

CITY OF KELOWNA

BYLAW NO. 12655

Amendment No. 8 to Parks and Public Spaces Bylaw No. 10680

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 that the City of Kelowna Parks and Public Spaces Bylaw No. 10680 be amended as follows:

1. THAT **Part 2 – DEFINITIONS** be amended by adding the following definitions in their appropriate locations:

“**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.”
2. THAT **Part 3 – PROHIBITIONS**, 3.27 be deleted in its entirety and replaced with the following:

“No **Person** shall be permitted to possess or consume **Liquor** in any **Park** except in accordance with the regulations in Schedule ‘I’ of this bylaw or as permitted by Council Policy No. 223. For clarity, a bylaw enforcement officer or RCMP member has the authority to order a **Person** to dispose of any **Liquor** if so directed.”
3. THAT **Part 8 – SCHEDULES**, 8.1 be amended by deleting “‘G’ and ‘H’” and replacing with “‘G’, ‘H’, and ‘I’”.
4. THAT **SCHEDULE E** Designated Dog On-Leash Parks be amended by deleting “Boyce-Gyro Park” and replacing with “Boyce-Gyro Beach Park”.

5. THAT **SCHEDULE H** Parkland Inventory be amended by adding the following parks in their appropriate locations:

Legal Parcels					
Park Name	KID	Address(es)	Plan	Lot	Block

“

Kelowna’s Newest Waterfront Park

	856022	3020 Abbott St	EPP96732	A	
	856023	3030 Abbott St	EPP96732	B	
	856024	3040 Abbott St	EPP96732	C	
	856025	3050 Abbott St	EPP96732	D	
	160681	330 Meikle Ave	2708	12	
	160729	330 Meikle Ave	2708	13	
	160717	330 Meikle Ave	2708	14	
	748157	330 Meikle Ave	91868		
	150209	330 Meikle Ave	7832	1	
	150223	330 Meikle Ave	7832	2	
	110344	330 Meikle Ave	7187	2	
	172027	230 Meikle Ave	7187	3	“

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Hobson Road Beach Park

	356156	4220 Hobson Rd	5229		“
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6. THAT **SCHEDULE I** Regulations for the Responsible Consumption of Liquor in Parks, as attached to and forming part of this bylaw, be added.
7. THAT the word ‘Liquor’ be capitalized and bolded throughout the bylaw.
8. This bylaw may be cited for all purposes as "Bylaw No. 12655, being Amendment No. 8 to Parks and Public Spaces Bylaw No. 10680."
9. This bylaw shall come into full force and effect and is binding on all persons upon the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE I

Regulations for the Responsible Consumption of Liquor in Parks

1. Each of the following **Parks**, as they are each described in Schedule 'H', have been designated by Council as a **Park** where **Liquor** may be consumed subject to restrictions established in the bylaw:
 - 1.1. Boyce-Gyro Beach Park
 - 1.2. Cedar Creek Park
 - 1.3. Kinsmen Park
 - 1.4. Rotary Beach Park
 - 1.5. Sarsons Beach Park
 - 1.6. Strathcona Beach Park
 - 1.7. Sutherland Bay Park
 - 1.8. Waterfront Park
2. Designation of Public Place and Time
 - 2.1. Except as otherwise prohibited, a **Person** may consume **Liquor** in a **Park** listed in Section 1 of this Schedule between
 - 2.1.1. the hours of 12:00 p.m. and 9:00 p.m.; and
 - 2.1.2. May 15 and September 15.
3. Prohibitions
 - 3.1. A **Person** is not permitted to bring a glass **Liquor** bottle or container into a **Park**, except as permitted by Council Policy No. 223.
 - 3.2. The Park Services Manager may temporarily suspend a **Park**, or a part of a **Park**, listed in Section 1 of this Schedule as a public place where **Liquor** may be consumed.
 - 3.3. A **Person** is prohibited to consume **Liquor** in a part of a **Park** listed in Section 1 of this Schedule that is:
 - 3.3.1. 15 m from a playground, play equipment, zip line, or play area;
 - 3.3.2. 15 m from a tennis, pickleball, sport court, bowling green, or sportfield including a ball diamond, soccer or football field;
 - 3.3.3. 15 m from a residence;
 - 3.3.4. a parking lot;
 - 3.3.5. a body of water;
 - 3.3.6. a pier, wharf, or dock;
 - 3.3.7. a boardwalk with no railing; or
 - 3.3.8. a public toilet facility.
4. Signage
 - 4.1. For each **Park** listed in Section 1 of this Schedule, the Park Services Manager will post a minimum of two signs per **Park** listed in Section 1 of this Schedule setting out the boundaries of where **Liquor** may be consumed.
 - 4.2. A sign posted in a **Park** 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; and
 - 4.2.3. be posted on a post or affixed to another item at the boundary of the **Park**.