



Province of Alberta

## PROVINCIAL PARKS ACT

# PROVINCIAL PARKS (GENERAL) REGULATION

### **Alberta Regulation 102/1985**

With amendments up to and including Alberta Regulation 4/2021

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### Office Consolidation

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(Consolidated up to 4/2021)

**ALBERTA REGULATION 102/85**

**Provincial Parks Act**

**PROVINCIAL PARKS (GENERAL) REGULATION**

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**Interpretation****1** In this Regulation,

- (a) “Act” means the *Provincial Parks Act*;
- (b) “aircraft” includes any type of device designed to carry persons or objects through the air in powered or powerless flight;
- (c) “animal” means a domestic animal and includes an animal that is wild by nature but has been domesticated;
- (c.1) “campground” means a campground in a provincial park or recreation area;
- (d) “camping accommodation unit” means
  - (i) a tent,
  - (ii) a trailer,
  - (iii) a tent trailer,
  - (iv) a motor home,
  - (v) a van, or
  - (vi) a truck camperused by a person as shelter equipment while camping;
- (d.1) “cycle” means a device that runs on one or more wheels, that is propelled only by human power and on which a person can ride, but does not include a wheelchair;
- (d.2) “facility area” means a developed location, including any improvements, landscaped location, maintained lawns, campsites, picnic locations, playgrounds, piers, highways, parking lots, trails and other developed facilities;
- (d.3) “fee” means the fee provided for in an order made under section 13(1)(b.1) of the Act;
- (e) repealed AR 119/91 s2;

- (f) “firearm” means any device that propels a projectile by means of explosion, spring, air, gas, string, wire or elastic material or any combination of those things;
- (g) “highway” does not include a trail;
- (h) repealed AR 119/91 s2;
- (i) repealed AR 237/93 s2;
- (j) “motor vehicle” means a motor vehicle as defined in the *Traffic Safety Act*;
- (k) “off-highway vehicle” means an off-highway vehicle as defined in the *Traffic Safety Act*;
- (l) repealed AR 237/93 s2;
- (m) “towed equipment” means a boat trailer, horse trailer, utility trailer or other equipment that is towed by a motor vehicle, but does not include a camping accommodation unit;
- (m.1) “vehicle” means a vehicle within the meaning of section 117(b) of the *Traffic Safety Act*;
- (n) “wildland park” means a provincial park that is designated as a wildland provincial park in the Order in Council that establishes it.

AR 102/85 s1;119/91;237/93;261/96;26/2004;44/2004;2/2007

### **Interpretation - possession**

#### **1.1** For the purposes of this Regulation,

- (a) a person is in possession of something when that person has it in personal possession or knowingly
  - (i) has it in the actual possession or custody of another person, or
  - (ii) has it in any place for the use or benefit of that first-mentioned person or of another person,

and

- (b) when one of 2 or more persons, with the knowledge and consent of the rest, has anything in custody or possession, it is deemed to be in the possession of each and all of them.

AR 26/2004 s3

## General

### Fee requirement

**2** A person engaging in an activity under this Regulation shall pay the fee in respect of that activity.

AR 102/85 s2;2/2007

### Compliance with orders, etc.

**3** A person who enters a provincial park or recreation area shall comply with

- (a) any lawful orders and instructions made or issued pursuant to the Act or this Regulation, and
- (b) the instructions, prohibitions and directions prescribed by all lawfully designated and erected signs and notices.

AR 102/85 s3

### Signs and notices to control activities

**4(1)** The Minister may

- (a) subject to the *Traffic Safety Act*, control and prohibit the movement of vehicular, pedestrian and other traffic by means of signs and notices designated and erected by the Minister, and
- (b) designate and erect other signs, including trail markers, and notices governing and prohibiting activities that are provided for in the Act or this Regulation.

**(2)** The existence of a sign or notice referred to in subsection (1) is prima facie proof that it was properly designated and erected under this Regulation.

**(3)** Signs (including trail markers) and notices erected under this Regulation are to be treated as documents incorporated by reference in this Regulation.

