

CITY OF BURNABY

BYLAW NO. XXXXX

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 2024**.

PART 2: DEFINITIONS

2.1 In this Bylaw, unless the context otherwise requires:

“ alcohol ”	means, subject to the <i>Liquor Control and Licensing Regulation</i> , 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
“ parks ”	means land dedicated as park, or any other land used for athletic, social or recreational use which the City owns or controls by means of a lease, licence or other legal instrument, excluding City land or portions thereof leased or licenced by the City to a third party, including Burnaby School District 41 and Metro Vancouver Regional District
“ 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 outdoor areas of parks

PART 3: PERMITTED SPACES, HOURS AND RESTRICTIONS

- 3.1 Subject to section 3.2 of this **bylaw**, the **permitted spaces** are designated as public places 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 **permitted space** outside the hours of dawn to dusk, seven days per week;
 - (b) in any playground, spray pad, wading pool, outdoor pool, skate bowl, or sport court within a **permitted space**;
 - (c) on any artificial turf surface within a **permitted space**;
 - (d) in any **playing field** in a **permitted space** while the **playing field is** in use pursuant to an allotment or other agreement with the **City**;
 - (e) in a **park** adjacent to a school or within a parking lot in or adjacent to a **park**;
 - (f) in an area within a **permitted space** that is subject to a valid licence or permit under the *Liquor Control and Licensing Act*, except in accordance with the valid licence or permit, including without limitation any area subject to a special event liquor licence;
 - (g) in any indoor spaces within a **park**, including without limitation, community centres, washrooms and field houses, except in accordance with a valid licence or permit under the *Liquor Control and Licensing Act*;
 - (h) in any part of a **permitted space** that is outside of boundaries identified by signage posted in accordance with Part 4 of this **bylaw**.

PART 4: SIGNAGE

- 4.1 The **General Manager** shall post at least one sign at each **permitted space** setting out the boundaries of the **permitted space** and the hours during which **alcohol** may be consumed in the **permitted space** and such sign shall:
- (a) be posted at the main entrance into the **permitted space**, and the information included on general information signs for the **permitted space**;
 - (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

5.1 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 24, 2024.

Read a first time this	day of	, 2024
Read a second time this	day of	, 2024
Read a third time this	day of	, 2024
Reconsidered and adopted this	day of	, 2024

MAYOR

CORPORATE OFFICER