devices in a washroom or change room located in a park or public space.
- 4.23 No Person shall operate a manned or unmanned aircraft, in a park or Public Space without a valid license and permission from the municipality.
- 4.24 No Person shall engage in any activity that creates a nuisance or that interferes with the use and enjoyment of the park by other persons.
- 4.25 No Person shall perform any action that could be reasonably considered dangerous to the safety of others in a park or public space.

ANIMALS AND DOG PARKS

- 4.26 No Person shall allow or permit a vicious dog to be in any park or public space within the Municipality.
- 4.27 No Person shall allow or permit a prohibited animal to be in any park or public space within the Municipality.

- 4.28 No Person shall feed or disturb any wild animal in a park or Public Space.
- 4.29 No Person shall allow a dog to be off leash in any sport field, including but not limited to, ball diamonds, soccer and football fields unless authorized by the municipality.
- 4.30 No Person shall permit a horse to be in or be ridden in a park unless the said Park is designated as an Equestrian Park and such a horse is being ridden or handled by a person capable of controlling the horse at all times, and the person must also take reasonable measures to clean up horse feces.
- 4.31 No Person shall cause or allow a dog to disturb, menace or harass any person in a park or public space.

ACCESS

- 4.32 No Person shall enter or be in a park or Public Space except during the hours of operation established by this by-law without first obtaining permission from the Municipality. The hours of operation for Municipal Parks shall be 7:00 a.m. to 10:00 p.m. daily, unless otherwise specified in Schedule 'B' attached to this bylaw, or unless indicated by a sign placed by the municipality.
- 4.33 No Person or owner of a vehicle shall permit a Vehicle to enter or remain in a park or the parking lot of a Public Space while such Park or Public Space is closed, unless the parking lot is signed accordingly, or unless the Vehicle's owner has obtained written permission of the Municipality.
- 4.34 No Person or owner of a vehicle shall permit a vehicle to be in a park or the parking lot of a public space without a valid license and insurance if such insurance or licensing is required for the operation of the vehicle.
- 4.35 Any Person who violates any provisions of this bylaw or who permits any act or thing to be done in contravention of any of the provisions of this bylaw may be ordered to leave any Park or Public Space by the Park Services Manager, an employee of the Municipality or a Municipal Law Enforcement Officer appointed by the Municipality. If ordered to leave, the Person whom the order was issued to shall leave the park or Public Space for a period of no less than 48 hours.
- 4.36 No Person shall enter or be in any Park or Public Space once that Person has been ordered to leave for a period of no less than 48 hours
- 4.37 No Person shall refuse to leave any park or public space if ordered to do so under section 4.35
- 4.38 No Person shall operate any vehicle in a park or Public Space without written permission from the Municipality.
- 4.39 No Person shall use or access any electrical service or any other utility in a park without permission from the Municipality.

- 4.40 No Person shall use any Park or Public property in order to gain access to private property unless they have obtained permission from the Municipality.
- 4.41 No Person shall operate or use any vehicle on a walking trail in any park.

WHARFS

- 4.42 When at a Municipal wharf no person shall;
- a. Provide watercraft operation instruction, sell tickets or conduct business at a wharf;
 - b. Refuel any aircraft or watercraft other than at a designated refueling area;
 - c. Use a wharf or other structures in a park for commercial use or as a loading or unloading zone of a commercial nature;
 - d. Dock a watercraft at any Municipal wharf for a continuous period in excess of 20 minutes unless otherwise posted or, an exemption authorizing the docking or leaving of a watercraft for a longer period of time has been obtained from the Municipality or unless specifically permitted elsewhere in this bylaw;
 - e. Dock or leave a watercraft at any wharf between the hours of 11:00 p.m. and 7:00 a.m. unless specifically permitted by this by-law or by signs posted at the location by the Municipality.
 - f. Dock or leave a watercraft or vehicle at any time in a location, which would impede or interfere with the use of a municipal wharf.
- 4.43 No Person shall erect or maintain a wharf in a park or on municipal property without written permission from the municipality.
- 4.44 No Person shall use any part of a park for boat launching except at boat launching facilities designated as Wharfs in schedule "A"
- 4.45 No Person shall store a watercraft in or at any park, public space or wharf in the municipality.
- 4.46 No Person shall store any materials on a Municipal wharf or on lands owned or under the control of the Municipality at any time in a location which would prevent the use of the wharf.
- 4.47 No person shall refuse to remove any stored materials on a Municipal wharf or on lands owned or under the control of the Municipality if requested or ordered by an employee of the Municipality or a Municipal Law Enforcement Officer.
- 4.48 Any watercraft docked, moored or left unattended, contrary to this by-law within a park may be removed by the Municipality or a person contracted on its behalf.

