

TOWN OF CRESTON

Bylaw No. 2030

A bylaw to regulate activity within Town parks and public spaces.

WHEREAS pursuant to Section 8(3)(b) of the *Community Charter*, *Council* may, by bylaw, regulate, prohibit and impose requirements in relation to public places, including squares, parks, and trails;

NOW THEREFORE the Council of the Town of Creston, in open meeting assembled, enacts as follows:

Part 1 Citation

- 1.1 This Bylaw may be cited for all purposes as “Parks, Trails, and Public Places Regulations Bylaw No. 2030, 2025”.

Part 2 Severability

- 2.1 If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause, or phrase.

Part 3 Previous Bylaw Repeal

- 3.1 Parks, Trails and Public Places Regulations Bylaw No. 1788, 2014 is hereby repealed.

Part 4 Definitions

- 4.1 In this Bylaw:

“Chief Administrative Officer” means the person appointed by *Council* as the *Chief Administrative Officer* of the *Town* and includes any authorized designate.

“Corporate Officer” means the person appointed from time to time by *Council* as the *Corporate Officer* for the *Town* and includes any authorized designate.

“Council” means the elected *Council* of the *Town*.

“Designated Roadway” means a “street” as defined in the Traffic Regulations Bylaw No. 1546, 2002, located within a *Town Park*.

“Event” means use of a *Public Space* or private space for purposes including, but not limited to, a public or private exhibition, parade, procession, carnival, athletic event, commercial performance or show, or party.

“Event Booking” means the reservation of a *Public Space* or private space for an *Event* under the terms of a permit to hold that *Event* issued by the *Town*.

“Liquor Service Permission” means written permission from the *Town* to provide liquor service in a *Public Space* for the purposes of an application for a Special Event Permit (Liquor) by an *Event* organizer to the British Columbia Liquor and Cannabis Regulation Branch.

“Municipal Trail” means a recreational or commuter trail that is owned or occupied by the *Town*.

“Police” means the detachment of the Royal Canadian Mounted Police or municipal *Police* force providing *Police* services to the *Town*.

“Public Safety Compliance Officer” means a person appointed from time to time by *Council* as a *Public Safety Compliance Officer* for the *Town* and includes any authorized designate.

“Public Space” means all property or portions of property owned or possessed by the *Town* in or on which the public is ordinarily invited or permitted, including but not limited to the grounds of public facilities or buildings, public parking lots, *Town Parks*, *Municipal Trails*, any highway, street, road, lane, or other statutory right of way.

“Residential Garbage” means household waste generated incidentally to the use of residential premises and includes *Yard Waste*.

“Special Event Permit (Liquor)” means a liquor special event permit issued by the British Columbia Liquor and Cannabis Regulation Branch.

“Town” means the Town of Creston.

“Town Park” means all *Town* parks identified in Appendix A and any land subsequently reserved or dedicated by bylaw or designated by resolution as a park by *Council*.

“Town Sports Fields” means the areas within Centennial Park and the Creston Education Centre designed for sports activities.

“Yard Waste” means organic waste, including but not limited to grass, lawn and hedge clippings, grass sod, dirt, flowers, weeds, leaves, stalks, shrubs and tree branches.

Part 5 General Regulations

- 5.1 The *Chief Administrative Officer* is authorized to post, or cause to be posted, rules and regulations within *Public Spaces* that prohibit or regulate uses specific to a *Public Space*.
- 5.2 The hours of operation for each *Town Park* are 6:00 a.m. to 11:00 p.m. unless otherwise indicated by an authorized municipal sign within the *Town Park*.
 - 5.2.1 Notwithstanding section 5.2, Canyon Street Walkthrough Park shall be open at all times unless otherwise indicated by a sign or authorized personnel.
- 5.3 Recreation on *Town Sports Fields* is managed by the Regional District of Central Kootenay. All *Town Sports Field* recreation inquiries must be directed to the front desk at the Creston and District Community Complex, located at 312 -19th Avenue North, or by phoning the front desk at 250-428-7127.
- 5.4 Notwithstanding anything contained in this Bylaw, *Town* officers, officials, employees, and contractors of the *Town*, while performing their duties, shall be exempt from the provisions hereon to the extent required to reasonably perform their duties.

