

CITY OF SURREY

BY-LAW NO. 4395

As amended by By-law 4799, 5515, 7906, 9744, [12268](#), and [13195](#).

A by-law making rules and regulations governing the management, maintenance, improvement, operation, control, and use of all real and personal property owned, acquired, leased or otherwise held by the [City](#) for pleasure, recreation, or community uses of the public, including public libraries, art galleries, museums, arenas, exhibition buildings, swimming pools, ice rinks and all community recreational facilities therein and thereon.

**Amended
B/L [12268](#)
04/25/94**

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THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

WHEREAS under and by virtue of the provisions of Division (1) of Part XVII of the "Municipal Act" being Chapter 255, R.S.B.C. 1960, as amended, and specifically as authorized by Section 621(1) (b) of the said "Municipal Act" the Council may by by-law make rules and regulations governing the management, maintenance, improvement, operation, control, and use of any real and personal property owned, acquired, leased or otherwise held by the [City](#) for pleasure, recreation, or community uses of the public including public libraries, art galleries, museums, arenas, exhibition buildings, swimming pools, ice rinks and all community recreational facilities therein and thereon;

AND WHEREAS by by-law enacted pursuant to the authority of Section 632 of the said "Municipal Act" the [City](#) Council has established a Joint Parks and Recreation Commission and by said by-law has delegated to the said Joint Parks and Recreation Commission those administrative powers of the Council relating to parks and park property and the real and personal property hereinbefore referred to, and in said by-law more specifically set out;

AND WHEREAS the powers delegated to the Joint Parks and Recreation Commission do not extend to or include any of the powers of the Council which are exercisable by by-law only;

AND WHEREAS the said Joint Parks and Recreation Commission has collaborated with the Council in the drafting of this by-law and fully understands and agrees that it is bound by the rules and regulations hereinafter contained.

NOW, THEREFORE, the [City](#) Council of the City of Surrey, in open meeting

assembled, ENACTS AS FOLLOWS:

1. This by-law shall be cited for all purposes as "Surrey Parks and Recreational Facilities Regulation By-law, 1974, No. 4395".

INTERPRETATION:

2. In this by-law unless the context thereof otherwise requires, the following words and expressions shall have the meaning hereinafter assigned to them, that is to say:

(a) "Boulevard" means the area between the curb line of a roadway or the lateral lines of a roadway or the shoulder thereof and the adjacent property line and excluding any sidewalk thereon.

(b) "Commission" means that the Surrey Joint Parks and Recreation Commission as established and appointed by the Council of the City of Surrey.

(c) "City" means the City of Surrey.

(d) "Driveway," "roadway," or "path," mean and shall include any way or thoroughfare in any public park or recreation grounds set apart and improved by grading, gravelling, or other means for the use of pedestrians, vehicular or animal traffic.

(e) "Parks" means and includes public parks, playgrounds, including all driveways, roadways, paths, lanes and boulevards within the same, beaches, swimming pools, (both indoor and outdoor), wading pools, ice arenas, community centres, public libraries, art galleries, museums, arenas, exhibition buildings, and all community recreational facilities owned by or under the ownership or control of the City of Surrey and delegated to the custody, care, management and jurisdiction of the Surrey Joint Parks and Recreation Commission.

(f) "General Manager, Parks and Recreation" means the person appointed by the City of Surrey through the Surrey Joint Parks and Recreation Commission to superintend the execution and the carrying out of the powers, duties and responsibilities of the Commission and the employees and agents of the City and the Commission under this by-law.

(g) "Person" means and shall include natural persons of either sex, associations, corporations, bodies politic, co-partnerships, whether acting by themselves or by an agent, employee, or servant, and the heirs, executors, administrators, successors and assigns or other legal representatives of such person to whom the context can apply according to law. The singular shall, when necessary, be held to mean and include the plural, the masculine, the feminine, and the converse thereof.

(h) "Vehicle" means and shall include all forms of conveyance of the carriage or transport of persons, passengers, goods, or materials, whether drawn by animals or propelled by any mechanical device or other motive power whatsoever, and shall include bicycles, motorcycles and tricycles.

(i) "Liquor" means liquor as defined in the Liquor Control and Licensing Act, R.S.B.C. 1996, c.267, as amended.