- 4.49 No Person shall attempt to fish in or immediately adjacent to a designated swimming areas or where signage prohibits fishing
- 4.50 No Person shall permit or allow any dog or other domestic animal to be in a swimming area.
- 4.51 No Person shall, in or adjacent to any swimming area, fail to abide by posted signs or to obey the instructions of any lifeguard or other authorized person. No person shall enter any swimming area contrary to posted signs regulating access.
- 4.52 No Person shall swim, bathe or wade in any fountain, pond, or stream in a park or public space, except in a swimming area.
- 4.53 No Person Shall operate or dock any watercraft within a designated swimming area of a public beach or in a manner that endangers, disturbs or interferes with the use of the beach and swimming area by any person.

ALCOHOL AND SUBSTANCES

- 4.54 No Person shall be permitted in any park or Public Space to possess an open container of liquor at any time, except where the said liquor is authorized by the Municipality or Park Services Manager and in areas designated and in accordance with the Municipal Alcohol Policy, Liquor License and Control Act and regulations set out by the Alcohol and Gaming Commission.
- 4.55 Any Person found in violation of Section 4.54 shall be ordered to and shall dispose of, any liquor in their possession if directed to do so by a Municipal Law Enforcement Officer, Police officer or other person appointed by the Municipality and may be ordered to leave under section 4.35.

ARENAS AND SKATING RINKS

- 4.56 No Person shall skate in an area in a park or public space not designated for that purpose by the Municipality.
- 4.57 No Person shall perform any action that a competent and reasonable person would consider to
be dangerous to the safety of others on a skating rink.

MUNICIPAL RESPONSIBILITIES

- 4.58 The Municipality shall ensure that all parks are maintained and sightly in appearance. Any required repairs or maintenance shall be completed at the earliest reasonable time by the municipality or a contractor working on their behalf.

- 4.59 The Municipality shall ensure that all facilities, buildings and structures that are deemed to be public spaces are maintained in good repair and sightly in appearance. Any required repairs or maintenance shall be completed at the earliest reasonable time by the municipality or a contractor working on their behalf.

SECTION 5 – SEIZURE AND DETENTION

- 5.1 The Manager of Facilities & Recreation or Municipal Law Enforcement Officer, or Municipal staff or contractor acting under the direction of the Municipality, may remove any Chattels, left or stored in a park or Public Space in a manner contrary to the provisions of this bylaw, and take such equipment to a place of safekeeping until it is returned to the owner or disposed of in accordance with section 5.3 of this bylaw.
- 5.2 For removal, detention and impounding of Chattels pursuant to section 5.1 of this bylaw, the following fees are payable to the Municipality prior to the owner being entitled to the return of the Chattels:
- (a) For each occasion that the Manager of Facilities & Recreation, or staff or a contractor acting under his direction, or a peace officer or a municipal law enforcement officer, are engaged in the removal of the Chattels to the place of detention and safekeeping: \$35.00; and
 - (b) Any applicable fees for the removal or detention of the Chattels including but not limited to towing, removal, or storage fees; and
 - (c) For each day that the Chattels are stored or detained: \$5.00 per day, to a maximum of \$75.00.
- 5.3 Upon the expiration of 30 days from any removal or detention under section 5.2 the Municipality may put the Chattels, or other items up for sale by public auction and recover any fees accrued pursuant to section 5.2 from the proceeds of the sale or may dispose of the seized items as deemed necessary.

