

Park Use Permit Application Form

Permit # _____

Phone RDN Parks at 1-888-828-2069 or 250-248-4744 to discuss your application before you submit this form.

WHO

Name of organization or group applying for the permit:

Contact person:

Mailing address:

Phone and email:

WHERE and WHEN

Name of RDN park(s):

Date(s) of proposed use:

WHAT

Describe what is to take place in the park, who and how many are organizing it, and who and how many are being invited to the event. State if any fees will be charged for attendance or if food or other items will be sold. State where any money collected will go. Include a schedule for the event along with the event poster or flyer. Note: Large events, commercial activity or use of liquor require special permitting steps. Please use separate sheets to provide all information requested here.

PUTTING ON YOUR EVENT

Specify where in the park your activity will take place and identify what park facilities you will need. Be prepared to discuss: toilets, garbage cans, event signs, parking, traffic control devices, clean-up, and protecting the natural park environment.

INSURANCE

Proof of comprehensive general liability insurance coverage is required in most cases, with the RDN named as an additional insured in your policy. You must relay this to your insurer so they can prepare the required form. The RDN's full name is: Regional District of Nanaimo, 6300 Hammond Bay Rd., Nanaimo, BC V9T 6N2.

PERMIT FEES

The permit fee chart is provided on page 7. You need to discuss your activity or event with RDN Parks in order to conclude on required fees. Once done, specify below the amount(s) you are submitting. Cheques should be made payable to the Regional District of Nanaimo.

Permit fee \$ _____ Damage deposit \$ _____ Site prep/clean-up \$ _____

APPLICANT'S WARRANT AND SIGNATURE

I, the undersigned, acknowledge that I have read the attached excerpts from the *Park Use Regulations Bylaw 1399/1399.01*, and I have provided a full representation of the special use of a Regional District of Nanaimo park that my group or organization would like to make. I will comply with the terms of this Park Use Permit and I take full responsibility for the special use.

Date

Name and title of authorized representative (print)

Signature

SUBMIT YOUR APPLICATION

Approval of this park use permit application will be issued once all conditions of use have been determined by RDN Parks and accepted by the applicant. The submitted application and the associated conditions of approval together form the park use contract.

You can submit your application by email, fax, hand or via the post as follows:

rdnparks@rdn.bc.ca

fax 250-248-3294

RDN Recreation and Parks, Oceanside Place, 830 West Island Highway, Parksville, BC
V9P 2X4.

Don't forget: call first to discuss your plans before you complete this form. Thanks!



Excerpts from Park Use Regulations Bylaw 1399/1399.01

3.1 This bylaw is applicable to all parks, as defined in Section 4 of this bylaw and without restricting that definition includes properties identified in Schedule “A”, within Electoral Areas ‘A’, ‘B’, ‘C’, ‘D’, ‘E’, ‘F’, ‘G’ and ‘H’ of the Regional District of Nanaimo.

4.1 In this bylaw:

- (a) **“Animal”** means any organism other than man.
- (b) **“Authorized personnel”** means District employees and contractors.
- (c) **“Bylaw Enforcement Officer”** includes a peace officer or a person appointed as a Bylaw Enforcement Officer by the Board of the Regional District of Nanaimo.
- (d) **“To camp”** means to sleep overnight with or without a shelter of any kind including, but not restricted to, a motor vehicle, recreational vehicle, tent, lean-to or other natural shelter.
- (e) **“Campground Rules”** mean the regulations, prohibitions and requirements, including fees and conditions of use, as described in Schedule “B” that apply in District parks containing campgrounds.
- (f) **“Common facilities”** mean anything other than natural park features, and include toilets, showers, shelters, water pumps, stairs, boardwalks, decks, congregate spaces, notices or signs, bridges, trails, docks and wharves, kiosks, gates, fences, picnic tables, and benches.
- (g) **“Curfew hours”** mean the time between 11 pm and 7 am.
- (h) **“Cycle”** means a device having any number of wheels that is propelled by human power and upon which one or more persons may ride.
- (i) **“Designated campsite”** means an authorized and numbered space for overnight camping by a registered camper.
- (j) **“District”** means the Regional District of Nanaimo.
- (k) **“District Manager”** means the Regional District of Nanaimo Manager of Recreation and Parks.
- (l) **“Household or other garbage”** includes garbage, trash, refuse, cans, bottles, papers, ashes, cuttings or other waste of any kind, including toxic and hazardous substances, that is not generated by a person in connection with reasonable park use.
- (m) **“Leash”** means a chain or other material, not exceeding two (2) metres in length, suitable for control of the type and size of animal attached to the leash.
- (n) **“Litter”** means any garbage, cans, bottles, papers, ashes, refuse, cuttings, trash or rubbish generated by a person while in the park and engaged in activities ordinarily connected with reasonable park use.

