



# Cultus Lake Park

## CANVASSING, PANHANDLING AND BUSKING BYLAW

### Bylaw No. 1156, 2019

A Bylaw to regulate Canvassing, Panhandling and Busking.

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Section 12 of the *Cultus Lake Park Act* (1932 and Amendments) enables the Cultus Lake Park Board to adopt Bylaws, and Section 9.2 (1) provides that Section 260 – Enforcement Powers of the *Community Charter* apply to the enforcement of the bylaws of the Board, and Section 261 – Payment of Fines and Other Penalties to Municipality under the *Community Charter* provides that fines and other penalties imposed and collected under or because of a Cultus Lake Park bylaw must be paid to the Park.

Every person who offends against any of the provisions of this Bylaw or who suffers or permits any act to be done in contravention or in violation 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, or who does any act or thing which violates any of the provisions of this Bylaw, will be in breach of this Bylaw, and will be liable to the fines and the provisions as outlined in the “Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019.

The Cultus Lake Park Board in open meeting assembled, enacts as follows:

**1. TITLE**

This Bylaw may be cited as “Cultus Lake Park Canvassing, Panhandling and Busking Bylaw No. 1156, 2019.”

**2. INTERPRETATION**

**2.1** Words or phrases defined in the *British Columbia Interpretation Act*, *Motor Vehicle Act*, *Local Government Act*, *Community Charter* or any successor legislation, will have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

**2.2 DEFINITIONS OF TERMS**

“**Board**” means the elected Board for the Park.

“**Busking**” means the activity of playing music in the street or another public place for voluntary donations.

“**Canvassing**” or “**Canvasser**” means to go door to door in a neighborhood to solicit votes, orders or opinions. Examples include recognized charities, children’s sports teams, etc.

**“CAO”** means the Chief Administrative Officer; a position appointed by the Board.

**“Panhandle”** means to beg for, or without consideration, ask for money, donations, goods or other things of value whether by spoken, written or printed word or bodily gesture for one's self or for any other person.

**“Park”** means the area within the Park boundaries and the foreshore assigned to the Park by the Province of British Columbia

**“Person”** means a natural person, a company, corporation, partnership, firm, association, society, or party and the heirs, executors, administrators, personal or other legal representatives of a person to whom the context can apply according to law.

**2.3** In this Bylaw, unless the context otherwise requires, the singular will include the plural and the masculine includes the feminine gender.

**2.4** The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

### **3. CANVASSING, PANHANDLING AND BUSKING REGULATIONS**

**3.1** Canvassers within the Park must have written permission by the CAO.

**3.2** Buskers within the Park must have written permission by the CAO.

**3.3** No person will panhandle within the Park.

### **4. FINES**

**4.1** All leaseholders, residents, visitors, and persons are subject to the fines as outlined in Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019, and Schedule A-15 in said bylaw.

**4.2** Each occurrence that a contravention of the provisions of this Bylaw exists or is permitted to exist will constitute a separate offence.

### **5. SEVERABILITY**

If any part of this Bylaw is for any reason held invalid by a court or competent jurisdiction, the invalid portion will be severed and the severance will not affect the validity of the remainder.

### **6. REPEAL**

Cultus Lake Park Canvassing and Panhandling Bylaw No. 1106, 2018 and all amendments are repealed.

**7. EFFECTIVE DATE**

This Bylaw will come into force and effect upon its adoption.

READ A FIRST TIME this 17 day of JULY, 2019

READ A SECOND TIME this 17 day of JULY, 2019

READ A THIRD TIME this 17 day of JULY, 2019

THIRD READING RECINDED this 21 day of AUGUST, 2019

READ A THIRD TIME AS AMENDED this 21 day of AUGUST, 2019

ADOPTED this 18 day of SEPTEMBER, 2019



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Joe Lamb, Chair  
Cultus Lake Park Board



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Bonny Bryant  
Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true  
and correct copy of Cultus Lake Park Canvassing,  
Panhandling and Busking Bylaw No. 1156, 2019.

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Chief Administrative Officer