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|   | *faqS*March 5, 2020 |

## Park Use Regulation Bylaw 1801 – Frequently Asked Questions

On February 25, 2020, the Regional District of Nanaimo (RDN) Board voted unanimously to approve an update to the Park Use Regulations Bylaw. This bylaw was last updated in 2009.

**Q: Why is the Bylaw being updated?**

A: The bylaw is being updated to bring the RDN into compliance with recent BC Supreme Court rulings that granted homeless individuals the right to sleep and erect shelters in public spaces and parks. The bylaw update puts restrictions on where and when homeless camping might take place and gives the RDN the legal right to enforce our rules when needed. (A homeless person is defined as a person with no fixed address who is unable to find temporary abode at a public shelter facility).

The bylaw update also introduces a total ban on smoking, regulates cannabis consumption and regulates the possibility of off-road vehicle use in some parks and trails.

**Q: How was it decided which parks would allow homeless camping and which would not?**

A: The RDN found that 77 per cent of our parks are not suitable for homeless camping because they fall into the following categories:

1. Parks that are well developed and used, and too small to keep homeless camping separate from regular park users or park neighbours.
2. Parks that were acquired as conservation areas, e.g., Moorecroft RP, Coats Marsh RP.
3. All regional and community trails and paths.
4. All RDN managed water accesses.
5. Otherwise, homeless camping is limited to areas within parks where the use can be kept separate from designated conservation areas; facilities including trails, toilets, parking areas and playgrounds; and neighbouring residential property.

Homeless camping is therefore allowed at 23 per cent of RDN parks, but in these parks, other restrictions are in place to protect the interests of the public:

* No camping within 30 m of neighbouring residential property
* No camping within 30 m of park buildings, toilets, shelters, playgrounds, picnic tables, benches, garbage cans, maintained fields or other organized play spaces;
* No camping within 30 m of internal trails, roads, bridges, or in parking lots or demarcated and tended areas of vegetative plantings; or
* No camping in a conservation zone.

**Q: What rules do homeless campers have to abide by?**

A: General Regulations for Homeless Camping:

* Where not prohibited, a homeless person may camp in a District park between 7:00 p.m. one day and 9:00 a.m. the following day, at which point the homeless person must vacate the park until at least the next 7:00 p.m.
* Prior to departure from a park, the homeless person must dismantle any shelter erected.
* Upon departure from a park, the homeless person must take with them all personal possessions brought into the park and properly dispose of litter and garbage.

**Q: Can homeless persons camp in vehicles on park grounds?**

A: No, the bylaw states that no person shall leave a vehicle in a park during curfew hours except as a registered camper or as a holder of a park use permit specifically authorizing this.

**Q: Is homeless camping currently a problem in RDN parks?**

A: No, homeless camping is not currently an issue in RDN parks.

**Q: Do other local governments have a similar bylaw?**

A: Yes, the City of Nanaimo adopted a similar bylaw in 2019, the City of Parksville in 2018, the District of North Cowichan in 2017 and Abbotsford did the same in 2016.

**Q: How will homeless camping regulations be enforced?**

A: RDN Parks Services will work with RDN Bylaw Enforcement personnel and the RCMP on monitoring and

managing homeless camping. The public can play an important role in the process by alerting the RDN to

any problems they encounter in our parks. The RDN has a “Report a Safety Concern” form on

its website ([rdn.bc.ca/parks-safety-concern-form](https://rdn.bc.ca/parks-safety-concern-form) ) which automatically alerts the RDN 24/7 that there is

a problem.

**Q: When was this bylaw discussed publicly?**

A: On November 5, 2019, the bylaw was discussed at the Regional Parks and Trails Select Committee. On November 12, 2019, it was discussed at the Inaugural Board Meeting. On February 5, 2020 the bylaw was discussed at the Regional Parks and Trails Select Committee. On February 25, 2020 the bylaw was approved by the Board.

A copy of Park Use Regulations Bylaw 1801 is available on the RDN website at

[rdn.bc.ca/sites/default/files/inline-files/1801.pdf](https://rdn.bc.ca/sites/default/files/inline-files/1801.pdf)



**For more information, please contact:**

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