



CITY OF FORT ST JOHN

**PARKS AND OPEN SPACES BYLAW
2615, 2025**

**CITY OF FORT ST. JOHN
Parks and Open Spaces Bylaw No. 2615, 2025**

A Bylaw of the City of Fort St. John to regulate, prohibit and impose requirements regarding the use of parks and open spaces.

WHEREAS a municipal council may, under the authority of the Community Charter, impose requirements respecting persons, property, things, and activities in relation to parks as public spaces;

AND WHEREAS the City of Fort St. John's parks and open spaces are recognized as providing opportunities for recreation, active living, access to natural environments and community building, the intent of this Bylaw is to:

- a) Encourage the shared use of parks and open spaces through accessible and inclusive mix of activities year-round for the benefit and enjoyment of users;
- b) Ensure users of the park are respectful to each other and the environment and leave the park in a healthy condition for current and future users;
- c) Where there is a conflict, prioritize environmental protection over landscaping and the use of the park space;

NOW THEREFORE, the Council of the City of Fort St. John, in open meeting assembled, enacts as follows:

Title

This bylaw may be cited as "Parks and Open Spaces Bylaw No. 2615, 2025"

CONTENTS

1.0 DEFINITIONS	Page 4
2.0 APPLICATION AND ADMINISTRATION	Page 9
3.0 GENERAL PROVISIONS	Page 9
4.0 PERMITS	Page 13
5.0 MAINTENANCE OR CLOSURE OF A PARK OR OPEN SPACE	Page 14
6.0 PROTECTION OF NATURAL AREAS, ECOSYSTEMS AND HABITATS	Page 14
7.0 OFFENCES AND PENALTIES	Page 15
8.0 VALIDITY	Page 16
SCHEDULE A FINES	Page 17
SCHEDULE B MAPS	Page 18

1.0 DEFINITIONS

1.1 In this bylaw, unless the context otherwise requires:

- a. **“Active Game and Organized Sports”** shall include any physical activity by one or more persons that the Director may consider damaging to grass, flowers and trees, shrubs, buildings or structures and, without limiting the general intent of the foregoing an active game, includes fastball, slo-pitch, baseball, volleyball, basketball, badminton, golf, football, pickleball, rugby, lacrosse, soccer, hockey, cricket, and tennis;
- b. **“Adjacent”** means contiguous to, or would be contiguous if not for a river, stream, railway, highway, utility right of way or public utility lot.
- c. **“Animal”** means any member of the animal kingdom but excludes the human species and domestic cats;
- d. **“At Large”** means not being under the direct and continuous control of the Owner either by being:
 - a. securely contained or tethered in or upon the property of its Owner;
 - b. securely confined within a building or escape proof enclosure; or
 - c. in the care and control of a competent person who is exercising direct control over it.
- e. **“City”** means the City of Fort St. John, or the lands lying within the corporate boundaries of the City of Fort St. John, as the context may require.;
- f. **“Council”** means the Council of the City of Fort St. John;
- g. **“Camp”** means to sleep, camp, take up an abode, erect a tent, tarp, box or other shelter, or place other camping equipment;
- h. **“Cemetery”** means and includes any parcel or tract of land set aside, used, maintained, or operated as a cemetery by the City of Fort St. John;
- i. **“Competent Person”** means a person who is physically and mentally able to control a dog and to ensure compliance with the *“Animal Control Bylaw No. 2556, 2021”*

DEFINITIONS (continued)

