#### **CITY OF BURNABY**

#### **BYLAW NO. 14571**

A bylaw to regulate consumption of alcohol in City parks

The Council of the City of Burnaby ENACTS as follows:

## **PART 1: CITATION**

1.1 This Bylaw may be cited as **BURNABY RESPONSIBLE CONSUMPTION OF ALCOHOL IN PARKS BYLAW 2023.** 

## **PART 2: DEFINITIONS**

2.1 In this Bylaw, unless the context otherwise requires:

"alcohol" means, subject to the *Liquor Control and Licensing* 

Regulation, beer, wine, spirits or other product that is

intended for human consumption and contains more than 1%

alcohol by volume

"bylaw" means this bylaw, including all schedules attached hereto

"City" means the City of Burnaby

"General Manager" means the General Manager Parks, Recreation and Culture

for the City or designate

"playing field" means a grass field that is owned, leased or controlled by the

City and used or intended to be used for the playing of

sports

"permitted space" means the City parks designated pursuant to section 3.1 of

this bylaw

## PART 3: PERMITTED SPACES, HOURS AND RESTRICTIONS

3.1 Subject to section 3.2 of this **bylaw**, the outdoor areas of the parks set out in Schedule "A" of this **bylaw** are designated as **permitted spaces** where **alcohol** may be consumed by members of the public between the hours of dawn to dusk, seven days per week.

# 3.2 No person shall consume **alcohol**:

- (a) in any **City** park or public space that is not a **permitted space**, except pursuant to a permit or licence under the *Liquor Control and Licensing Act* and related regulations;
- (b) in any **permitted space** outside the hours of dawn to dusk, seven days per week;
- in or within ten (10) metres of any playground, spray pad, wading pool, outdoor pool, skate bowl, parking lot or sport court within a **permitted space**;
- (d) on any artificial turf surface or in any trail, pathway, natural parkland or forested area within a **permitted space**;
- (e) in or within ten (10) metres of any **playing field** in a **permitted space** while the **playing field is** in use pursuant to an allotment or other agreement with the **City**; or
- in any part of a **permitted space** that is outside of the boundaries identified by signage posted in accordance with Part 4 of this **bylaw**.

### **PART 4: SIGNAGE**

- 4.1 The **General Manager** shall post signs setting out the boundaries of each **permitted space** and the hours during which **alcohol** may be consumed in the **permitted space** and such signs shall:
  - (a) be posted at all entry points into the **permitted space** and on general information signs in the parks set out in Schedule "A" of this **bylaw**;
  - (b) be at least 0.13 square metres in size; and
  - (c) state the hours during which **alcohol** may be consumed in the **permitted space**.

## **PART 5: LIQUOR PERMITS**

Nothing in this **bylaw** exempts a person from the permitting and other requirements under the *Liquor Control and Licensing Act* and related regulations, other **City** bylaws or agreements with the **City** in respect to serving of **alcohol** at a public or private event in a **permitted space**.

### PART 6: OFFENCES AND PENALTIES

6.1 Every person who violates any of the provisions of this **bylaw**, or who suffers or permits any act or thing to be done in contravention of any of the provisions of this **bylaw**, or

- who neglects to do or refrains from doing anything required to be done by any of the provisions of this **bylaw**, is guilty of an offence and is liable, on summary conviction, to and a maximum fine of fifty thousand dollars (\$50,000.00).
- 6.2 If an offence continues for more than one day, a separate offence occurs on each day or part of a day, and separate fines may be issued for each day or part of a day in respect of which the offence occurs or continues.
- 6.3 A violation of any of the provisions identified in this **bylaw** shall result in liability for penalties and late payment amounts established in Schedule A of BURNABY BYLAW NOTICE ENFORCMENT BYLAW, 2009, and be subject to the procedures, restrictions, limits, obligations and rights established in BURNABY BYLAW NOTICE ENFORCMENT BYLAW, 2009 and the *Local Government Bylaw Notice Enforcement Act*.

#### **PART 7: SEVERABILITY**

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

### **PART 8: EFFECTIVE DATE**

- 8.1 This **bylaw** comes into force and effect on June 23, 2023.
- 8.2 This **bylaw** is repealed effective October 30, 2023.

Read a first time this 5<sup>th</sup> day of June, 2023

Read a second time this 5<sup>th</sup> day of June, 2023

Read a third time this 5<sup>th</sup> day of June, 2023

Reconsidered and adopted this day of

, 2023

MAYOR

CORPORATE OFFICER

# **SCHEDULE "A"**

# PERMITTED SPACES

- 1) Confederation Park
- 2) Central Park
- 3) Keswick Park
- 4) Edmonds Park