



Staff Report

Report To:	South Huron Council
From:	Dan Best, Chief Administrative Officer/Deputy Clerk
Date:	August 12 2019
Report:	CAO 22.2019
Subject:	Park Use Policy

Recommendations:

That the report of submitted by D. Best, Chief Administrative Officer dated August 12, 2019 regarding the Park Use Policy Requirement be received.

Purpose:

Information.

Background and Analysis:

Elliot Park is located at 12 Church Street on the west side of Main Street Exeter along the Ausable River. The park is owned by the Municipality and, as a courtesy to visitors, has offered short-term overnight camping without a permit for many years.

Based on the honour system, the nightly fee of \$5.00 is collected via a secure drop box on site. A portable toilet has been supplied in summer months and potable water and a dumping station are amenities that are located on site.

Traditionally, the Ausable River Nomads and the Municipality of South Huron have maintained the park together under a verbal agreement. The Ausable River Nomads is a volunteer association currently comprised of 10 local couples. The volunteers make daily trips to the park to check the

portable toilet, pick up garbage, and collect cash deposited in the drop box. Park activities are reported to staff by the volunteers.

On June 21st, the Manager of Community Services met with Ausable River Nomad representatives Eric Finkbeiner (President) and Connie and Charles Kernick. The Nomads report that in 2018 Elliot Park generated \$2,000 in revenue of which \$1,500 was given to the Municipality and \$500 was donated to the Jones Pedestrian Bridge.

Should Council wish to continue to operate Elliot Park as a campground, it is imperative that a formal Park Use Policy be established. For consideration, some of the proposed elements of the Policy would include the following:

Policy Statement:

Elliot Park is a short-stay, overnight campground consisting of ten (10) camp sites operated by the Municipality of South Huron for the benefit of the community and its guests.

Definitions

“Officer” means a Municipal Law Enforcement Officer as appointed by the Council of the Corporation of the Municipality of South Huron, or an OPP Officer, or a Provincial Offences Officer or other duly appointed individual.

“Parking area” means an area that is physically laid out and/or improved for the purpose of parking vehicles or that is designated by an official sign for such purpose in, on, or by Municipal parkland or property owned by the Municipality.

Hours of Operation

The park will operate from May 1st to October 31st, weather permitting.

General Park Use

- Sites are available on a first-come, first-serve basis – reservations will not be accepted.
- Visitors are required to register with the Municipality upon arrival and obtain a camping permit.
- The permitted length of stay shall be a maximum of three (3) consecutive nights not more than twice per month. The Municipal Clerk may grant exceptions only under extraordinary circumstances.
- Quiet hours are in effect from 10:00 PM to 7:00 AM; No objectionable disturbance or unreasonable noise will be allowed at any time.
- No business shall be conducted in the park without a vendors/transient traders permit issued by the Clerk.

- All pets must be on a leash and be cleaned up after.
- Campsites must be kept clean and tidy at all times; users of the campground are personally responsible for campsite cleanliness, condition and the conduct of all guests.
- Campsite parking is limited to a maximum of two vehicles.
- Campsites are limited to a maximum of ten people.
- Campers are responsible for disposing of their own garbage.
- Campers are responsible for the safety and security of their own property.
- Tenting is not allowed, excepting a maximum of two tents tied to a trailer.

Fires

- Small cooking fires are permitted in the designated areas, only.

For consideration only (this would require a by-law change)

- Campfires are to be supervised/attended at all times by an adult, ensuring that there is always a way to extinguish the flames nearby, i.e. a bucket of water.
- It is the responsibility of the registered camper to ensure that the fire is completely extinguished by repeatedly soaking with water and stirring.
- The burning of garbage, treated or painted lumber, wet or unseasoned wood is prohibited.
- Disposal of coals or embers are not allowed in any type of waste container,
i.e. bag, box, dumpster or trash can.
- Fires are not permitted during quiet hours, 10:00 PM – 7:00 AM

Fees

Camping fees will be established in the Fees Bylaw

Non-compliance may result in a fine as established in the Fees Bylaw.

Code of Conduct

Persons shall use municipal parks and open spaces in accordance with the terms of this by-law, and in a manner respectful to other persons and property.