AR 102/85 s4;26/2004

### Condition of land and improvements

**5(1)** A person using a provincial park or recreation area shall keep the land and improvements in a condition satisfactory to a conservation officer.

**(2)** A person vacating provincial park or recreation area land shall restore the land as nearly as possible to a clean and tidy condition.

AR 102/85 s5;26/2000

**Abatement of nuisance, etc.**

**6(1)** If, in the opinion of a conservation officer, a nuisance exists on any site which is the subject of a permit, the conservation officer may, in writing, order the person causing the nuisance to abate the nuisance or clean the site, or both.

**(2)** Where a person fails to comply with an order made pursuant to subsection (1), the conservation officer may take whatever steps are necessary to abate the nuisance or clean the site, or both, and the cost of doing so is recoverable from the person as a debt.

AR 102/85 s6;26/2000

**Prohibitions****Right of quiet and peaceful enjoyment**

**7** No person shall interfere with the right of others to the quiet and peaceful enjoyment of a provincial park or recreation area.

AR 102/85 s7

**Entry within prescribed period following removal**

**8** No person who has been removed from a provincial park or recreation area pursuant to section 17 of the Act shall, within the following 72-hour period, enter or attempt to enter any provincial park or recreation area.

AR 102/85 s8;147/87;251/2001

**Entry or remaining contrary to restrictions**

**9** No person shall enter or remain in any provincial park or recreation area or portion of a provincial park or recreation area where travel or access restrictions have been imposed under section 13 of the Act or under this Regulation unless authorized by the Minister.

AR 102/85 s9

**Defacement, etc., of objects**

**10** No person shall deface, injure or destroy any object in a provincial park or recreation area, whether created by natural means or otherwise.

AR 102/85 s10

**Acts relating to signs, advertisements, etc.**

**11(1)** No person shall display or post any signs or advertisements in a provincial park or recreation area, other than signs and advertisements approved by a conservation officer.

(2) No person shall remove, deface, damage or destroy any signboard, sign or notice posted or placed in a provincial park or recreation area under the authority of the Act or the regulations.

AR 102/85 s11;26/2000

#### **Acts relating to big game**

**11.1** No person shall, unless authorized by a conservation officer, dress, hang or store big game in a provincial park or recreation area.

AR 237/93 s3;26/2000

#### **Explosives, explosive devices and fireworks**

**11.2(1)** No person shall, unless authorized to do so by a conservation officer,

- (a) detonate explosives or explosive devices, or
- (b) set off fireworks

in a provincial park or recreation area.

(2) A person who is authorized by a conservation officer

- (a) to detonate explosives or explosive devices, or
- (b) to set off fireworks

shall do so in accordance with any requirements set by the conservation officer.

AR 237/93 s3;26/2000;26/2004

#### **Feeding of wildlife**

**11.3** No person shall feed wildlife in a provincial park or recreation area.

AR 237/93 s3

#### **Waste matter**

**12(1)** No person shall deposit liquid or solid waste matter in a provincial park or recreation area except in a receptacle or area provided for that purpose by the Minister.

(2) No person shall bring commercial or residential waste matter into a provincial park or recreation area for disposal.

(3) In areas in a provincial park or recreation area where waste disposal receptacles or areas are not provided, waste matter shall be carried out of the area for disposal.

AR 102/85 s12

**Activities around water facilities**

**13** No person shall bathe or clean clothing, fish, cooking or eating utensils, vehicles or other equipment at or near a drinking fountain, standpipe, well or pump in a provincial park or recreation area.

AR 102/85 s13

**Removal of water**

**14** No person shall remove water from a provincial park or recreation area except

- (a) for the personal use of that person and that person's party in the camping accommodation unit used for camping at the time, or
- (b) as authorized by the Minister.

AR 102/85 s14;26/2004

**Removal of firewood**

**14.1** No person shall remove firewood from a provincial park or recreation area.

AR 237/93 s4

**Animals****Animal control generally**

**15(1)** No person having the custody or control of an animal shall bring the animal into a provincial park or recreation area or allow the animal to enter or remain in a provincial park or recreation area unless it is in a cage or is restrained by a leash, chain or other device that is not greater than 2 metres long.

