

THE RURAL MUNICIPALITY OF EAST ST. PAUL

BY-LAW NO. 2000 - 17

Being a By-law to regulate activities within municipal parks in the Rural Municipality of East St. Paul.

WHEREAS Subsection 232(1) of The Municipal Act provides in part as follows:

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (b) people, activities and things in, on or near a public place or a place open to the public, including parks....

AND WHEREAS it is deemed necessary and desirable to establish a by-law to regulate activities within municipal parks in the Rural Municipality of East St. Paul;

NOW THEREFORE the Council of the Rural Municipality of East St. Paul enacts as follows:

**Title**

1.0 This by-law may be referred to as “The Rural Municipality of East St. Paul Parks By-law”.

**Definitions**

2.0 In this by-law:

- a) “Act” means The Municipal Act S.M. 1996, c.58.
- b) “Council” means the duly elected Reeve and Councillors of the Rural Municipality of East St. Paul.
- c) “Park” means all those areas within the Rural Municipality of East St. Paul operated as municipal parks described as:
  - i) Glengarry Park, being the land shown as Public Reserve in Plan No. 18505;
  - ii) Hugh McDonald Park, being the land shown as Public Reserve “A” in Plan No. 23418;
  - iii) J K Park, being Lots 15 and 22, Block 1, Plan 19797;
  - iv) Memorial Park, being Lots 1 and 2, Plan 2916, together with the northerly 142.5 feet of the westerly 150 feet in the outer two miles of River Lot 94, Parish of St. Paul;

- v) Silver Springs Park, being Block 5, Plan 18401;  
All that portion of outer two miles Lot 92, Parish of St. Paul bounded as follows: on the north by a line drawn south of parallel with and perpendicular distant 100 feet from the northern limit of said lot on the south by the southern limit of said lot and being between the following described boundaries:  
Firstly: Commencing at a point in the northern limit of said lot distant easterly thereon 2475 feet from the eastern limit of the two mile road thence southerly and parallel to the eastern limit of said two mile road to distance of 318.3 feet thence southerly in a straight line to a point in the southern limit of said lot distant easterly thereon 2625 feet from the eastern limit of said two mile road.  
Secondly: Commencing at a point in the northern limit of the land above described distant easterly thereon 700 feet from the eastern limit of the two mile road thence westerly on a course which makes an angle of 25 degrees 38 minutes and 15 seconds on its northern side with the northern limit of the land above described a distance of 200 feet thence westerly on a course which makes an angle of 154 degrees 36 minutes on its southern side with the last described course a distance of 234 feet thence westerly on a course which makes an angle of 153 degrees and 55 minutes on its northern side with the last described course to its intersection with the southern limit of said lot,  
excepting out of the land above described that portion taken for the right of way of a spur track coloured pink Plan 3729.  
Lot 93, outer two miles Parish of Saint Paul,  
excepting thereout firstly: All that portion lying to the north of the northern limit of the northerly portion of the right of way of the spur track of the Canadian Pacific Railway crossing said Lot as said right of way coloured pink Plan 3729.  
Secondly: The land taken for the right of way of said spur track.  
Thirdly: All that portion thereof which lies to the east of a line described as follows: Commencing at a point in the southern limit of said lot distant westerly thereon 845 feet from the south east corner of said lot then northeasterly on a course which makes on its eastern side an interior angle of 69 degrees with said southern limit 98 feet thence northerly on a course which makes on its western side an interior angle of 130 degrees with the last described course 144 feet thence northwesterly on a course which makes on its western side an interior of 126 degrees with the last described course 245 feet thence northwesterly on a course which makes on its eastern side an interior angle of 148 degrees with the last described course 211 feet thence northerly on a course which

makes on its eastern side interior angle 160 degrees with the last described course to a point in the northern limit of said lot.  
All those portions of outer two miles Lots 92 and 93 Parish of St. Paul taken for right-of-way of railway spur track Plan 3729.

- vi) Sperring Gardens Park, being Block 3, Plan 18306.
- d) "Municipality" means the Rural Municipality of East St. Paul.
- e) "Off-Road Vehicle" shall have the meaning ascribed to that term in The Off-Road Vehicles Act and amendments thereto.
- f) "Vehicle" shall have the meaning ascribed to that term in The Highway Traffic Act.
- g) "Police Officer" means an officer of the East St. Paul Police Department.

### **Prohibitions**

- 3.0 Except as provided in Section 4 of this by-law,
- a) no Off-Road Vehicle or Vehicle is permitted in a Park in the Municipality;
  - b) no person is allowed or permitted in a Park between the hours of 10:00 p.m. and 7:00 a.m.;
  - c) no dog shall be permitted in a Park unless the dog is on a leash and under the complete control of some competent person.

### **Exceptions**

- 4.0 Notwithstanding Section 3.0,
- a) Municipal Off-Road Vehicles and Vehicles are permitted in a Park to carry out the operations of the Municipality;
  - b) Police Officers or other Municipal employees are permitted in the Park between the hours of 10:00 p.m. and 7:00 a.m. to carry out the operations of the Municipality.

### **Offence**

- 5.0 Any person contravening this By-law commits an offence and is liable on conviction to a fine not exceeding One Thousand Dollars (\$1,000.00) but not to be less than Fifty Dollars (\$50.00).
- 6.0 That on the passing of this By-law, By-law No. 95-61 is hereby repealed.

DONE AND PASSED as a By-law of the Rural Municipality of East St. Paul, at East St. Paul, in Manitoba, this 6<sup>th</sup> day of September, 2000.

Originally Signed By Phil Rebeck  
Reeve

Originally Signed By Ernie Epp  
Chief Administrative Officer

Read a first time this 10<sup>th</sup> day of August, 2000.

Read a second time this 6<sup>th</sup> day of September, 2000.

Read a third time this 6<sup>th</sup> day of September, 2000.