SECTION 6- PARK CLOSURES

- 6.1 If the Municipality deems it necessary in the interest of public health, safety and welfare, the Municipality has the authority to restrict or limit the use of, close or otherwise prohibit entrance to any park, area, building or structure within a park or public space.
- 6.2 Where the municipality is subject to a declaration of emergency, pursuant to Section 4 or Section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9 as amended the Municipality delegates to the Mayor, for the duration of the emergency, the power to establish emergency rules for parks, for the health, safety and welfare of the public, including any rules the Mayor deems necessary for protection of the health, safety and welfare of persons within a park;

- 6.3 Where authority has been exercised under s. 4.1 or 4.2 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9, the restriction, limitation, closure, prohibition or emergency rule, comes into effect upon notice to the public being provided by any one of the following methods:
- (a) posting a sign or notice at the entrance to a park; or
 - (b) posting a sign or notice within a park; or
 - (c) posting a notice to the Municipal website; or
 - (d) mailing a notice to municipal residents.
- 6.4 Park and public space emergency rules shall:
- (a) be operable only for the period of the declaration of emergency under sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9; and
 - (b) the cited sections of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 be deemed a part of and incorporated into this By-law and may be added administratively as a schedule to this By-law for ease of reference.
- 6.5 In a park or public space, no Person shall:
- (a) contravene any emergency rules, or;
 - (b) enter a park or area within a park contrary to any limitation or restriction established by the Municipality.

SECTION 7 - ADMINISTRATION AND ENFORCEMENT

- 7.1 Every person who contravenes any provision of this By-Law is guilty of an offence and upon conviction shall be liable to a fine prescribed and recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, for each offence committed.
- 7.2 The Administrative Monetary Penalty System By-Law, as amended, applies to each administrative penalty issued pursuant to this By-Law.
- 7.3 No Person shall obstruct or hinder or attempt to obstruct or hinder, either directly or indirectly, a Municipal Law Enforcement Officer, Officer, employee of the Municipality or other Person engaged by the Municipality from performing any duties or exercising any authority under this by-law.
- 7.4 Each person who contravenes any provision of this By-Law shall, upon issuance of a penalty notice in accordance with Administrative Monetary Penalty System By-Law, as amended, be liable to pay to the Municipality an administrative monetary penalty.

- 7.5 Before the Officer and other appointed officials take any action as a result of a complaint, the complainant shall give to the investigative Officer involved a written statement describing the incident, stating his or her name, address, telephone number, and date and time of incident.
- 7.6 Upon registering a conviction for a contravention of any provision of this By-Law, the Provincial Offences Court may, in addition to any other remedy and to any penalty imposed by this By-Law, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 7.7 Unless otherwise specified in a provision of this by-law, every day shall constitute a separate offence under the By-Law

SECTION 8 - SEVERABILITY

- 8.1 Should a court of competent jurisdiction declare a part or whole of any provision of this By-Law to be invalid or of no force and effect, the provision or part is deemed severable from this By-Law, and it is the intention of Council that the remainder be preserved and be applied and enforced in accordance with its terms to the extent possible under law.

SECTION 9 - SCHEDULES

- 9.1 Schedules "A", "B", "C" and "E" shall be deemed to form part of this by-law.
- 9.2 Schedule "D" is attached as reference.

SECTION 10 - AUTHORITY

- 10.1 Any and all By-laws inconsistent with this By-law are hereby repealed.
- 10.2 This By-law shall come into effect on the date of the third reading of this By-Law and it being passed.