Part 6 Prohibitions

- 6.1 No person shall enter or occupy a *Town Park* outside the *Town Park's* hours of operation, except a person permitted access outside of those hours in connection with an *Event Booking*, a person who has written permission of the *Chief Administrative Officer*, or, while performing their duties, *Police*, the *Public Safety Compliance Officer*, an emergency vehicle operator, and *Town Staff*.
- 6.2 No person shall operate or park:
- 6.2.1 a motor vehicle, other than a wheelchair or a motorized cart operated by a person with mobility challenges, on a *Municipal Trail* or in a *Town Park*, except on a *Designated Roadway* or as permitted in connection with an *Event Booking*;
 - 6.2.2 a motor vehicle designed for off-road use, including but not limited to a snowmobile, all-terrain vehicle, or dirt bike, in a *Town Park* or on a *Municipal Trail*; or,
 - 6.2.3 an electric personal transportation device, including but not limited to an e-bike, e-scooter, segway, e-unicycle, or electric skateboard within a *Town Park*, except on a *Designated Roadway*.
- 6.3 No person shall, in or on a *Public Space*:
- 6.3.1 consume alcohol, unless authorized by a *Special Event Permit (Liquor)* and *Liquor Service Permission* (if applicable);
 - 6.3.2 deposit *Residential Garbage*, commercial garbage, or industrial garbage, including in a public garbage receptacle;
 - 6.3.3 engage in riotous, disorderly, violent, offensive, threatening, or illegal conduct;
 - 6.3.4 pollute or harm the natural environment, including by feeding wildlife;
 - 6.3.5 deface, damage, break, destroy, or impair any property, structure, or natural feature;
 - 6.3.6 sit, walk, or climb on any wall, fence, structure, or object unless it is designed and intended for such purpose;
 - 6.3.7 defecate or urinate, except in designated toilets or facilities;
 - 6.3.8 cause excessive noise;
 - 6.3.9 make or cause a fire; or
 - 6.3.10 engage in lewd or sexual acts.
- 6.4 No person shall, in a *Town Park* or on a *Municipal Trail*:
- 6.4.1 repair, maintain, or clean a vehicle;
 - 6.4.2 smoke or vape; or,

- 6.4.3 post, paint, or distribute any advertisements of any kind without prior approval of the *Town*.
- 6.5 No person shall bring an animal, other than a guide dog or service dog, into a *Town Park*, except as permitted in this Bylaw or as indicated by an authorized municipal sign within the *Town Park*.

Part 7 Uses

- 7.1 The *Town* may:
 - 7.1.1 designate certain areas of a *Public Space* for a specific use;
 - 7.1.2 prescribe certain rules and regulations for the use; and,
 - 7.1.3 prescribe such times as desired by the *Town* for such use.
- 7.2 A person shall not close, cordon off, or exclusively use a *Public Space*, other than a *Town Sports Field*, unless that person has a valid and subsisting *Event Permit* issued by the *Town* authorizing such action.
- 7.3 A person shall not close, cordon off, or exclusively use a *Town Sports Field*, unless that person has approval from the Regional District of Central Kootenay.
- 7.4 The *Town* may issue a parking permit for an *Event* in accordance with Events Bylaw No. 2029, 2025, which permit may authorize persons and vehicles within a *Town Park* when the *Town Park* is closed or authorize vehicles in locations other than *Designated Roadways*.
- 7.5 No person shall sell or display for sale any refreshment, food, article, merchandise, product, thing, or service or conduct any business in a *Public Space* without a valid and subsisting Business Licence issued in accordance with Business Licence Bylaw No. 1793, 2017.