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3. Subject to the restrictions and requirements of the "Municipal Act," the [City](#) is hereby authorized and empowered to accept and to hold any real or personal property within the City for pleasure, recreation, or community uses of the public, including public [parks](#), playgrounds, beaches, swimming pools, wading pools, ice arenas, community centres, public libraries, art galleries, museums, arenas, exhibition buildings and all community recreational facilities.

4. All real and personal property acquired and held by the [City](#) for any or all of the purposes set out in Section 3 hereof and hereinafter referred to as "[parks](#)" shall, subject to the trusts, dedications and reserves under which the same have been acquired and are being held by the City and which, pursuant to the by-law establishing the Joint Parks and Recreation Commission have been placed under the custody, care, and management of the said [Commission](#), shall be subject to the provisions of this by-law and the Commission shall be responsible for enforcing the provisions hereof.

5. The [Commission](#) is hereby authorized and empowered and subject to the limitations and requirements of the by-law which established the said Commission, to acquire, construct, equip, operate and maintain such additional public recreational and community facilities as the Commission may decide on any of the real property referred to in Section 4 hereof and on any additional real property subsequently acquired by the [City](#) and dedicated or reserved by it for public [parks](#), recreational facilities or community services for the use, recreation and enjoyment of the public and all such additional facilities and property shall be included in the definition of "parks" hereinbefore set forth and shall be subject to all provisions and regulations of this by-law.

6. The [Commission](#) shall, in addition to the responsibilities imposed upon it pursuant to this by-law enforce and exercise all requirements and powers which relate to any of the property referred to in Section 4 hereof and which are imposed thereon pursuant to any other by-law of the [City](#) and shall exercise among any other powers therein contained, those powers of collecting rentals and admission fees and charges imposed and prescribed in such by-laws or in regulations made pursuant thereto or in accordance therewith.

GENERAL REGULATIONS:

7. No [person](#) shall within any real property referred to in Section 4 hereof, or within any park, playground, recreation ground, public recreational or public or community facilities therein, or within the lands which form the site of any such facility, and included in the definition "[parks](#)":-

- (a) Remove, cut, break, injure or in any way destroy or damage any tree, shrub, plant, turf, sod, or flower.
- (b) Cut or remove any tree, timber or firewood.
- (c) Damage or deface any building, structure, fence, sign, seat, bench or ornament of any kind.
- (d) Foul or pollute any fountain, lake, stream, pool, well or spring.

- (e) Damage, deface, clutter or block any [boulevard](#), [driveway](#) or pathway.
- (f) Injure, deface or destroy any notice, sign, rule or regulation posted or affixed to anything therein by order or permission of the [Commission](#).
- (g) Climb, walk or sit upon any wall, fence or other erection.
- (h) Cross, travel on, use or walk upon any grassed plot or land where signs have been posted forbidding any such use.
- (i) Deposit any waste, offensive matter or other substance of any kind into or upon any such park, grass plot, [driveway](#), [boulevard](#) or lane, or in any lake, stream, pool or pond or along any [driveway](#), boulevard, lane or [path](#) except in those receptacles provided for such purpose.

8. No [person](#) shall within any real property referred to in Section 4 hereof, or within any park, within the permission of the [Commission](#):

- (a) Sell or expose for sale any refreshments or any article or thing.
- (b) Carry or discharge any firearm of any description or fire or explode any combustible or other explosive material.
- (c) Make or set a fire or throw or place upon the ground any lighted match, cigar, cigarette or other burning substance.
- (d) Molest, disturb, frighten, injure, trap or snare any bird or animal or fish or angle in any lake or stream.
- (e) Erect, construct or cause to be erected or constructed or placed in or on any [boulevard](#), [driveway](#), [roadway](#), [path](#) or parking area or any other place within any park any tent, trailer, mobile home, building, shelter, pavilion or other construction whatsoever.
- (f) As the owner or [person](#) having the control of any animal or fowl, allow any such animal or fowl to run at large or to feed upon any lands therein, or upon any [roadway](#), [driveway](#), pathway or [boulevard](#) therein. For the purpose of this by-law "control of any animal" shall mean on a leash, tether or rope.