No personal shall:

- Indulge in any riotous, boisterous, violent, threatening, or illegal conduct or use profane or abusive language.
- Cast, throw, or in any way propel any object in such a manner to endanger or cause injury or damage to any person or property.
- Loiter, spy, accost, frighten, annoy or otherwise disturb other persons.
- In any way interfere with the use and enjoyment of the Municipal Park or Municipal open space by other persons.
- Engage in public urination.
- Ignite, discharge or set off any fireworks except as a fireworks display authorized by the Municipality and in compliance with the Fireworks and Fireworks By-law.
- Destroy, or cut, mark, break, dig, pull up or burn or in any way damage, injure, remove or deface; any tree, flower, flower bed, bush, shrub, plant, sod, grass or other vegetation, soil, sand, gravel or wood or any monument, fountain, bridge, wall, seat, bench, structure or equipment or any appurtenance thereof.
- In any manner disturb ground which is under repair, prepared for planting, has been newly seeded or sodded or is in an area posted to that effect.

Enforcement

- An Officer shall enforce the provision of this by-law.
- No person shall obstruct, hinder, or otherwise interfere with a duly appointed Officer exercising any power, authority, or performing a duty as permitted under the provisions of this bylaw.
- Failure to comply with this or any municipal policy or by-laws may result in eviction
- Every person who contravenes any provisions of the By-law is guilty of an offence under the provisions of the Provincial Offences Act, R.S.O. 1990, c.P-33 as amended, and is liable on conviction to a fine not exceeding \$5,000, exclusive of costs, subject to the provisions of the Provincial Offences Act.

Persons committing an offence as defined in this by-law may be prosecuted under the *Trespass to Property Act*.

Administration

The Municipality will incorporate the operations of the Park under its operations. The Ausable River Nomads should be thanked for all of their efforts, but it is an unrealistic expectation of the group to deal with

challenges at the Park that has developed in recent years and since the number of volunteers have diminished and their capacity to maintain and regulate the Park.

2019, to date we have received a number of complaints with respect to the use of the Park. On occasion, the OPP have been contacted to ensure the safety of staff and other campers. The following Table provides an overview of calls over the past several years compiled by staff:

Elliott Park Complaints			
File Number	Details	Notes	Complaints
2016			
19-2016	Length of time campers have been stayin in Elliott		
20-2016	Mess left in Elliott Park including drugs and drug paraphenalia		
24-2016	Person(s) living in tent under snowmobile bridge near Elliott Park		
25-2016	Person(s) living in tent under snowmobile bridge near Elliott Park		
44-2016	Tap at Elliott Park is running. Needs to be repaired	Not camping related but possibly due to use by	
2017			
	No complaints on file		
2018			
57-2018	Tents have been set up. Several homeless people staying there.	Complaint submitted 4 times	4 Complaints for 2018.

2019 (To Date)			
M04-41-2019	Loud generator being run in Elliott Park overnight	Complaint was withdrawn after	
M04-63-2019	4 or 5 tents and occupant seem to be abusing the use of the Elliott Park. Same tents have been		
M04-71-2019	Complaint regarding the amount of people overstaying at Elliott Park and drinking/drug use		
M04-74-2019	Inquiry into portable washroom facilities being removed from Elliott Park		
N/A	People are living in trailers and tents in Elliott Park. Is someone enforcing the bylaw? The same trailer has been there for two weeks. As	Complaint received but not put into log as all complaints for the park are being investigated	

Operational Considerations:

Should Council choose to continue Elliot Park as campground, new signage that identifies service standards along with park rules as outlined in the Park Use Policy will be required.

Should Council choose to convert Elliot Park into a passive park, new signage will be required.

South Huron's Strategic Plan:

Section 6.2.2 in the 2015 – 2019 Corporate Strategic Plan identifies the following priority objectives that apply to this report:

- Improved Recreation and Community Wellbeing
- Administrative Efficiency and Fiscal Responsibility

Financial Impact:

None.

Legal Impact:

None.

Staffing Impact:

None.

Policies/Legislation:

None.

Consultation:

Eric Finkbeiner, President, Ausable River Nomads
Rebekah Msuya-Collison
Megan Goss
Scott Currie

Related Documents:

None

Respectfully submitted,

Dan Best, Chief Administrative Officer/Deputy Clerk