Part 8 Dogs

- 8.1 A person who owns, possesses, or has temporary custody of a dog:
 - 8.1.1 may bring the dog onto or into a *Town Park*, or a portion thereof, that is designated a "Dog On-Leash Park" or "Dog Off-Leash Park";
 - 8.1.2 must maintain control of the dog at all times while on or in a *Public Space*;
 - 8.1.3 must keep the dog on a leash not more than two metres in length at all times while on or in a *Public Space*, except a *Municipal Trail* or a *Town Park*, or a portion thereof, that is designated a "Dog Off-Leash Park"; and,
 - 8.1.4 must place all excrement deposited by the dog in or on a *Public Space* into a sealed bag and:
 - 8.1.4.1 remove the excrement from a *Public Space*; or,

8.1.4.2 deposit the excrement into a public garbage receptacle located within a *Public Space*.

8.2 The following *Town Parks* are designated "Dog On-Leash Parks":

8.2.1 Kinsmen Park;

8.2.2 Dwight and Rosamond Moore Community Wetlands;

8.2.3 Dodd's Creek Park;

8.2.4 ʔakuʔni;

8.2.5 Burns Park;

8.2.6 Schikurski Park;

8.2.7 Downtown Green Space; and,

8.2.8 Ken Huscroft Park.

8.3 Creston Dog Park is designated a "Dog Off-Leash Park".

8.4 Despite section 8.1.1, a person may be permitted to bring a dog to an *Event* within a *Town Park*, or a portion thereof, that is not designated a "Dog On-Leash Park" or a "Dog Off-Leash Park" only if and as authorized under Events Bylaw No. 2029, 2025.

Part 9 Barbeques

9.1 A person may use a propane or charcoal briquette barbeque only within the designated barbeque areas identified in Appendix B to this Bylaw.

9.2 All persons who uses a propane or charcoal briquette barbeque shall comply with all local and provincial fire prohibitions and restrictions, including Open Burning Bylaw No. 1929, 2021.

Part 10 Appendices

10.1 Appendix A – Town Parks is attached to and forms part of this Bylaw.

10.2 Appendix B - Designated Barbeque Areas is attached to and forms part of this Bylaw.

Part 11 Enforcement

11.1 The *Public Safety Compliance Officer* and the *Police* are hereby empowered to enforce all provisions of this Bylaw.

11.2 No person shall obstruct, interfere with, impede, distract, hinder, or prevent the *Public Safety Compliance Officer* or *Police* from performing any duties or exercising any authority under this Bylaw.

- 11.3 A *Public Safety Compliance Officer* or *Police* may impound or remove any item or thing in a *Public Space* that causes or creates a safety hazard, obstruction, or any violation of this Bylaw. The removal, impoundment, release, and disposal of such item or thing shall be subject to Part 8, sections 6(c) to 6(g) of Traffic Regulations Bylaw 1546.
- 11.4 A *Public Safety Compliance Officer* or *Police* may order a person to leave a *Public Space* if that person commits a violation of this Bylaw, subject to providing a verbal warning to the person indicating the nature of the offence, a demand to cease and desist, and a reasonable opportunity for compliance.
- 11.5 Nothing in this Bylaw shall prevent a *Public Safety Compliance Officer* or *Police* from immediately removing or expelling any person from any *Public Space* if any potential public risk is apparent or perceived.
- 11.6 A person who has been ordered to leave, removed, or expelled from a *Public Space* shall not return to or enter that *Public Space* for a period of 48 hours.
- 11.7 Every person who violates a provision of this Bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects or refrains from doing anything required by a provision of this Bylaw, commits an offence. Each day during which the contravention continues, constitutes a new and separate offence.
- 11.8 A person who commits an offence under this Bylaw is liable, upon summary conviction, to a fine not exceeding \$50,000 and not less than \$2,500, and, in the case of a continuing offence, is liable to pay such fine for each day that the offence continues.

Part 12 Effective Date

- 12.1 This Bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME by title and SECOND TIME by content this 28th day of October, 2025.