AND every [person](#) receiving such permission shall at all times be subject to the conditions thereby imposed and by this by-law, and the onus shall at all times be on the person receiving such permission to duly carry out all conditions thereby imposed, and every such person shall save harmless and protect the [City](#) and the [Commission](#) from and against any and all claims, demands, suits or compensation of whatsoever kind arising, either directly or indirectly out of the permission thereby granted, and shall likewise be subject to such further conditions, regulations and orders as may be imposed by the Commission in the premises.

9. The [Commission](#) may designate that no [person](#) shall play at any game whatsoever in or on any portion of any park as herein defined, except upon or in such portion or portions thereof as may be specially allotted, designated and provided, respectively for any such purpose and under such rules, regulations, terms and conditions and at such times as shall be prescribed by the Commission.

10. Subject to the provisions of this by-law and to those policies and procedures

adopted by the [Commission](#) and relevant thereto, the [General Manager, Parks and Recreation](#) is hereby authorized and empowered to issue and to grant permits for use of the [parks](#) as herein defined, and of facilities therein, and no procession, march, drill, performance, ceremony, concert, gathering or meeting shall be held in or on any such park without the permission in writing of the said General Manager, Parks and Recreation.

11. No [person](#) shall within any park as herein defined:-

(a) Conduct himself in a disorderly or offensive manner;

(aa) Possess [liquor](#) at any time, except where the liquor is possessed pursuant to and in compliance with a license under the *Liquor Control and Licensing Act*, R.S.B.C. 1996, c.267, as amended;

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(b) Molest or injure any other [person](#);

(c) Loiter or take up temporary abode overnight within any portion thereof;

(d) Obstruct the free use and enjoyment of any park or facility therein by any other [person](#);

(e) Use, occupy or travel along or upon part thereof, or on any [driveway](#), [roadway](#), lane, pathway or [boulevard](#) therein in such manner as to obstruct or to cause an obstruction, or to interfere with any [person](#) or traffic lawfully using the same;

(ee) Use a [vehicle](#) to occupy or travel on any [driveway](#), [roadway](#), lane, pathway or [boulevard](#) where signs have been posted prohibiting such occupation, travelling on or use;

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(f) Encumber, obstruct or cause to be encumbered or obstructed in any way any part thereof or any [driveway](#), [roadway](#), lane, pathway or [boulevard](#) therein, except as provided by Sections 10 and 12 hereof;

(g) Wilfully or maliciously hinder, deter, or interrupt, or cause or procure to be hindered, deterred or interrupted the [Commission](#), the [General Manager, Parks and Recreation](#), the employees of the [City](#) and the Commission and any agent, contractor or volunteer thereof, or any of them in the exercise of any of their duties under or in connection with this by-law and in the carrying out of the instructions and policy of the Commission;

(h) Wilfully or maliciously let off, turn on, or discharge any water so that the water runs to waste and useless from and out of any reservoir, pond, lake, tap, pipe or other fixture within any park;

(i) Cause or permit any dog or any other animal under his control to swim or enter into the water contained in any reservoir, lake, pond, swimming pool or other receptacle for water within any park or connected to any park, or any ice upon any water within any park when such water is frozen, excepting that between the 15th day of September in one year and the 15th day of May in the following year dogs may be permitted on a beach provided they are on leash.

(j) Foul any water within any park and any lake, pool, pond, swimming pool or any other receptacle for water within any park or to damage, injure in any way or destroy any of the works, pipes and fittings in connection therewith;

(k) Post, paint or affix any advertising, promotional material, poster or bill

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without first obtaining the written permission to do so from the Parks and Recreation Commission;

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(kk) Enter, occupy or remain in a park between dusk of one day and dawn of the immediately following day except as otherwise posted by the [City](#), the [Commission](#) or the [General Manager, Parks and Recreation](#);

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(l) Violate any by-law, rule, regulation, notice or order of the [City](#) or of the [Commission](#), or any order or lawful direction of the [General Manager, Parks and Recreation](#) or other [person](#) in charge of or in control of or responsible for the maintaining, superintending or supervising the whole or any portion thereof, any person conducting himself as aforesaid may be removed therefrom and in addition shall on summary conviction thereof be subject to the penalty hereinafter provided.