- (o) **“Management Plan”** means a guiding document approved by the District for the use, operation and maintenance of one or more parks.
- (p) **“Natural park feature”** includes any native or non-native tree, shrub, flower, berry, bough, grass or plant of any kind; soil, sand, gravel, rock, mineral, wood, fallen timber or other living or dead natural material.
- (q) **“Park”** means any property that:
- i. the District has possession and control of pursuant to the *Park (Regional) Act* or “Regional Trails Regulation”;
 - ii. the District has possession and control of pursuant to Section 941 of the *Local Government Act*;
 - iii. for the purpose of park, the District holds in fee simple;
 - iv. for the purpose of park, the District holds by Crown Lease or Crown License, by permit or lease from the Ministry of Transportation, or by lease, statutory right-of-way or occupancy or access agreement with a private landowner; and
 - v. the District acquires possession or control of, holds or otherwise has an interest in, has a license or access to, for the purpose of park, further to any of subparagraphs 4.1(q)(i)-(iv) subsequent to the enactment of this bylaw;
- and includes property commonly referred to as regional parks and trails, community parks and trails and water or beach accesses.
- (r) **“Park Use Permit”** means a permit for special use of a park.
- (s) **“Peace Officer”** means a constable or a person having the powers of a constable and includes a member of the Royal Canadian Mounted Police.
- (t) **“Petroglyph”** means a rock carving typically made by First Nations people and of recognized historic and cultural value.
- (u) **“Pictograph”** means a rock painting typically made by First Nations people and of recognized historic and cultural value.
- (v) **“Registered camper”** means a person who has purchased use of a designated campsite.
- (w) **“Special use”** means:
- i. any commercial or non-commercial service, activity or event that is intended to attract or requires participants or spectators and includes: a festival; competition; tournament; procession, drill, performance, concert, gathering, march; fishing derby; show; party; outdoor ceremony; regatta; animal show; group training or lesson or recreational programming; operation of a model airplane, vehicle or vessel; television or motion picture filming; and research, survey or petition activity;
 - ii. any use of reservable common facilities; and
 - iii. any incursion onto park property for non-park purposes including access for water lines, structures, road, signs or fences.
- (x) **“Sun shelters”** include any lightweight open-sided structure intended for use as a sunscreen.
- (y) **“Traffic control device”** means a sign, signal, line, parking meter, marking, space, barrier, or device placed or erected in order to control vehicular or non-vehicular traffic flow on roads, parking lots, trails and bridges.

- (z) **“Vehicle”** means a device in, upon or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human-power or used exclusively upon stationary rails or tracks. Without limiting the generality of the foregoing, this provision includes cars, trucks, motorcycles, scooters, recreational vehicles, and trailers but does not include medi-scooters and wheelchairs.
- (aa) **“Vessel”** includes any ship, boat, seaplane, parasail, sail board, kite board, canoe, kayak, row boat or paddle boat used or other device designed to be used for navigation on, in or under water.

4.2 The intent of this bylaw is to permit the reasonable use of parks by the public in a manner that accommodates individual rights, including the rights of freedom of assembly and freedom of expression, within the context of operating parks that are intended to provide the benefits of outdoor recreation and enjoyment for the general community and preservation and protection of natural park features.

5.16 Special Use and Commerce

- (a) Except for authorized personnel or where authorized by a park use permit, no person shall:
 - i. undertake or engage in a special use;
 - ii. carry on a commercial or industrial undertaking of any kind or nature or provide professional, personal or other services;
 - iii. post, paint or distribute any advertisement, sign, handbill, pamphlet, poster or placard of any kind; or
 - iv. operate, park or station any vehicle displaying advertising or equipped with a public address system.