**(2)** Where an animal defecates

- (a) anywhere in Fish Creek Provincial Park, or
- (b) on any road, trail or facility area in any other provincial park or recreation area,

the person who has custody or control of the animal shall remove the excrement immediately.

**(3)** Subsection (1) or (2) does not apply to an animal in a provincial park or recreation area pursuant to section 19 or pursuant to and in accordance with the terms of a valid disposition.

**(4)** Subsection (2) does not apply to a guide dog used by a person in accordance with the *Blind Persons' Rights Act*.

AR 102/85 s15;26/2004;234/2005

**Hunting with dogs — Cooking Lake-Blackfoot**

**15.1** Despite section 15(1), a person may bring a dog into or allow a dog to enter or remain in the Cooking Lake-Blackfoot Grazing, Wildlife and Provincial Recreation Area without being in a cage or restrained by a leash, chain or other device if

- (a) the person is hunting game birds with the dog in the recreation area,
- (b) the person is authorized to hunt game birds with a dog under the *Wildlife Act*, and
- (c) the person holds a permit under section 46(1.1).

AR 4/2021 s2

**Animals in certain places**

**16** No person shall bring an animal other than a guide dog used by a person in accordance with the *Blind Persons' Rights Act* into or allow the animal to enter or remain in or on any area in a provincial park or recreation area that is

- (a) a designated swimming area,
- (b) a beach area adjacent to a designated swimming area,
- (c) a public washroom, change house, concession, picnic shelter or other public building or structure, or
- (d) an area where signs are posted prohibiting animals.

AR 102/85 s16;234/2005

**Rights of conservation officers re animals**

**17** A conservation officer may refuse to admit to a provincial park or recreation area, or require to be removed from a provincial park or recreation area, any animal if the officer considers it is not under control or may be a nuisance or a danger to the life, safety, health, property or comfort of any person in the provincial park or recreation area.

AR 102/85 s17;26/2000;26/2004

**Animals running at large - enforcement**

**18(1)** A conservation officer or any other person acting under the officer's supervision may capture any animal running at large in a provincial park or recreation area.

**(1.1)** A conservation officer or any other person acting under the officer's supervision may destroy an animal while the animal is running at large in a provincial park or recreation area if

- (a) the conservation officer or person acting under the officer's supervision believes on reasonable grounds that
    - (i) the animal poses a danger to the life, safety or health of any person in the provincial park or recreation area, and
    - (ii) it is dangerous to attempt to capture the animal,or
  - (b) the conservation officer or person acting under the officer's supervision believes on reasonable grounds that the animal is injured, sick or suffering from a lack of food or water and at least 2 attempts by the conservation officer or person acting under the officer's supervision to capture the animal have failed.
- (2) When an animal is captured, the conservation officer shall
- (a) impound the animal for a period of not more than 48 hours, and
  - (b) make a reasonable attempt to contact the owner or person having custody of the animal.
- (3) The owner of or the person who has custody of and who claims a captured animal from a conservation officer shall pay
- (a) \$25 for recovering the animal, and
  - (b) \$15 for each 24-hour period or portion thereof during which the animal is impounded.
- (4) When an animal is impounded for 48 hours and no person claims it, a conservation officer may dispose of the animal in a reasonable manner.

AR 102/85 s18;147/87;237/93;26/2000;26/2004

**Restriction regarding horses, ponies and beasts of burden**

**19** No person shall bring into or permit to enter a provincial park or recreation area a horse or pony or beast of burden under that person's control except on an area of land

- (a) that has been established for equestrian uses or which a conservation officer has approved for equestrian uses, or
- (b) in respect to which a valid disposition is issued which permits equestrian uses.

AR 102/85 s19;26/2000;26/2004

## Fires

### General restrictions

**20(1)** Subject to this section, no person shall set, light or maintain a fire in a provincial park or recreation area except in a fireplace, pit or other facility provided by the Minister for that purpose.

**(2)** A person may, with the prior approval of a conservation officer, set, light and maintain an open fire on ground that is snow covered.