12. The [Commission](#) shall have authority to order and require the removal; or to remove; or to cause to be removed; from any park and from any facility, lane, pathway, [roadway](#) or [boulevard](#) therein any obstruction or thing placed therein or thereon contrary to the provisions of this by-law or of any rule or regulation made by the Commission pursuant hereto and the [General Manager, Parks and Recreation](#) is hereby authorized to direct any employee or agent of the [City](#) and the Commission to do every lawful act required in the circumstances to have such obstruction or thing removed therefrom forthwith and the General Manager, Parks and Recreation shall have the authority to hold and to retain possession of every such obstruction and thing until the owner thereof has paid to the Commission all expense incurred in the removal and the storage thereof until so claimed, and in the event that any such obstruction or thing is not claimed and the costs of removal and storage thereof are not paid, the provisions of Section 662 of the "Municipal Act" being Chapter 255, R.S.B.C. 1960 as amended, shall apply thereto.

PLAYGROUNDS AND COURTS:

13. The following regulations shall apply to all playgrounds and courts within the park:

(a) No [person](#) shall play at any games on any tennis courts, bowling, or putting green unless wearing appropriate shoes for such games, with the requisite appliances for such games, respectively, and only at such time or during the seasons, and under such rules and regulations as shall be prescribed, respectively, by the [Commission](#) or its authorized lessees of such court or green.

(b) The [Commission](#) may restrict the playing of games on any court, green, grounds or lawn within any park at any time.

(c) No [person](#) shall wilfully, maliciously or carelessly damage or destroy the utility of any court, green, grounds, or lawn, or in any way interfere with or obstruct the free use thereof by those lawfully entitled to the use of same.

(d) All fees and other charges imposed, or designated for the use of any park, court, green, grounds or lawn shall be payable before the commencement of any game unless otherwise specifically arranged for with the [Commission](#) or [General Manager, Parks and Recreation](#).

BATHING BEACHES AND SWIMMING POOLS:

14. The following regulations shall apply to all bathing beaches and swimming pools within the jurisdiction of the Council and the [Commission](#):

- (a) No [person](#) shall enter or bathe in any water in or adjoining any park, bathing beach or swimming pool without being properly clothed in a bathing suit.
- (b) No [person](#) suffering from any contagious or communicable disease shall enter or bathe in any water at any bathing beach or in any swimming pool.
- (c) No [person](#) shall disobey any lawful command or order of any person having the superintendence, management or control of any such bathing beach or swimming pool, or the command of any lifeguard or other person in charge of or superintending any bathing beach or swimming pool.
- (d) No [person](#) shall cause to swim or permit the swimming of any animal or the fouling of any waters therein or immediately adjacent thereto, every person contravening any rule or regulation applicable thereto authorized by the [Commission](#) shall be deemed to be guilty of an infraction of this by-law.

15. The [Commission](#) may by resolution advertise precise times and dates swimming pools will be open to the public and all use of the said pools shall be restricted to those times and dates so advertised or published.

16. (a) No [person](#) owning or having custody, care or control of a horse shall allow the horse to be upon any beach in the [City](#) between the 15th day of May and the 15th day of September in each year.

(b) No [person](#) owning or having custody, care or control of a horse shall allow or suffer the horse to deposit excrement on any park or public property unless that person immediately removes the excrement and disposes of it in a sanitary manner.

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17. It shall be unlawful for any [person](#):

- (a) To undress or dress in or adjacent to any bathing beach or swimming pool except in the places specially provided for such purpose.
- (b) To play ball or any games so as to molest or interfere with or become a nuisance to the general public present at any bathing beach or swimming pool
- (c) To loiter or to conduct himself in such manner as to be objectionable to other persons or the public in or immediately adjacent to any swimming pool or bathing beach.
- (d) To use any boat, motor boat, sea sled or other contrivance or thing in the immediate vicinity of any bathing beach that will endanger, disturb, or otherwise interfere with the free use of the water for bathing and swimming purposes.
- (e) To fish from or adjacent to any bathing beach, or to cast or to haul in any net or other fishing contrivance therein or therefrom between May first (1st) and October first (1st) in each year.
- (f) To interfere with, obstruct, impede, hinder or prevent the discharge of the

duties of any employee or any attendant, lifeguard or other [person](#) engaged in superintending, controlling, instructing or overseeing swimming, bathing or aquatic sports or games at or in any bathing beach or swimming pool or any beach under his supervision or control.