- j. **“Director”** means the person appointed by the City to lead the Community Services Department, Development Services Department, Public Works and Utilities Department, Director of Public Safety, or Director of Finance, and designates;
- k. **“Dog Off-leash Park”** means a park which has been so designated by Council resolution and within which dogs are permitted to run at large subject to the restrictions established in the animal control bylaw.
- l. **“Drone”** means an aircraft, other than a balloon, rocket or kite, that is operated by a pilot who is not on board, and includes an unmanned air vehicle and a remotely piloted aircraft as those terms are defined in the Canadian Aviation Regulations SOR/96-433
- m. **“Edible Plants”** means plants that are harvested specifically for consumption;
- n. **“Event or Activity”** means any organized gathering for the purpose of commercial endeavors, community special events, or moderate-to-high risk activities such as (but not limited to) sporting events. ‘Event’ or ‘Activity’ does not refer to peaceful assemblies, small gatherings, or low risk activities that are considered a reasonably accepted use of a public or outdoor space.
- o. **“Highway”** has the meaning prescribed in the *Transportation Act, SBC 2004, c 44*.
- p. **“Land”** means any lot, block or other area in which land is held or into which it is subdivided and includes any improvement thereon, but excludes highway, lanes, municipal parks and other public spaces AND includes the surface of water;
- q. **“Litter”** means any filth, garbage, rubbish, refuse, offensive matter or discarded material of any kind;
- r. **“Nuisance”** means any activity, matter or thing which substantially and unreasonably interferes with the use and enjoyment of a highway, park or other public area or of neighbouring or nearby Land, and without limiting the generality of the forgoing, includes but is not limited to:
 - i. those activities, matters or things that negatively impact the health, comfort or convenience of others;
 - ii. those activities, matters or things that cause or result in increased demand for RCMP or bylaw enforcement services;

DEFINITIONS (continued)

- iii. those activities, matters or things that contravene laws, including the provisions of Part 3 of this bylaw;
 - iv. loud music, a noisy party, or group of people making noise;
 - v. racing any type of motor vehicles;
 - vi. revving of engines;
 - vii. yelling, shouting, screaming, or fighting;
 - viii. irritations, annoyances, unsanitary conditions on Land;
 - ix. the carrying on of noxious or offensive business activity; and
 - x. other activities, matters or things that in law are a nuisance.
- s. **“Occupier”** means any Person who occupies Land, or who is qualified to maintain an action for trespass in respect of the Land, or who is in possession of the Land under a lease, licence, agreement for sale or other agreement with the owner of the Land;
- t. **“Off-Highway Vehicles”** means a vehicle propelled by a motor that is designed for off-road travel, and includes vehicles having two, three or four wheels, whether known as dirt bikes, quads, or by any other name, but excludes conventional trucks or cars with off-road capabilities that are licensed under the *Motor Vehicle Act*;
- u. **“Open Space”** Open unobstructed space accessible to all occupants of any residential or commercial building or structure on the parcel. Open space does not include any driveway or areas used for loading, parking or storing of vehicles.
- v. **“Outdoor Recreation”** means recreation facilities that are not enclosed and include baseball diamonds, soccer fields, outdoor ice rinks, outdoor plazas, outdoor stages, playgrounds and other similar type uses.
- w. **“Owner”** means any Person in relation to the Land who is the registered owner of an estate in fee simple, the tenant for life under a registered life estate, or the registered holder of the last registered agreement for sale, and in the case of provincial Crown or City owned lands, means the occupier of the Land;
- x. **“Municipal Park”** means an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, used for both passive and active forms of recreation and does not include stormwater management pond and includes:
- i. playgrounds;
 - ii. cemeteries;
 - iii. natural areas;

DEFINITIONS (continued)

- iv. sports fields;
 - v. pathways;
 - vi. open spaces;
 - vii. trails; and
 - viii. park roadways.
- y. **“Parade, Procession or Race”** Means a group of ten (10) or more pedestrians standing, marching or walking upon any highway, sidewalk, on parkland, or on the trail system;
- z. **“Pathway”** means a multipurpose thoroughfare controlled by the City and Designated by the Director, that is set aside for use by pedestrians, cyclists, and persons using wheeled conveyances, which is improved by asphalt, concrete, brick, or other surface, whether or not it is located in a park, and includes a bridge or structure with which it is contiguous;
- aa. **“Person”** includes any company, corporation, owner, partnership, firm, association, society or individual;
- bb. **“Permit”** means written permission granted by the Director, for an activity not otherwise allowed under this Bylaw;
- cc. **“RCMP”** means the Royal Canadian Mounted Police, when providing municipal policing services within the City;
- dd. **“Special Event”** means a promotion, parade, procession or race, which requires exclusive use of part of a park and for that purpose and any relevant event hosted by the city or through the permit process;
- ee. **“Street”** means any highway, roadway, sidewalk, boulevard, trail, place or way which the public is ordinarily entitled or permitted to use for the passage of vehicles or pedestrians and includes a structure located in any of those areas;
- ff. **“Temporary Shelter”** means a structure, improvement, shield or cover used or intended to be used to protect people or property on a temporary basis and that is not permanently affixed to land, and which may include a tent, tarp, lean-to, or other similar thing, whether made of cardboard, tarpaulin, canvas, nylon, polyester, plastic, or brush;

