

CITY OF KELOWNA

Responsible Consumption of Liquor in Parks Bylaw No. 12537

WHEREAS the *Liquor Control and Licensing Act*, Section 73, allows a municipality to designate by bylaw a public place over which it has jurisdiction, or part of such a place, as a place where liquor may be consumed;

NOW THEREFORE The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "Responsible Consumption of Liquor in Parks Bylaw No. 12537"

2. Definitions

2.1. In this bylaw:

"Bylaw Enforcement Officer" means a person appointed from time to time by the Council to enforce and administer this bylaw and will include a Peace Officer.

"Designated Area" means part of Waterfront Park, Kinsmen Park, or Boyce-Gyro Beach Park, as shown on Schedules "A", "B", and "C".

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

"Parks Services Manager" means the person appointed from time to time as the Parks Services Manager for the City of Kelowna and includes a person lawfully acting on their behalf.

3. Designation of Public Place and Hours

3.1. A person may consume liquor in a Designated Area between the hours of 12:00 p.m. and 9:00 p.m., except as prohibited in Section 5.

4. Signage

4.1. The Parks Services Manager will post a minimum of two signs per Designated Area setting out the boundaries of where liquor may be consumed.

4.2. A sign posted in a Designated Area designating where a person may consume liquor must:

4.2.1. state the hours liquor may be consumed;

4.2.2. be at least 60mm x 90mm in size;

4.2.3. be posted on a post or affixed to another item at the boundary of a Designated Area.

5. Prohibitions

5.1. A person is not permitted to bring a glass liquor bottle or container into a Designated Area, except as permitted by Council Policy 223.

5.2. The Parks Services Manager may temporarily suspend a Designated Area or a part of a Designated Area as a public place where liquor may be consumed.

5.3. A person who violates a provision of this bylaw or who suffers or permits an act or thing to be done in contravention or in violation of a provision of this bylaw or who neglects or refrains from doing anything required to be done by a provision of this bylaw, or who does an act which constitutes an offence against the bylaw may be ordered to leave from a Designated Area by the Park Services Manager or a member of the Royal Canadian Mounted Police or Bylaw Enforcement Officer for a period of up to 48 hours.

5.4. No person will return to or enter a Designated Area once that person has been ordered to leave for a period of up to 48 hours and each violation will be considered a separate offence.

5.5. Offences set out in the *Liquor Control and Licensing Act* and the Bylaw Notice Enforcement Bylaw No. 10475 for the Parks and Public Spaces Bylaw No. 10680 will apply to a person who contravenes this bylaw.

6. The schedules attached to this bylaw form part of this bylaw.

7. This bylaw comes into force and takes effect on July 4, 2023.

8. This bylaw ceases to have force and effect after October 6, 2023.

Read a first, second and third time by the Municipal Council this 5th day of June, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



City of
Kelowna

Responsible Use of Liquor in Parks

Waterfront Park

"Schedule A"





City of
Kelowna

Responsible Use of Liquor in Parks

Kinsmen Park

"Schedule B"





City of
Kelowna

Responsible Use of Liquor in Parks

Boyce-Gyro Beach Park

"Schedule C"

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