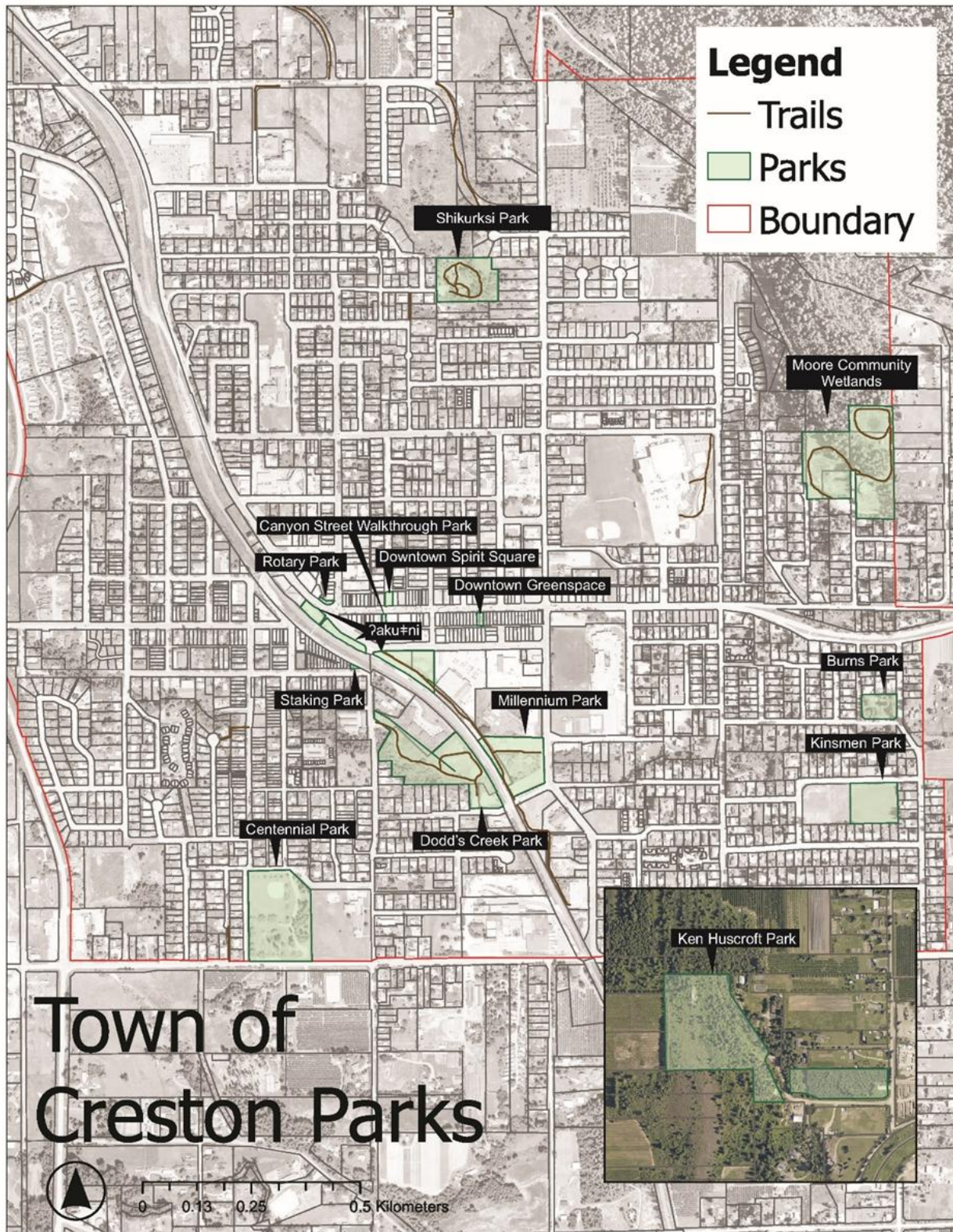
READ A THIRD TIME by title this 18th day of November, 2025.

ADOPTED this 2nd day of December, 2025.

"Arnold DeBoon"
Mayor Arnold DeBoon

"Bev Caldwell"
Bev Caldwell, Corporate Officer

Appendix A – Town Parks



Appendix B – Designated Barbeque Areas

Burns Park



Centennial Park



Schikurski Park



Dwight and Rosamond Moore Community Wetlands