**(3)** Subsections (1) and (2) do not apply so as to prohibit or regulate fires in a wildland park, but where there is a back-country campground in a wildland park, a person must use the fireplace, pit or other facility in the campground and shall not set, light or maintain a fire outside the campground within one kilometer of the campground.

AR 102/85 s20;147/87;261/96;26/2000

### Use of dead vegetation for fuel

**21(1)** Notwithstanding sections 10 and 45(1)(a), a person may use dead vegetation for use as fuel in a fire in a campground with the prior approval of a conservation officer.

**(2)** The requirement in subsection (1) to obtain the prior approval of a conservation officer does not apply in the case of land in a wildland park.

AR 102/85 s21;147/87;173/94;261/96;26/2000

### Prohibitions to reduce fire hazards

**22(1)** Where the Minister is of the opinion that a fire hazard exists in a provincial park or recreation area, the Minister may, by erecting signs and notices for the purpose, prohibit the setting, lighting or maintaining of fires in all or part of the provincial park or recreation area.

**(2)** No person shall set, light or maintain a fire anywhere where that activity is prohibited under subsection (1).

AR 102/85 s22;26/2004

### Attention to and spreading of fires

**23** No person shall

- (a) leave a fire unattended, or
- (b) allow a fire to spread.

AR 102/85 s23;26/2004

**Disposal of remnants**

**24(1)** No person shall deposit or dispose of hot coals, ashes, embers or any other burning or smouldering material in a place other than a stove, fire pit or other place provided for that purpose by the Minister.

**(2)** Subsection (1) does not apply in the case of land in a wildland park, but in such a case a person shall dispose of hot coals, ashes, embers and other burning or smouldering material in a manner that will not cause a risk of fire.

AR 102/85 s24;261/96

**Extinguishing of fires and remnants**

**25** A person shall extinguish all fires, hot coals and smouldering materials before leaving them.

AR 102/85 s25

**Vehicles****Operation of motor vehicles**

**26** No person shall operate a motor vehicle within a provincial park or recreation area

- (a) except on a highway, or
- (b) except with the written authorization of the Minister, in the case of an area that is not a highway.

AR 102/85 s26;147/87

**Operation of off-highway vehicles and cycles**

**27(1)** Notwithstanding anything in section 26 to the contrary, no person shall operate or use an off-highway vehicle or any similar specialized means of conveyance, in a provincial park or recreation area except

- (a) on a trail or in an area set aside, designated or identified by signs, notices or trail markers posted as a trail or area for the use of such conveyances and in compliance with any rules indicated by such signs or notices as to the types of vehicle that may or may not be used and as to the use of such vehicles, or
- (b) in an area other than a place referred to in clause (a), with the written authorization of the Minister.

**(2)** No person shall ride a cycle in a provincial park or recreation area except

- (a) on a public road,
- (b) on a trail or in an area set aside, designated or identified by signs, notices or trail markers posted as a trail or area in or on which riding of cycles is allowed and in compliance with any rules specified by such signs and notices, or
- (c) in an area other than a place referred to in clause (a) or (b), with the written authorization of the Minister.

AR 102/85 s27;147/87;26/2004

#### **Parking and leaving of vehicles, etc.**

**28** No person shall park or leave a motor vehicle, boat, piece of towed equipment or camping accommodation unit or permit a motor vehicle, boat, piece of towed equipment or camping accommodation unit to be parked or left in a provincial park or recreation area other than in designated campsites or other parking areas designated for that purpose by the Minister.

AR 102/85 s28;147/87;237/93

#### **Prohibition of vehicle entry**

**29** A conservation officer may prohibit the entry of a vehicle into any part of any provincial park or recreation area.

AR 102/85 s29;26/2000

#### **Disposition of certain items left behind**

**30(1)** In this section “abandoned” means left standing at a location for more than 72 consecutive hours other than pursuant to

- (a) a licence, permit or other similar authorization, or
- (b) prior authorization of a conservation officer.

**(2)** If a motor vehicle, off-highway vehicle, aircraft, boat, piece of towed equipment, camping accommodation unit, equipment, appliance, article or object

- (a) is abandoned,
- (b) remains in an area after the authorization to be in that area expires, or
- (c) is located in a prohibited area,

a conservation officer may move the item or cause it to be moved to a location determined by the officer and store it or cause it to be stored or order the owner, operator or person in charge of the item

to move the item to a location determined by the conservation officer and within a period of time determined by the officer.

