

**BY-LAW HAM-2025-20**  
**A BY-LAW RESPECTING PUBLIC PARKS AND RECREATIONAL AREAS WITHIN**  
**HAMPTON.**

Hampton Council under the authority vested in it by section 10(1) of the *Local Governance Act*, SNB 2017, c 18, and amendments thereto duly assembled hereby, enacts as follows:

**1. TITLE**

1.1. This by-law may be cited as the “Parks and Recreation By-law”

**2. DEFINITIONS**

2.1. In this By-law, unless the context otherwise requires:

- (a) “Chief Administrative Officer” means the Chief Administrative Officer of Hampton;
- (b) “Clerk” means the Clerk of Hampton;
- (c) “Controlled Substance” means a “controlled substance” as defined and described in the *Controlled Drugs and Substances Act*;
- (d) “Council” means the Council of Hampton;
- (e) “Director” means the Director of Parks and Facilities of Hampton, or their appointed representative;
- (f) “Hampton” means the town of Hampton, duly incorporated under the *Local Governance Act* 2017, C.18, Reg. 2022-50 s.21, as amended;
- (g) “Motor Vehicle” means a vehicle as defined by the *Motor Vehicle Act*;
- (h) “Off-road Vehicle” means a vehicle as defined by the *Off-Road Vehicle Act*;
- (i) “Peace Officer” means:
  - i. a member of the Royal Canadian Mounted Police;
  - ii. a police officer appointed under Section 10, 11, or 17.3 of the *Police Act*;
  - iii. an auxiliary police officer or an auxiliary police constable appointed under Section 13(1.1) of the *Police Act*, when accompanied by or under the supervision of a member of the Royal Canadian Mounted Police;
- (j) “Public Place” means any property that is not privately owned and includes properties owned or leased by Hampton such as parks, squares, playgrounds, walkways, sports fields, swimming facilities, trails, greenspace, recreation facilities, games courts, skateparks, rinks, arenas, boat launches, docks and permanent open spaces used or intended for public recreational use;
- (k) “Treasurer” means the Treasurer of Hampton;

### **3. GENERAL**

3.1. A list of public places shown as Appendix “A” shall form part of this by-law.

### **4. CLOSURES**

4.1. Hampton may from time-to-time close trails or roadways located at a public place.

4.2. If for any reason, Hampton feels public safety is at a risk it may close a public place. The closure may be for such period of time that Council determines is advisable for the protection of the public.

4.3. Hampton may designate roadways and trails at public places as “Closed to Bicycle Access” and shall install signs indicating such roadways or trails.

### **5. RULES AND REGULATIONS**

5.1. This by-law refers to all public places owned or leased by the local government of Hampton.

5.2. The Director shall be responsible for the general supervision of all public places.

5.3. Users of a public place shall comply with all regulations which may be posted in the public place by Hampton.

5.4. Unlicensed domestic animals, unless otherwise designated, are prohibited from all public places.

5.5. No person in a public place shall:

(a) loiter or remain at any time during the period between 11:00 p.m. on one day and 5:00 a.m. on the following day without written permission from Hampton;

(b) hold any public gathering or meeting without first obtaining written permission from Hampton and paying the applicable fees;

(c) by their conduct, endanger, disturb or harass other users of the public place;

(d) litter or dispose of waste material except into a designated waste receptacle;

(e) light a fire except in accordance with the *Hampton Fire By-law*;

(f) not place, secure, erect, use, or maintain in place a structure, improvement or overhead shelter, including a tent, lean-to, or other form of overhead shelter constructed from rigid or non-rigid material without the written permission of Hampton;

- (g) park a trailer or mobile home without the permission of Hampton for overnight use;
- (h) use archery equipment without the written permission of Hampton;
- (i) use firearms, airsoft guns, pellet guns or air guns without the written permission of Hampton;
- (j) urinate or defecate except in designated washroom facilities.

5.6. No un-authorized person in a public place shall:

- (a) drive or park a motor vehicle or off-road vehicle at a public place other than on roadways designated for the use of motor vehicles.
- (b) drive a bicycle on any roadway or trail at a public place which is designated as “Closed to Bicycle Access”

## **6. EXCEPTIONS**

6.1. Motor vehicles and off-road vehicles owned by Hampton necessary for creating and maintaining said public places.

6.2. Emergency vehicles such as ambulances, fire department vehicles and police vehicles.

## **7. OFFENCES**

7.1. Every person who violates any provision of this By-law is guilty of an offence.

7.2. A peace officer may seize and retain possession of property being used by a person who is in violation of this by-law.

## **8. PENALTY**

8.1. Any person who is convicted of violating any provision of this by-law shall pay a fine not to exceed the maximum amount payable under Part II of the *Provincial Offences Procedures Act* as a category B offence.

8.2. Pursuant to section 7.2, property seized shall within 30 days of seizure be returned to the person from whom it was seized upon providing proof of ownership and payment of any applicable fines imposed under section 8.1, failing which the property may be disposed of in such manner the peace officer may deem appropriate.

8.3. Conviction of a person of an offence under this by-law does not relieve the person from compliance with this by-law and a judge of the Provincial Court may, in addition to the fine imposed, order them to do any act or thing necessary to comply with this by-law or to remedy the violation, within a specified time. If the person fails to comply with the

judge's order within the specified time, they commit an offence punishable under Part II of the *Provincial Offences Procedures Act* as a category F offence as per section 150(3) of the *Local Governance Act*.

## **9. VALIDITY**

- 9.1. The invalidity of any section, clause, sentence or provision of this by-law shall not affect the validity of any other part of this by-law which can be given effect without such invalid part or parts.

## **10. REPEAL**

- 10.1. By-law no. 95-88 being a By-law to Regulate Parks, enacted May 10, 1988, and all amendments thereto, and by-law no. 70-84, enacted on October 9, 1984 and all amendments thereto are hereby repealed.
- 10.2. The repeal of by-law no. 95-88 and by-law no. 70-84 shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceedings for enforcing the same completed or are pending at the time of the repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing, or pending at the time of repeal.

## **11. EFFECTIVE DATE**

- 11.1. This By-law comes into effect on the date of final enactment thereof.

First Reading:

Second Reading:

Third Reading and Enacted:

## APPENDIX “A”

### Property Identification Numbers:

- 00092304
- 00092361
- 00107664
- 00107698
- 00189712
- 00189936
- 00190538
- 00191650
- 00192666
- 00193078
- 00193086
- 00195297
- 00225334
- 00232025
- 00438853
- 00442004
- 00442012
- 30001382
- 30003107
- 30027270
- 30035794
- 30048870
- 30087928
- 30097141
- 30101612
- 30101620
- 30101638
- 30105654
- 30173959
- 30177869
- 30178594
- 30183776
- 30206031
- 30206049
- 30210199
- 30218465
- 30224604
- 30224612
- 30240519
- 30243224
- 30255079
- 30262976
- 30266878
- 30271068
- 30290563
- 30309801
- 30319545
- 30344444
- 30345730
- 30345755
- 30351654
- 30356653