DEFINITIONS (continued)

- gg. **“Temporary Overnight Sheltering”** means to stay overnight in a tent, or other form or temporary shelter, as a means of emergency shelter for those experiencing homelessness;

- hh. **“User”** means any persons traveling on a pathway, and shall include but not be limited to persons walking or jogging and persons using bicycles, roller-skates, in-line skates, skis of any type, skateboards and wheelchairs of any type;

- ii. **“Vehicle”** means:
 - i. a car, truck, boat, all-terrain vehicle, motorcycle, snowmobile or other device which is or may propelled by a motor; and
 - ii. a trailer, camper, non-power boat or other device which may be towed behind another vehicle; but
 - iii. does not include a bicycle, wheeled conveyance or drone;

- jj. **“Wheeled Conveyance”** means any human powered or electric motorized vehicle, as designated by the Director, to be permitted on a pathway, but does not include any vehicle with an internal combustion engine;

- kk. **“Wildlife”** means animals prescribed by regulation within the *Wildlife Act, R.S.A. 2000*, as wildlife;

- ll. **“Zone”** means an area as provided for in “The *City of Fort St. John Zoning Bylaw No. 2470, 2019*” and amendments thereto.

2.0 APPLICATION AND ADMINISTRATION

2.1 Purpose

Except as otherwise provided, this bylaw applies to the entire area within the city's boundaries.

2.2 Application

The following provisions apply to all persons in a Park or Open Space:

- a. No person may use any land in a park or open space in contravention of this bylaw or in contravention to a sign which has been posted prohibiting or regulating such use.

The provisions of this bylaw prohibiting stopping or parking do not apply to:

- a. a vehicle owned, leased or used under contract by the Government of Canada, the Province of British Columbia, or a public utility corporation while the vehicle is in use for official purposes;
- b. the driver of an emergency vehicle while responding to an emergency call and sounding an audible signal and showing a flashing red light, or at the scene of an emergency showing a flashing red light;
- c. vehicles or other equipment owned or operated by the city and employees or persons employed by the city while lawfully engaged public utility construction, maintenance or repair work in a park or open space.

2.3 Administration

The Director is responsible for the administration of this Bylaw.

3.0 GENERAL PROVISIONS

3.1 Safe and Courteous Behaviour

No person shall in any Park or Open Space engage in any conduct or activity in a park or which:

- a. is likely to cause injury to any other user of a park;
- b. unreasonably disturbs the use or enjoyment of the park by any other user of a park;

GENERAL PROVISIONS (continued)

- c. modifies and damages or is likely to cause damage to a park including damage to:
 - i. Vegetation or wildlife habitat,
 - ii. Any amenity in a park, Other than regular wear and tear; or
 - iii. Is inconsistent with the purpose of a park or open space.

3.2 Drones

No person shall in any Park or Open Space:

- a. operate a drone in a park or open space;
- b. Despite subsection (a), a person may operate a drone that:
 - i. Weighs less than 250 grams; and
 - ii. Complies with all provincial and federal legislation including all requirements under the *Canada Aeronautics Act, R.S.C. 1985, c. A-2* and its subordinate regulations;

In an area of the park designated by the Director for drone use.

- c. Despite subsection (a), a person may operate a drone that:
 - i. Weighs 250 grams or more; and
 - ii. Complies with all provincial and federal legislation including all requirements under the *Canada Aeronautics Act, R.S.C 1985, c. A-2* and its subordinate regulations;

In a park in accordance with a permit issues by the Director.