(3) Where the owner, operator or person in charge of the item fails to comply with the order of a conservation officer under subsection (2), the conservation officer may move and store the item or cause it to be moved and stored.

(4) Where a conservation officer moves or stores an item or causes it to be moved or stored under this section, the cost of doing so

- (a) is the responsibility of the owner of the item,
- (b) constitutes a lien on the item,
- (c) may be recovered from the owner in an action for debt, and
- (d) must be paid before the item is released to the owner, operator or person in charge of it.

(5) If an item stored pursuant to this section is not, within 30 days of its removal or a longer period as determined by the Minister, claimed by the owner or someone on the owner's behalf in return for full payment for the removal and storage costs incurred, the item and its content, if any, shall be turned over to the Minister responsible for section 12 of Schedule 11 to the *Government Organization Act* to be disposed of in accordance with section 12 of Schedule 11 to the *Government Organization Act* as if it were unclaimed property.

AR 102/85 s30;237/93;26/2000;206/2001;251/2001;26/2004;105/2005;68/2008

## Camping and Day Use Activities

### Designation of various areas

**30.1** The Minister may, in accordance with criteria that the Minister establishes, designate all or part of a provincial park or recreation area as

- (a) a campground consisting in whole or in part of campsites,
- (b) a group area,
- (c) a day use area,
- (d) a back-country campground, or
- (e) any other area for a purpose specified by the Minister.

AR 119/91 s4;237/93;261/96;71/98

**Registration, where required**

**31** All persons entering a provincial park or recreation area shall register when required to do so by a sign or notice at or near the entrance to the provincial park or recreation area.

AR 102/85 s31;119/91

**Camping and group use permits**

**32** The Minister may issue camping permits and group use permits under this Regulation.

AR 102/85 s32;119/91

**Reservation services**

**32.1** The Minister may establish a reservation service for one or more parks or recreation areas that allows a person to reserve a campsite, a group area or other area.

AR 119/91 s5;71/98

**33** Repealed AR 119/91 s6.

**Basis for issue of permits**

**34** Permits shall be issued on a first-come first-served basis except in that portion of a provincial park or recreation area in which a reservation service is offered.

AR 102/85 s34;119/91

**Overnight camping**

**35(1)** No person shall camp overnight in a provincial park or recreation area

- (a) except in an area designated for that purpose, unless that person is otherwise authorized by the conservation officer, and
- (b) unless that person has a valid permit under this Regulation to do so.

**(2)** Subsection (1) does not apply in respect of land in a wildland park, but where there is a back-county campground in the wildland park, no person shall camp overnight outside the campground within one kilometre of the campground.

AR 102/85 s35;261/96;26/2000;26/2004

**Alteration, transfer and retention for inspection of permits**

**36(1)** No person shall alter a camping or group use permit.

(2) No person shall transfer a camping or group use permit to another person.

(3) The holder of a camping or group use permit shall keep it available for inspection at any time and shall produce it for inspection on the request of a conservation officer.

AR 102/85 s36;119/91;26/2000

#### **Attachment of conditions to permits**

**37** At the time of issue of a group use permit, the Minister may make the permit subject to any conditions the Minister considers appropriate.

AR 102/85 s37;119/91;26/2004

#### **Campsite restrictions**

**38(1)** Subject to subsection (2), the maximum allowable combination of motor vehicles, camping accommodation units and pieces of towed equipment permitted on a campsite is 3 and of that 3, no more than 2 may be camping accommodation units.

(2) If the only camping accommodation units on a campsite are 2 tents, the following are also permitted on the campsite:

- (a) 2 motor vehicles, or
- (b) one motor vehicle and one piece of towed equipment.

(3) If, in the opinion of a conservation officer, a campsite cannot reasonably hold the maximum allowable combination of motor vehicles, camping accommodation units and pieces of towed equipment permitted under subsections (1) and (2), the conservation officer may establish the maximum allowable combination of motor vehicles, camping accommodation units and pieces of towed equipment permitted on that campsite.