READ A FIRST AND SECOND TIME this ** day of MONTH, 20.**

READ A THIRD TIME AND FINALLY PASSED this ** day of MONTH, 20.**

SCHEDULE "A"
TO BY-LAW 20-** - PUBLIC SPACES BY-LAW**
MUNICIPALITY OF KILLARNEY

PUBLIC SPACES IN THE MUNICIPALITY OF KILLARNEY

PARKS

Nancy Pitfield Memorial Park

Location: 27 Channel St, Killarney, ON

Dr. Joshua Spiegel Memorial Park

Location: 63 Charles St, Killarney, ON

Municipal Beach

Location: 322 Perry Ave, Killarney, ON

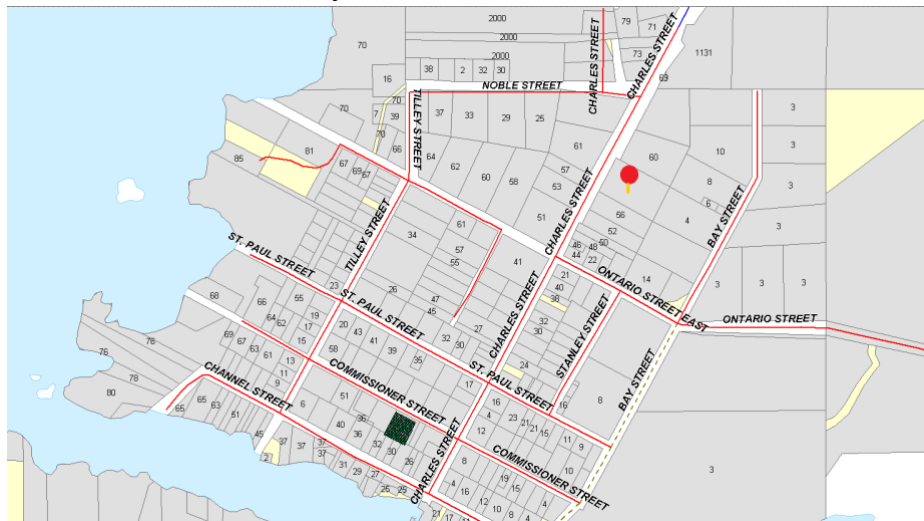
Killarney Lighthouse

Location:

PUBLIC SPACES

Killarney-Shebahonaning Complex

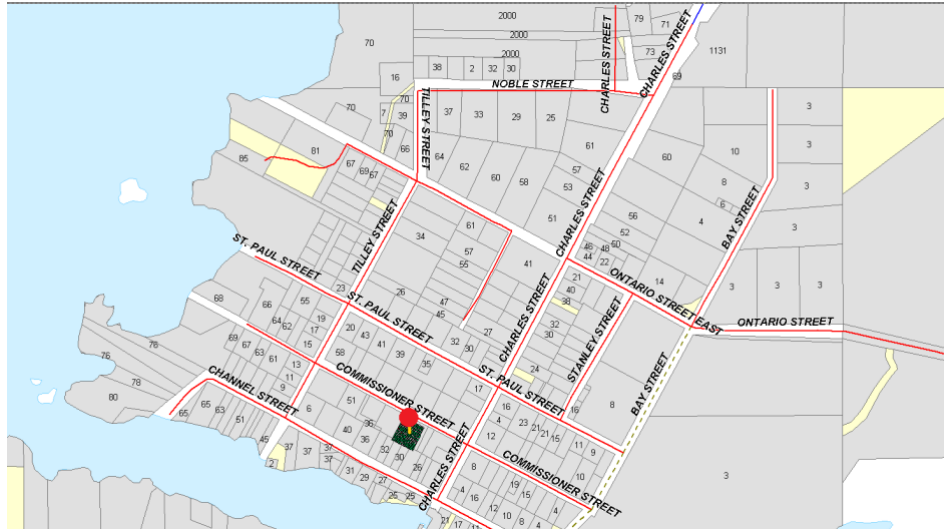
Location: 58 Charles St, Killarney ON



Killarney Museum
Location: 29 Commissioner Street

Killarney Cemetery

Location:



Killarney Airport

Location:

WHARFS

Municipal Boat Launch

Location: 21 Channel St, Killarney, ON

SCHEDULE "B"
TO BY-LAW 20-** - PUBLIC SPACES BY-LAW**
MUNICIPALITY OF KILLARNEY

HOURS OF OPERATION

Municipal Boat Launch

Location: 21 Channel St, Killarney, ON

From:

To:

Killarney-Shebahonaning Complex

Location: 58 Charles St, Killarney ON

From:

To:

Veteran's Memorial Hall

Location: 56 Charles St, Killarney ON

From:

To:

Nancy Pitfield Memorial Park

Location: 27 Channel St, Killarney, ON

From:

To:

Dr. Joshua Spiegel Memorial Park

Location: 63 Charles St, Killarney, ON

From:

To:

Municipal Beach

Location: 322 Perry Ave, Killarney, ON

From:

To:

Killarney Airport

Location:

From:

To:

Killarney Museum

Location:

From:

To:

Killarney Cemetery

Location:

From:

To:

Killarney Municipal Office:

Location:

From:

To:

Killarney Airport

From:

To:

SCHEDULE "C"
TO BY-LAW 20-** - PUBLIC SPACES BY-LAW**
MUNICIPALITY OF KILLARNEY

PART 1 – PROVINCIAL OFFENCES ACT FINES

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set fine
1	Cause or allow the Littering of Waste	4.2	
2	Cause or allow the Littering of Hazardous Waste	4.3	
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Note: The general penalty provision for the offences listed above is Section *.*of the By-law 20**-**, a certified copy of which has been filed.

**SCHEDULE “D”
TO BY-LAW 20**-** - PUBLIC SPACES BY-LAW
MUNICIPALITY OF KILLARNEY**

EMERGENCY CLOSURES

‘Emergency Management and Civil Protection Act’

Section 4

Declaration of emergency

4 (1) The head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area. R.S.O. 1990, c. E.9, s. 4 (1).

Declaration as to termination of emergency

(2) The head of council or the council of a municipality may at any time declare that an emergency has terminated. R.S.O. 1990, c. E.9, s. 4 (2).

Solicitor General to be notified

(3) The head of council shall ensure that the Solicitor General is notified forthwith of a declaration made under subsection (1) or (2). R.S.O. 1990, c. E.9, s. 4 (3).

Premier may declare emergency terminated

(4) The Premier of Ontario may at any time declare that an emergency has terminated. R.S.O. 1990, c. E.9, s. 4 (4).

Section 7.0.1

Declaration of emergency

7.0.1 (1) Subject to subsection (3), the Lieutenant Governor in Council or the Premier, if in the Premier’s opinion the urgency of the situation requires that an order be made immediately, may by order declare that an emergency exists throughout Ontario or in any part of Ontario. 2006, c. 13, s. 1 (4).

Confirmation of urgent declaration

(2) An order of the Premier that declares an emergency is terminated after 72 hours unless the order is confirmed by order of the Lieutenant Governor in Council before it terminates. 2006, c. 13, s. 1 (4).

Criteria for declaration

(3) An order declaring that an emergency exists throughout Ontario or any part of it may be made under this section if, in the opinion of the Lieutenant Governor in Council or the Premier, as the case may be, the following criteria are satisfied:

1. There is an emergency that requires immediate action to prevent, reduce or mitigate a danger of major proportions that could result in serious harm to persons or substantial damage to property.
2. One of the following circumstances exists:
 - i. The resources normally available to a ministry of the Government of Ontario or an agency, board or commission or other branch of the government, including existing legislation, cannot be relied upon without the risk of serious delay.
 - ii. The resources referred to in subparagraph i may be insufficiently effective to address the emergency.
 - iii. It is not possible, without the risk of serious delay, to ascertain whether the resources referred to in subparagraph i can be relied upon. 2006, c. 13, s. 1 (4).

SCHEDULE "E"
TO BY-LAW 20-** - PUBLIC SPACES BY-LAW**
MUNICIPALITY OF KILLARNEY

WRITTEN PERMISSIONS

*Written Permission shall be completed in the form outlined below with all fields completed. A copy of the written permission shall be taken and forwarded to the By-Law Dept.



MUNICIPALITY OF KILLARNEY BY-LAW 2025-XX

Where the Municipality of Killarney deems it acceptable that _____
Residing at _____ be exempt from the provisions
outlined in Section _____ of the 'Public Spaces By-Law'. This document shall be
considered written permission from the municipality to this effect.

These permissions shall be in force and effect from _____
until _____. The municipality reserves the right to terminate these
permissions at any time.

CAO/CLERK

DATE SIGNED

PERSONS SEEKING EXEMPTION

DATE SIGNED

Contact Information

FIRST NAME :	LAST NAME :
E-MAIL:	TELEPHONE # :
ADDRESS :	