



THE DISTRICT OF NORTH VANCOUVER

CONSUMPTION OF LIQUOR IN PUBLIC PLACES BYLAW

BYLAW 8520

Effective Date – July 26, 2021

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Original Bylaw	Date of Adoption
Bylaw 8520	July 26, 2021
Amending Bylaw	Date of Adoption
Bylaw 8559	May 30, 2022

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Consumption of Liquor in Public Places Bylaw No. 8520, 2021). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

The Corporation of the District of North Vancouver

Bylaw 8520

A bylaw to permit liquor consumption in designated parks

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as “Consumption of Liquor in Public Places Bylaw No. 8520, 2021”.

Definitions

2. In this bylaw:

“*Artificial turf field*” means a playing field with an artificial turf surface that is owned, leased or controlled by the District and used or intended to be used for the playing of sports.

“*Bylaw Enforcement Officer*” means a Park Ranger, Royal Canadian Mounted Police officer or an employee of the District whose designated duties include the enforcement of bylaws within the District;

“*District*” means the Corporation of the District of North Vancouver.

“*District Property*” means a parcel, lot, block, strata lot, public park or other area of land that is located in the District of North Vancouver and which is either owned or occupied by the District, or in which the District has vested interest pursuant to a statute, and includes a Highway.

“*Dusk*” means astronomical dusk, being the dark part of twilight, when the daylight has almost gone but it is not yet completely dark.

“*Highway*” means a highway as defined in the Street and Traffic Bylaw No. 7125, 2004, as amended or replaced from time to time.

“*Liquor*” means, subject to the Liquor Control and Licensing Regulations, beer, wine, spirits or other product that is intended for human consumption and that contains more than 1% of alcohol by volume.

“Liquor Control and Licensing Act” means the *Liquor Control and Licensing Act*, SBC 2015, Chapter 19, as amended or replaced.

“Liquor Control and Licensing Regulations” means the Liquor Control and Licensing Regulation, B.C. Reg.241/2016, as amended or replaced.

“Park Ranger” means a person appointed as a Park Ranger or authorized designate.

“Parks Manager” means the person appointed to the position of “Manager, Parks and Environment” by District Council or authorized designate.

“Permitted Space” means a Public Place or part of a Public Place that is District Property and has been designated by Council by this Bylaw as a place where Liquor may be consumed, but does not include:

- (a) a building, structure, vehicle or other installation within the Public Place unless that has been specifically designated by Council in this Bylaw;
- (b) a playground, skate bowl, sport court or any area within 10 metres of a playground, skate bowl, or sport court;
- (c) Playing Fields when in use for games or events;
- (d) Artificial Turf Fields at all times;
- (e) trails, pathways, natural parkland/forested areas; or
- (f) any Wharf or District-owned boat launch.

“Playing Field” means a grass field that is owned, leased or controlled by the District and used or intended to be used for the playing of sports;

“Public Place” includes a place or building to which the public is invited or has or is allowed access.

“Sign” means a sign posted in accordance with this bylaw.

“Wharf” means a landing pier, ramp or float for vessels and watercraft that is owned or maintained by the District

Designation of Permitted Spaces / Hours

3. Notwithstanding section 2.5(a) of the Park Regulation Bylaw No. 8310, 2018, the Public Places or parts thereof listed in Schedule A to this bylaw and further identified by signage posted in accordance with this Bylaw are hereby designated as

Permitted Spaces where Liquor may be consumed between 11:00 a.m. and Dusk, seven (7) days a week.

Prohibition

4. Notwithstanding the designation in section 3 of this bylaw, a person must not consume Liquor:
 - (a) In any parts of Public Places that are outside of the boundaries of the Permitted Spaces identified by signage posted in accordance with this Bylaw;
 - (b) within 10 metres of any playground, skate bowl, or sport court; or
 - (c) before 11:00 a.m. or after Dusk.

Sign Specifications

5. The Parks Manager must post signs setting out the boundaries of each Permitted Space and the hours during which Liquor may be consumed in the Permitted Space.
6. Signs posted in Permitted Spaces designating where Liquor may be consumed must:
 - (a) be at least 12 inches by 24 inches in size;
 - (b) have at least four (4) Signs to designate the boundaries of the Permitted Space;
 - (c) state the hours that Liquor may be consumed; and
 - (d) be posted on posts or affixed to other items forming the boundary of the Permitted Space.

Liquor Permits

7. Nothing in this bylaw exempts a person from the permitting and other requirements in the Liquor Control and Licensing Act, Liquor Control and Licensing Regulation and the Park Regulation Bylaw No. 8310, 2018 in respect of serving Liquor at a public or private event in a Public Place.

Offences and Penalties

8. Offences set out in the Liquor Control and Licensing Act will apply to persons in violation of this Bylaw.
9. (a) A person who:
 - i. contravenes a provision of this bylaw;

- ii. causes, consents to, allows or permits an act or thing to be done contrary to this bylaw;
- iii. neglects or refrains from doing anything required by a provision of this bylaw; or
- iv. fails to comply with any order, direction or notice given under this bylaw,

commits an offence and is subject to the penalties imposed by this bylaw and the *Offence Act*.

- (b) Each instance that a contravention of a provision of this bylaw occurs and each day that a contravention occurs or continues shall constitute a separate offence.
- (c) A person found guilty of an offence under this bylaw is subject to a fine of not less than \$1,000.00 and not more than \$50,000.00 for every instance that an offence occurs or each day that it occurs or continues, plus the cost of prosecution.

(8559)

Designation of Bylaw

- 10. Pursuant to section 264 of the Community Charter, this bylaw is designated as a bylaw that may be enforced by means of a ticket in the form prescribed and Bylaw Enforcement Officers are designated to enforce this bylaw.

Obstruction

- 11. A person must not interfere with, delay, obstruct or impede a Bylaw Enforcement Officer or designate or other person lawfully authorized to enforce this bylaw in the performance of duties under this bylaw.

Severability

- 12. If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provisions of this Bylaw.

Schedule

- 13. Schedule A of this bylaw is attached hereto and forms part of this bylaw.

Schedule A to Bylaw 8520

Designated Permitted Spaces

1. Eldon Park
2. Sowden Park
3. Carisbrooke Park
4. Princess Park
5. Kilmer Park
6. Kirkstone Park
7. Arborlynn Park
8. Bridgman Park
9. Seylynn Park
10. McCartney Creek Park
11. Garibaldi Park
12. Strathcona Park
13. Deep Cove Park
14. Panorama Park