(4) A person who has been issued a permit for a campsite shall not bring into or allow to remain on the campsite more motor vehicles, camping accommodation units or pieces of towed equipment than are permitted under this section.

AR 102/85 s38;147/87;119/91;237/93;26/2000

#### **Visitors to campsites**

**38.1** No person who is visiting at a campsite shall park a vehicle on the campsite

- (a) after 11 p.m., or
- (b) in a manner or at a location that impedes traffic.

AR 237/93 s9

**Maximum numbers of persons per campsite**

**39** Not more than 6 persons may occupy a campsite unless they are all members of a single family unit.

AR 102/85 s39;119/91

**Maximum stays without leaving**

**40(1)** No person shall camp for more than 16 consecutive days in the same campground in a provincial park or recreation area without the written permission of a conservation officer.

**(2)** A person who camps for the maximum number of days permitted under subsection (1) in a campground in a provincial park or recreation area shall, if that person wishes to camp again in that campground, allow at least 24 hours to expire before doing so.

**(3)** A person who camps for the maximum number of days permitted under subsection (1) in a campground in Cypress Hills Provincial Park shall allow at least 72 hours to expire before again camping in any campground in that provincial park.

AR 102/85 s40;147/87;26/2000;26/2004

**Departure, leaving a campsite unoccupied**

**41(1)** No person shall, unless otherwise authorized by a conservation officer, leave a campsite unoccupied.

**(1.1)** A camping permit is automatically cancelled if the campsite is, without the authorization of a conservation officer, unoccupied.

**(2)** A campsite is, for the purposes of this Regulation, unoccupied if no camping accommodation unit is on the campsite.

AR 102/85 s41;147/87;119/91;237/93;26/2000

**Liquor restrictions**

**41.1(1)** In this section, “liquor” means liquor within the meaning of the *Gaming, Liquor and Cannabis Act*.

**(2)** Where the Minister considers it necessary for the proper management and control of a campground, the Minister may by order prohibit

- (a) the possession or consumption of liquor in that campground, or
- (b) the entry into or the presence in that campground of any camping accommodation unit or motor vehicle containing liquor,

in the terms and for the period or until the time specified in the order.

(3) When an order is made under subsection (2), the Minister shall erect signs or post notices at the entrance to the campground to which it relates generally indicating the prohibitions and their terms, as set out in the order.

(4) A person shall not contravene an order made under subsection (2).

(5) Orders under subsection (2) are to be treated as documents incorporated by reference in this Regulation.

AR 44/2004 s3;56/2019

#### **Cancellation of permits**

**42(1)** A conservation officer may cancel a camping permit or group use permit if

- (a) the permit holder or a member of the permit holder's group, or
- (b) a guest at the campsite, area or facility to which the permit relates

contravenes the Act, this Regulation or a condition to which the permit is subject.

(2) A conservation officer who cancels a permit under subsection (1) shall give the permit holder written notice of the cancellation.

(3) A permit holder who receives written notice of the cancellation of the permit shall immediately comply with section 43 and leave the provincial park or recreation area.

AR 102/85 s42;119/91;237/93;26/2000;26/2004

#### **Cancellation and expiry of permits - vacating of areas**

**43** When a camping permit or group use permit is cancelled or expires, the permit holder shall ensure that the campsite, area or facility to which the permit relates is vacated and that all equipment and other property belonging to the permit holder or persons in the permit holder's group or to the permit holder's guests are removed from the provincial park or recreation area.

AR 102/85 s43;237/93;26/2004;108/2004

### **Miscellaneous Permits**

#### **Guide and instructor permits**

**44(1)** In this section, "guide" means a person who for remuneration leads or guides persons on recreational trips.

(2) No person shall

- (a) act as a guide, or
- (b) for remuneration conduct a course of instruction in an outdoor activity

in a provincial park or recreation area unless that person is the holder of a permit authorizing that person to do so and issued under this section.