3.3 Cemeteries

The Director may establish operating procedures regarding the use and maintenance and operation of cemeteries.

3.4 Camping

No person shall in any Park or Open Space:

- a. camp or engage in Temporary Overnight Sheltering in any Park or any Open Space that is not a campground;
- b. erect, construct, or build a Temporary Shelter in or on:
 - i. any Park, that is not a campground;

GENERAL PROVISIONS (continued)

- ii. or in or on any Open Space.

3.5 Temporary Overnight Sheltering

Temporary Overnight Sheltering is not permitted in any Parks or Open Spaces within the City limits of Fort St John unless a special event permit has been obtained and issued by the Director.

3.6 Waste

No person shall in any Park or Open Space:

- a. deposit litter;
- b. dump, discard, or place garbage, plant material or grass clippings on public property designated as a park or open space;
- c. pollute, or deposit an injurious, noxious, or offensive substance, object, or matter in any pond, stream, or any other body of water;
- d. urinate, defecate, or deposit human waste of any kind;
- e. leave, discard, store, or abandon personal belongings of any kind, except as permitted by the Director.

3.7 Animals

No person shall in any Park or Open Space:

- a. Commit an offence to any provision with the *“City of Fort St. John Animal Control Bylaw No. 2556, 2021,”* and all amendments, as it applies to lands designated as Parks or Open Spaces;
- b. Permit any animal belonging to them, or in their custody, possession, or control, to break down, destroy, or otherwise damage any tree, shrub, or other plant material;
- c. Leave any dog or animal waste deposited by any animal belonging to them or under the person’s care or control; or

GENERAL PROVISIONS (continued)

- d. Allow any dog or other animal to run at large with the exception of areas designated as Dog Off-Leash Park.

3.8 Disorderly Conduct

No person shall in any Park or Open Space:

- a. contravene the City of Fort St. John "*City of Fort St. John Noise Regulation Bylaw No. 2507, 2019.*", as it applies to lands dedicated as parks and open spaces;
- b. commit an offence to any provision within the City of Fort St. John "*Nuisance Abatement and Cost Recovery Bylaw No. 2523, 2020*", as it applies to lands dedicated as Parks and Open Spaces;
- c. put at risk the personal safety of any person;
- d. use or operate any device or behave in a manner as to create a Nuisance, disturb, interfere with, intimidate or obstruct the free use and enjoyment of the Park or Open Space by other persons;
- e. drive, operate, or park any gas-powered vehicle in any Park except where authorized by the Director;
- f. operate any Off-Highway Vehicle in any Park, except where authorized by the Director;
- g. climb fences, trees, or any structures except those designed, constructed, and certified for use;
- h. remain in any Park between the hours of 2300 and 0500;
- i. operate or use any amplifying system or loudspeaker unless authorized by the Director; or
- j. engage in archery, sling-shots or any shooting of a projectile of any nature

GENERAL PROVISIONS (continued)

3.9 Fireworks and Fires

No person shall in any Park or Open Space:

- a. commit an offence to any provision within the City of Fort St. John "*Fire Protection and Life Safety Regulation Bylaw No. 2106, 2012*", and all amendments, as it applies to lands designated as Parks and Open Spaces unless authorized by the Director.
- b. A person shall not make a fire in a park unless:
 - i. it is a fire within a portable propane fire pit.

3.10 Park Direction

Every person within a Park shall obey the direction of a bylaw officer, RCMP officer or peace officer.

4.0 PERMITS

4.1 Every person issued a permit under this Bylaw shall:

- a. have the permit available for review and inspection when exercising the rights granted under the permit;
- b. comply with all conditions stated therein; and
- c. produce the permit upon the demand of an officer.

4.2 The Director shall have the authority to refuse or revoke a permit if:

- a. the activity no longer complies with conditions of the permit; or
- b. the proposed activity is not compatible with the public use of park or open space area.

