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## BYLAW NO. 34-2

BEING A BYLAW OF THE TOWN OF BANFF, IN THE PROVINCE OF ALBERTA, TO PROHIBIT CAMPING IN THE TOWN OF BANFF

WHEREAS pursuant to the MUNICIPAL GOVERNMENT ACT (Alberta), as amended the Council has the authority to pass a bylaw prohibiting camping in the Town; and

WHEREAS the Council wishes to prohibit camping upon Public Lands within the Town.

NOW THEREFORE the Council of the Town of Banff, in the Province of Alberta, duly assembled, enacts:

### CITATION

1. This bylaw may be cited as "The Banff Camping Bylaw".

### DEFINITIONS

2. In this bylaw:
  - (a) Any capitalized words not defined within this Bylaw will have the meaning as set out in the Town of Banff Interpretation Bylaw, as amended from time to time.
  - (b) "Camp" or Camping" shall mean locating of, erecting of or use of a portable cabin, storage shed, tent, trailer or other similar structure for the provision of sleeping accommodation and includes sleeping overnight or any portion thereof in the open air.
  - (c) "Public Land" shall mean lands leased to the Town or under the Town's management and control, within the Town of Banff.
  - (d) "Town Manager" shall mean the municipal manager of the Town of Banff.
3. Words importing the masculine gender only, include the feminine gender whenever the context so requires and vice versa.
4. Words importing the singular shall include the plural or vice versa whenever the context so requires.

5.
  - (a) No person shall reside or Camp on any Public Land in the Town.
  - (b) No lessee of land within the Town shall permit Camping on such lands within the Town.
  - (c) No person shall use, occupy or park any vehicle on any Public Land in the Town for the purpose of Camping.
6.
  - (a) Any Peace Officer or Bylaw Enforcement Officer is hereby authorized to remove or cause to be removed any camping equipment, vehicles or apparatus which is used, utilized or found in contravention of this bylaw.
  - (b) Any such camping equipment, vehicles, and apparatus may be removed to a place designated by the Town Manager where it will remain impounded until claimed by the owner or his authorized agent.
  - (c) The storage and removal charges relating to any impounded camping equipment, vehicles, or apparatus which is unclaimed by the owner may be collected pursuant to the provisions of the MUNICIPAL GOVERNMENT ACT (Alberta) as amended.
7. Notwithstanding the provisions of this bylaw, no person is prevented from using the facilities provided in a public picnic ground for the preparation and consumption of meals provided that such person:
  - (a) At all times maintains the area in a condition satisfactory to the Town Manager;
  - (b) When vacating the area, restores the area to its natural condition as nearly as possible; and
  - (c) Ensures that where trash receptacles are provided in such area, all refuse, waste paper or other material being discarded is placed in a trash receptacle.
8. No person shall:
  - (a) Use or occupy any kitchen shelter, service building, pavilion or other public building structure in the Town for sleeping accommodation;
  - (b) Erect or affix any tarpaulin, blanket, structure of wood, wood products, metal or other material to the walls or super structure of any public building or structure in the Town;

- (c) Leave any food, equipment or personal effects in a kitchen shelter or on a picnic table, grill, stove, barbecue or fireplace provided by the Town for public use in the Town, except during such reasonable period as such facilities are required for the purpose of preparing and consuming a meal or for cleaning up immediately thereafter;
  - (d) Attempt to kindle, renew or maintain any fire or allow any fire to burn in the open in a public picnic ground except:
    - (i) in a grill, stove, barbecue or fireplace provided by the Town for public use; or
    - (ii) in a privately owned barbecue, hibachi or portable stove when used at a location satisfactory to the Town Manager;
  - (e) Damage, in any way, trees, shrubs, or other natural vegetation on Public Lands.
9. Any person who contravenes this bylaw is guilty of an offence.
10. Persons contravening the provisions of this bylaw shall be liable for the penalties set out in the bylaw or set out opposite such section number in **Schedule "A"** hereto.
11. A notice or form commonly called an Offence Ticket having printed wording approved by the Secretary-Treasurer of the Town, may be issued by a Peace Officer or a Bylaw Enforcement Officer to any person alleged to have breached any provision of this bylaw, and the said notice shall require the payment to such official in the amount specified in this bylaw or the regulations pursuant to the PROVINCIAL OFFENCES PROCEDURE ACT, (Alberta), as amended.
12. A Ticket shall be deemed to be sufficiently served:
- (a) if served personally on the accused; or
  - (b) if mailed to the address of the registered owner of the vehicle concerned; or to the person concerned.
13. Except as otherwise provided in this bylaw, a person who is guilty of an offence under this bylaw for which a penalty is not otherwise provided, is liable to a fine of not more than \$500.00 and in default of payment, is liable to imprisonment for a term not exceeding six (6) months or to imprisonment for a term not exceeding six (6) months without the option of a fine.

**TRANSITION**

14. Bylaw Number 34-1 is repealed.

This bylaw comes into effect on the date of final passing.

READ a first time this 10th day of APRIL, A.D. 1995.

READ a second time this 10th day of APRIL, A.D. 1995.

READ a third time and finally passed this 10th day of APRIL, A.D. 1995.

MAYOR

MUNICIPAL ADMINISTRATOR

**SCHEDULE "A"**

- |    |                                   |         |
|----|-----------------------------------|---------|
| 1. | Breach of Section 5 of this Bylaw | \$50.00 |
| 2. | Breach of Section 7 of this Bylaw | \$50.00 |
| 3. | Breach of Section 8 of this Bylaw | \$50.00 |