**(3)** The Minister may provide for the issuing of permits for different classes of guiding and instructional activity.

**(4)** The Minister may issue a permit if

- (a) an application is made in the form specified by the Minister and is accompanied by the appropriate fee, and
- (b) the applicant submits evidence required by the Minister as to the applicant's training, qualifications and general suitability to carry on the activity in respect of which the permit is applied for.

**(5)** The Minister may require an applicant for or the holder of a permit under this section to provide evidence that the person is covered by a policy of insurance providing adequate protection against public liability and property damage.

**(6)** The Minister may make a permit under this section subject to terms and conditions the Minister considers appropriate including, without limitation, terms and conditions respecting the following:

- (a) the area in which and the times during which the person may act as a guide or carry on the instructional activity and the manner in which the guiding or instructional activity must be carried out;
- (b) the duration of the permit;
- (c) the filing with the Minister of reports, returns and other documents related to the activity that is the subject of the permit.

AR 102/85 s44;237/93;71/98;26/2004;2/2007

#### **Permits covering other activities**

**45(1)** Subject to subsection (2), no person shall engage in any of the following activities in a provincial park or recreation area unless the person is the holder of a permit allowing that person to do so that is issued by the Minister under this section:

- (a) the collection or removal of flora, fauna or geological specimens;

- (b) the collection of or excavation for historic resources as defined in the *Historical Resources Act*;
  - (c) any studies that involve the interviewing of visitors to the provincial park or recreation area;
  - (d) research that involves work in an area of the provincial park or recreation area to which access by the public is restricted or prohibited;
  - (e) research that involves physical disturbance to the land or any other significant adverse effect on the environment;
  - (f) research that involves the setting up of scientific monitoring instruments or of structures used in connection with scientific research;
  - (g) research that requires significant assistance from government employees in the provincial park or recreation area.
- (2)** Subsection (1) does not apply to
- (a) the picking or removal of common flowers, wild fruits or mushrooms by a person who has the oral approval of a conservation officer, or
  - (b) the collection of flora, fauna or geological specimens by a group or an individual in connection with a course of instruction offered by an educational institution if the conservation officer consents in writing to the proposed activity on being satisfied that the proposed activity
    - (i) is of a minor nature,
    - (ii) will not have a significant adverse effect on the environment, and
    - (iii) will not significantly interfere with the operation of the provincial park or recreation area or with the use of it by the public.
- (3)** On application in a form satisfactory to the Minister and on payment of the appropriate fee, the Minister may issue a permit for the carrying out of an activity referred to in subsection (1).
- (4)** The Minister may require an applicant for or the holder of a permit under this section to provide evidence that that person is covered by a policy of insurance providing adequate protection against public liability and property damage.

(5) The Minister may make a permit under this section subject to any terms and conditions the Minister considers appropriate including, without limitation, terms and conditions respecting the following:

- (a) the area in which and the times during which the activity may be carried out and the manner in which it must be carried out;
- (b) the training and qualifications of the persons who will be carrying out the activity;
- (c) the duration of the permit;
- (d) the collection, storage and disposition of specimens;
- (e) the filing with the Minister of reports, returns and other documents related to the activity that is the subject of the permit.

AR 102/85 s45;26/2000;26/2004;2/2007

#### **Firearms - possession and discharge**

**46(1)** No person shall possess a firearm in a provincial park or recreation area unless

- (a) the person holds a permit issued under this section,
- (b) there is an open season under the *Wildlife Act* in an area that is adjacent to the provincial park or recreation area and the person is authorized under the *Wildlife Act* to hunt the kind of wildlife to which the open season applies,
- (c) in the case of the Lakeland Provincial Recreation Area, there is an open season under the *Wildlife Act* for an area that includes the Recreation Area and the person is authorized under the *Wildlife Act* to hunt the kind of wildlife to which the open season applies, or
- (d) in the case of a wildland park, there is an open season under the *Wildlife Act* for an area that includes the wildland park and the person is authorized under the *Wildlife Act* to hunt the kind of wildlife to which the open season applies.