5.0 MAINTENANCE OR CLOSURE OF A PARK OR OPEN SPACE

5.1 The occupant of an adjacent property to a park or open space is authorized to cut the grass in the park within 1 meter of the park boundary directly adjacent their property but this does not include the trimming or removal of trees, bushes, or any other vegetative matter.

5.2 A person must not drain or redirect any water from a private parcel of land onto or into a park.

5.3 Despite any other section in this Bylaw, the Director, may close or restrict the use of any park, open space, or portion of a park or open space for any of the following reasons:

- a. to conduct park maintenance;
- b. to prevent damage to City property;
- c. to promote safety;
- d. to protect endangered or at-risk species;
- e. to preserve vegetation required for wildlife;
- f. to rehabilitate a natural area; or
- g. any other reason the Director deems necessary to ensure the intent of this Bylaw is carried out.

5.4 Where the Director, has closed a park or portion of a park, a person must not enter or remain in the closed park or portion of the park

6.0 PROTECTION OF NATURAL AREAS, ECOSYSTEMS AND HABITATS

6.1 Wildlife

No person shall in any Park or Open Space:

- a. engage in any activity in a park or open space that causes distress or harm to any wildlife or that interrupts natural behaviours, including:
 - i. feeding wildlife
 - ii. disrupting nesting sites;

PROTECTION OF NATURAL AREAS, ECOSYSTEMS AND HABITATS (continued)

- iii. introducing or tracking noxious materials into wildlife habitat including weeds, seeds, herbicides, pesticides and litter; or
- iv. creating excessive light near a wildlife habitat.

6.2 Vegetation and Tree protection

No person shall in any Park or Open Space:

- a. destroy, damage, break, remove, or injure any shrub, plant, turf, flower, or other vegetation;
- b. destroy, damage, cut down, top, deface, or remove any trees.
- c. plant any tree, sapling, shrub, flower, or other vegetation unless authorized to do so by the Director;
- d. cut, irrigate, spray, or apply any substance, including pesticides and fertilizers, to any grass or other park vegetation unless authorized by the Director.

7.0 OFFENCES AND PENALTIES

7.1 Any person who violates or contravenes any provision of this Bylaw commits an offence and is liable upon summary conviction.

7.2 An offence under this Bylaw may be dealt with by ticket in accordance with the *Municipal Ticket Information Bylaw*.

7.3 Each day a violation or contravention of the provisions of this Bylaw exists or is permitted to exist shall constitute a separate offence.

7.4 Where there is a specified penalty listed for an offence in Schedule A to this Bylaw, that amount is the specified penalty of the offence.

7.5 Where there is a minimum penalty listed for an offence in Schedule A to this Bylaw, that amount is the minimum penalty for the offence.

8.0 VALIDITY

8.1 If any section, subsection sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

READ FOR THE FIRST THREE TIMES THIS 28TH DAY OF APRIL, 2025

ADOPTED THIS 5th DAY OF MAY, 2025

JIM LEQUIERE
ACTING MAYOR

BONNIE MCCUE
CORPORATE OFFICER

Schedule 'A'

MUNICIPAL TICKET INFORMATION OFFENCES

COLUMN 1	COLUMN 2	COLUMN 3
OFFENCE	SECTION	FINE
Set-up or build a temporary shelter in an unauthorized place	3.4 (b)	50.00
Enter or remain in a park or open space outside permitted hours	3.8 (h)	50.00
Operate unauthorized drone in park	3.2 (a)	40.00
Using gas-powered vehicle in a park or open space	3.8 (e)	40.00
Disturb wildlife in a park	6.1 (a)	40.00
Disturb or damage park vegetation	6.2 (a)	40.00
Failure to comply with permit conditions	4.1 (b)	40.00
Failure to produce a permit upon demand	4.1 (c)	40.00
Littering or dumping in park or open space	3.6 (a)	40.00
Interfere with the peaceful enjoyment of others	3.8 (d)	40.00
Drain water onto park	5.0 (b)	40.00
Failure to leave after requested by an Officer	3.10	40.00

**Schedule 'B'
Map**