(g) To litter up, deposit or leave, or cause to be littered up, deposited or left, any matter or thing on any beach or in the waters adjacent thereto or to create any undue disturbance, congregation or alarm that will cause or tend to cause panic, excitement or any hazard, annoyance or interference with swimmers and bathers, in or on any bathing beach or swimming pool or adjacent thereto.

TRAFFIC REGULATIONS:

18. (a) The following regulations shall apply to all traffic within the [parks](#):

(i) No [person](#) shall ride or drive any horse or animal or drive or propel or permit to be driven or propelled, any [vehicle](#) or other mode or conveyance, in any park except upon a [roadway](#) or parking area designed for vehicular traffic. Horses will be permitted on designated bridle paths, so posted, in certain park areas.

(ii) No [person](#) shall drive a [vehicle](#) in compliance with these regulations at a greater rate of speed than 15 miles per hour.

(iii) No [person](#) shall ride or drive any horse or other animal or any [vehicle](#) in any direction other than the direction designated by order of the [Commission](#), and in accordance with the rules and regulations (if any) authorized by the Commission for the respective [driveway](#).

(iv) No [person](#) shall operate, drive, or propel in any park any advertising [vehicle](#) without the written permission of the [Commission](#) or [General Manager, Parks and Recreation](#).

(v) No [person](#) shall deposit or remove any material or debris of any kind, in, to, from, or within any park without the permission of the [Commission](#) or the [General Manager, Parks and Recreation](#).

(vi) No [person](#) shall operate any [vehicle](#) for hire within any park for the purpose of taking on or discharging passengers for hire from or to any point in any park without the written consent of the [Commission](#) or the [General Manager, Parks and Recreation](#).

(vii) No [person](#) shall park anywhere other than in a designated area in any other manner than that indicated by posted signs or as directed by the [General Manager, Parks and Recreation](#) or by some person duly authorized to act on his behalf.

(b) The foregoing regulations shall not apply to invalids' chairs or children's carriages propelled on footwalks to such an extent that they do not interfere with the free use of footwalks by pedestrians.

(c) All vehicles owned by the [City](#), or vehicles used on behalf thereof, or emergency vehicles as defined by the Motor Vehicle Act R.S.B.C. are exempt from these regulations.

(d) In addition to any other penalty herein provided, any vehicles or

conveyances found in contravention of this by-law are subject to seizure and removal from the park at operator or owner's expense.

DUTIES OF EMPLOYEES IN PARKS:

19. (a) The duties of all employees of the [Commission](#) and of officers and agents engaged in service in any park shall consist in carrying out lawful commands, orders and regulations of the Commission, enforcing the by-laws of the [City](#) applicable to any park or other property under the control of the Commission.
- (b) Each employee, officer and agent in the service of the [Commission](#) on duty in any park or other place to which this by-law refers:
- (i) Shall lawfully and intelligently carry out all duties assigned to him, and to report to his superior officer as required;
 - (ii) Shall be considered to be always on duty while in or on property to which this by-law refers;
 - (iii) Shall, in case of accident, provide assistance where possible and shall take the names and addresses of all persons directly connected therewith, and forthwith make a written report thereon to the [General Manager, Parks and Recreation](#).

PENALTIES:

20. Every [person](#) who violates any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law or who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law or who does any act which violates any of the provisions of this by-law, shall be guilty of an infraction thereof and upon summary conviction therefore shall be liable to a fine and penalty not exceeding Five Hundred (\$500) Dollars or in default of payment thereof, or in the alternative, to imprisonment for any period of time not exceeding three (3) months.

21. This by-law shall come into force and take effect on the date of the final passing hereof by the [City](#).

22. "Surrey Parks Regulations By-law, 1957, 1580" is hereby repealed.

PASSED by the Municipal Council on the 21st day of October A.D. 1974.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 28th day of October, 1974.

"W. Vander Zalm" MAYOR

"R.N. Chester" CLERK