**(1.1)** No person shall discharge a firearm in a provincial park or recreation area unless

- (a) the discharge is authorized under a permit issued under this section,

- (b) in the case of the Lakeland Provincial Recreation Area, the person discharges the firearm while hunting a kind of wildlife that the person is authorized to hunt under the *Wildlife Act*, or
- (c) in the case of a wildland park, the person discharges the firearm while hunting a kind of wildlife that the person is authorized to hunt under the *Wildlife Act*.

(2) On application in a form satisfactory to the Minister and on payment of the appropriate fee, the Minister may issue a permit for the carrying on of an activity involving the discharge of a firearm in a provincial park or recreation area.

(3) The Minister may make a permit under this section subject to any terms and conditions the Minister considers appropriate including, without limitation, terms and conditions respecting the following:

- (a) the area in which and the times during which the activity may be carried out and the manner in which it must be carried out;
- (b) the duration of the permit;
- (c) the filing with the Minister of any reports, returns and other documents related to the activity that is the subject of the permit.

(4) A person who is in possession of a firearm in a provincial park or recreation area shall ensure that the firearm is unloaded and

- (a) in a condition such that the barrel and stock are separated and taken apart, or
- (b) completely enclosed in a case or other covering designed for that purpose

unless the person is engaged in an activity in which the discharge of a firearm is allowed under subsection (1.1).

AR 102/85 s46;147/87;237/93;261/96;26/2004;2/2007

### **Business permits**

**47** No person shall carry on a business in a provincial park or recreation area unless that person is the holder of a permit for that purpose or has entered into an agreement for that purpose with the Minister under section 10(c) of the Act.

AR 102/85 s47;251/2001;26/2004

**Special event permits**

**47.1(1)** In this section, “special event” means an activity approved by the Minister that

- (a) is carried out in a provincial park or recreation area by an individual, group or association, and
- (b) by virtue of the nature and scope of the activity requires special provisions to be made that are not covered in the Act or this Regulation.

**(2)** No person shall conduct a special event in a provincial park or recreation area unless that person is the holder of a permit issued by the Minister under this section allowing that person to do so.

**(3)** On application in a form satisfactory to the Minister and on payment of the appropriate fee, the Minister may issue a permit to conduct a special event.

**(4)** The Minister may require an applicant for or the holder of a permit under this section to provide evidence that that person is covered by a policy of insurance providing adequate protection against public liability or property damage or both that may occur during the special event covered by the permit.

**(5)** The Minister may attach terms and conditions to a permit issued under this section, relating to the following:

- (a) the area in which and the times during which the special event may be conducted and the manner in which it must be conducted;
- (b) the duration of the permit;
- (c) the requirement of filing with the Minister reports, returns and other documents related to the special event;
- (d) the collection of any charges or costs that are associated with the conduct of the special event and are payable to the Minister.

AR 147/87 s13;26/2004;2/2007

**Cancellation, suspension, reduction of term and realization on security deposit**

**47.2** The Minister may, with respect to a permit issued under section 44, 45, 46 or 47.1,

- (a) suspend it indefinitely or for a fixed period,
- (b) cancel it,

- (c) reduce its term, or
- (d) realize on the security deposited by the holder,

if the holder of the permit fails to comply with any term or condition of the permit.

AR 147/87 s13

### **General, Permits**

#### **Addition to and deletion of terms**

**48** The Minister may add to, delete or vary the terms and conditions to which a permit issued under this Regulation is subject.

AR 102/85 s48

#### **Cancellation and suspension for contravention**

**49** The Minister may cancel or suspend a permit issued under this Regulation if the permit holder contravenes the Act, this Regulation or any of the terms or conditions to which the permit is subject.

AR 102/85 s49;26/2004

#### **Vicarious liability**

**49.1(1)** Where it is proved to the satisfaction of the court trying a case that a provision of this Regulation has been contravened in relation to a permit by any member of a group of persons who is not the permit holder but whose activities are or purport to be covered by the permit, whether or not that person has been prosecuted for the contravention, the holder of that permit is also a party to and guilty of the offence relating to the active contravention or alleged contravention.

**(2)** A permit holder is not guilty of an offence referred to in subsection (1) if it is established on a balance of probabilities that that person took all reasonable steps to prevent the contravention in question.

AR 26/2004 s26

**50** Repealed AR 239/2017 s2.





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