

Bill No. 458  
2013

By-law No. PR-2-13\_\_\_\_\_

A By-law to amend By-law No. PR-2, entitled "A by-law relating to the use, protection and regulation of public parks and recreation areas in the City of London"

WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting Health, safety and well-being of persons, and Protection of persons and property;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

1. Section 1.1 of By-law PR-2 is amended by deleting the definition of "Environmentally Significant Area" in its entirety and replacing it with a new definition, as follows:

"Environmentally Significant Area" means those areas delineated as ESAs on a Map Schedule of the Official Plan for the City of London Planning Area adopted by the Municipal Council and amended from time to time, and which are under the control or management or joint management of the City;"

2. Section 1.1 of By-law PR-2 is amended by inserting the phrase "power-assisted bicycles," after the phrase "bicycles," in the definition of "Hiking trail".

3. Section 1.1 of By-law PR-2 is amended by deleting the definition of "Park" in its entirety and replacing it with a new definition, as follows:

"Park" means land and land covered by water and all portions thereof under the control or management or joint management of the City, that is or hereafter may be established, dedicated, set apart, or made available for use as public open space, including a natural park area and an environmentally significant area as defined in this by-law, including any buildings, structures, facilities, erections and improvements located in or on such land."

4. Section 1.1 of By-law PR-2 is amended by inserting a new definition of "power-assisted bicycle", " e-bike" and " e-scooter", after the definition of "Park", as follows: "power-assisted bicycle" has the meaning attributed to it in the *Highway Traffic Act* and is commonly referred to as an electric bicycle or e-bike, and for greater certainty, has affixed to it pedals that are operable, and for greater certainty an e-bike and an e-scooter are defined as follows:

"e-bike" shall mean a "power-assisted bicycle" that has the appearance of a bicycle; and

"e-scooter" shall mean a "power-assisted bicycle" that has the appearance of a scooter"

5. Section 2.1 of By-law PR-2 is amended by deleting the section in its entirety and replacing it with a new section, as follows:

**"2.1 By-law applicability - defined**

This by-law applies to all recreation areas, parks and any premises located therein which are under the control or management or joint management of the City, together with the avenues, boulevards, drives, streets and approaches thereto and connecting the same."

6. Subsection 3.1(3) of By-law PR-2 is amended by deleting the number "30" and replacing it with the number "20".

7. Subsection 3.1(4) of By-law PR-2 is amended by inserting the phrase " e-scooter," after the phrase "motor vehicle".

8. Subsection 3.1(5) of By-law PR-2 is amended by inserting the phrase "e-bike" after the phrase "bicycle,"

9. Subsection 3.1(37) of By-law PR-2 is amended by deleting the punctuation "." and replacing it with " ; .".

10. Section 3.1 of By-law PR-2 is amended by inserting new subsections 3.1(38), 3.1(39), 3.1(40), 3.1(41), 3.1(42) and 3.1(43) as follows:

“(38) interfere with a picnic, organized gathering or special event authorized by a City-issued permit or rental agreement;  
(39) move park furniture from one area to another area to accommodate their picnic, organized gathering or special event;  
(40) drive, ride or operate a motorized boat;  
(41) drive, ride or operate an e-bike under motor power;  
(42) being under the age of 16 years, drive, ride or operate an e-bike;  
(43) drive, ride or operate an e-bike unless the person is wearing a bicycle or motorcycle helmet.”

11. Subsection 5.4(7) of By-law PR-2 is amended by inserting the phrase “, power-assisted bicycle,” after the term “bicycle”.

12. Subsection 5.4(9) of By-law PR-2 is amended by deleting the punctuation “.” and replacing it with “;”.

13. By-law PR-2 is amended by inserting new subsection 5.4(10) as follows:

“(10) No person shall hike, run, jog, or cross country ski other than on a hiking trail.”

14. By-law PR-2 is amended by inserting a new section 7.1.1 as follows:

- “7.1.1 (a) If a Municipal Law Enforcement Officer, a Police Officer, or person under contract with the City to enforce this by-law is satisfied that this by-law has been contravened, the officer may make an order, known as an Order to Discontinue Activity, requiring the person who contravened the by-law, or who caused or permitted the contravention, to discontinue the contravention.
- (b) An Order to Discontinue Activity shall set out:
- (i) the address of the property or name of the park on which the contravention occurred;
  - (ii) the date of the contravention;
  - (iii) the reasonable particulars of the contravention of the by-law; and
  - (iv) the date by which there must be compliance with the order.
- (c) The Order to Discontinue Activity may be served personally on the person to whom it is directed or by regular mail to the last known address of that person, in which case it shall be deemed to have been given on the third day after it is mailed. Service on a corporation can be effected by registered mail to the corporate mailing address.
- (d) No person shall contravene an Order to Discontinue Activity.”

15. This by-law shall come into force and effect on February 1, 2014.

PASSED in Open Council November 19, 2013.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First reading - November 19, 2013  
Second reading - November 19, 2013  
Third reading - November 19, 2013