5.17 Park Use Permits

- (a) Application for a park use permit shall be made to the District Manager who may:
 - i. grant, refuse, revoke, renew or refuse to renew a park use permit;
 - ii. establish park use permit fee amounts that differ from the general rates described in Schedule “C”;
 - iii. impose terms and conditions on obtaining, holding or renewing a park use permit;
 - iv. determine the amount of a park use permit fee refund in the event of a cancellation; or
 - v. refer an application to the District Board for determination.
- (b) An applicant for a park use permit may appeal the decision of the District Manager to the District Board by submitting a written request to the Board Chairman within 15 days of issuance of a decision by the District Manager.
- (c) A park use permit application must be accompanied by the required permit fee, damage deposit and proof of comprehensive general liability insurance, as set out in Schedule “C”.
- (d) Conditions associated with a park use permit may include:
 - i. the confinement of a special use to a specific location within a park, to certain time periods or to participation by certain people;

- ii. that the applicant supply, install and service additional garbage receptacles or portable toilets or pay the District for additional servicing required as a result of the permitted activity;
 - iii. that the applicant provide and pay for the provision of appropriate fire and police or security protection during the course of the special use;
 - iv. restrictions on the use of generators and other mechanical, electrical or electronic devices; the playing of live or recorded music; and the erection or placement of any temporary structures, seating, tables, flags, banners or other gear associated with the special use activity;
 - v. specific exemptions from provisions of this bylaw;
 - vi. any other terms and conditions specific to the nature of the special use requested given consideration of the impact of the special use on the park, park users and neighbours; and
 - vii. any other terms and conditions consistent with the intent of this bylaw.
- (e) A park use permit may not be issued unless all the following criteria are met:
- i. the special use conforms to any management plan produced for a park;
 - ii. the location of the permitted activity will not cause a significant or permanent negative environmental impact on the park and is sensitive to the use of the park by others;
 - iii. the applicant assumes full responsibility for the special use and indemnifies the District to its satisfaction; and
 - iv. the applicant has satisfied the requirements of paragraphs (c) above and agreed to the conditions set out in his park use permit.
- (f) Without limiting the authority of the District Manager, a park use permit may be refused if the applicant has previously contravened this bylaw.
- (g) The holder of a park use permit must also comply with the regulations, prohibitions and requirements of all other government bodies and local authorities including this and other District bylaws, for example, Bylaw No. 1010 Special Events Regulatory Bylaw for events involving more than 500 people, unless specifically exempted in writing.
- (h) In addition to any other penalties and enforcement actions, where the holder of a park use permit has not satisfied the terms and conditions of his permit:
- i. a park use permit may be revoked;
 - ii. a park use permit fee or a damage deposit may be forfeited to the District;
 - iii. the District may exercise any rights under the applicant's insurance; and
 - iv. the applicant may be required to pay, at the rate specified in Schedule "C", the cost of preparations, repairs, clean-up or park restoration undertaken by the District consequent to special use, failure to do so entitling the District to do the work at the applicant's expense.

Schedule "C"

PARK USE PERMIT FEES ¹				
Special Uses	Permit Fee ²	Damage Deposit	Site Preparation and Clean-up Costs	Comprehensive General Liability Insurance
1. Use of common facilities such as shelters and congregate spaces for groups involving up to 50 people	\$50 / day	n/a	Repair to facilities at cost, plus Hourly charge-out rate of \$28/person and \$25/vehicle	n/a
2. Non-profit recreation services or activities such as training, guiding and recreation programming	\$15 / day	\$100		\$2,000,000
3. Commercial recreation services or activities such as training, guiding and recreation programming	\$100 / day	\$100		\$2,000,000
4. Events such as festivals, shows, parties, competitions, regattas, ceremonies, and the operation of model planes	\$100 / day	\$100		\$2,000,000
5. Commercial filming (video, motion picture or television) or still photography	\$250 / permit	\$500		\$5,000,000
6. Research activity including survey and petition work	\$50 / permit	\$100		\$2,000,000
7. Access through a park for utilities or vehicles	\$500 / year	n/a		\$2,000,000

¹ All fees are subject to the Goods and Services Tax.

² A permit fee exemption may be granted where a special use is deemed to be of benefit to a park. Non-profit groups including schools that involve participants less than 18 years of age only are exempt from the requirement to pay a permit fee.