

Overnight Camping Bylaw



Bylaw No. 297-13

A Bylaw to Regulate Overnight Camping on Municipal Property

WHEREAS the Municipal Act, being Chapter 154 of the Revised Statutes of the Yukon, 2002 and amendments thereto, Section 265 (c) and (f) provide authority for a Council to pass Bylaws for municipal purposes respecting “businesses, business activities, and persons engaged in business;” and “activities, including recreation and cultural activities, in on or near a public place that is open to the public, including parks, roads, recreation and cultural centres, restaurants, facilities, stores and malls;” and

WHEREAS local commercial campground operators have reported that campers have been parked overnight on municipal property at times when their facilities have not been filled to capacity, and they contend that, albeit inadvertently, the Village is providing free overnight camping to the detriment of their revenues; and

WHEREAS the Municipal Act, being Chapter 154 of the Revised Statutes of the Yukon, 2002, and amendments thereto, Section 178 states that “each member of a council has a duty to (a) consider the well-being and interests of the municipality as a whole and to bring to council’s attention anything that would promote the well-being or interest of the municipality;

NOW THEREFORE be it resolved that the Council of the Village of Haines Junction, in the Yukon Territory, in open meeting, hereby enacts as follows:

SHORT TITLE

1. This bylaw may be cited as the “Overnight Camping on Municipal Property Bylaw.”

DEFINITIONS

2. In this bylaw, unless the context otherwise requires,

“**Camp**” includes staying overnight on any municipal property in any building, structure, tent, on any municipal property or in any boat or vehicle including any campervan, caravan or any other vehicle that is capable of use for accommodation purposes parked on any municipal property.

“**Camping Unit**” shall mean a tent, tent camper, truck camper, travel trailer, motor home, van, station wagon, car or any other vehicle or shelter where such is used for sleeping, cooking or any other camping purpose.

“Campground” means a park designated as a site on which daytime or overnight camping is permitted.

“Commercial Campground” means a bona fide, duly licensed facility capable of providing overnight accommodation for camping units.

“Commercial Campground Operator” means the owner or operator of a commercial campground.

“Council” means the Council of the Village of Haines Junction.

“Municipal Property” means all lands within the municipal boundaries owned by the municipality or under the administration of Council.

“Overnight” means between the hours of 11:00 p.m. and 7:00 a.m.

“Peace Officer” means a member of the Royal Canadian Mounted Police, a Special Constable or a Bylaw Enforcement Officer as appointed by Council.

“Person” shall mean an individual, society, partnership or corporation.

“Village” means the Village of Haines Junction.

Words importing the masculine gender only, include the feminine gender whenever the context so requires and vice versa.

Words importing the singular shall include the plural whenever the context so requires and vice versa.

ADMINISTRATION

3. The bylaw shall be administered by any Peace Officer as described above.

PROVISIONS

4. No person may camp, tent, or otherwise make overnight accommodations with or without equipment or vehicles, or remain on a municipal property between the hours of 11:00 p.m. and 7:00 a.m., unless allowed by permit.
5. For the purpose of this bylaw, a Peace Officer may:
 - (a) Enter on and inspect any land, road, highway, structure, park or other facility owned or administered by the municipality of Haines Junction;
 - (b) Cause the removal from such land, road, highway, structure, park or other facility owned or administered by the municipality of Haines Junction, any person or persons and any camping unit that is in violation of the bylaw; and
 - (c) Issue a ticket requiring payment forthwith of the prescribed fine.

PARTICIPATION

6. This bylaw applies on all municipal property, and it is incumbent upon all users of municipal property to comply with its provisions during those times of day when the provisions of this bylaw apply.

PROVISO

7. Persons, groups or events may apply to Council for a permit to allow overnight camping on municipal property. Applications must be received twenty-one (21) days in advance of the event.
8. Persons, groups or events requesting a permit shall make written application to Council outlining the number of units for which they are requesting a permit, and the rationale for requesting the permit.
9. Applications for permits for up to ten units per event may be approved by administration prior to the event.

PENALTY

10. A person who violates this bylaw is guilty of an offence and is liable for a fine of \$250.00.

ENACTMENT

11. This bylaw shall come into full force and effect on the final passing thereof.
12. Bylaw No. 262-10 is hereby rescinded.

Read a first time this 11th day of December, 2013.

Read a second time this 11th day of December, 2013.

Read a third time and finally passed this 30th day of December, 2013.



Mayor Mike Crawshaw



Acting CAO Darlene Sillery