



City of Port Moody

Bylaw No. 3392

A Bylaw to designate certain public places for the responsible consumption of liquor outdoors.

WHEREAS section 73(2) of the *Liquor Control and Licensing Act* authorizes Council to enact a bylaw designating a public place, or part thereof, within its jurisdiction as a place where liquor may be consumed during certain hours,

AND WHEREAS Council of the City of Port Moody wants to designate the locations set out in this Bylaw as places where Liquor may be responsibly consumed outdoors;

NOW THEREFORE, Council of the City of Port Moody, in open meeting assembled, enacts as follows:

1. Citation

- 1.1. This Bylaw shall be cited as “City of Port Moody Responsible Consumption of Liquor in Public Places Bylaw, 2023, No. 3392”.

2. Interpretation

- 2.1. In this Bylaw:

“Children’s Play Area” means any part of a Public Place that is intended to be used primarily for the recreation or amusement of minor children and includes playgrounds, climbing structures, skate parks, and spray parks;

“City” means the City of Port Moody;

“City Property” means a parcel, lot, block, strata lot, public park or other area of land that is located in the City of Port Moody and which is either owned or occupied by the City, or in which the City has vested interest pursuant to a statute, and includes a Highway;

“Dusk” means astronomical dusk, being the dark part of twilight, when the daylight has almost gone but it is not yet completely dark;

“Highway” has the meaning ascribed to it in the *Community Charter*;

“Liquor Control and Licensing Act” means the *Liquor Control and Licensing Act*, SBC 2015, Chapter 19, as amended or replaced from time to time;

“Liquor Control and Licensing Regulations” means the Liquor Control and Licensing Regulation, B.C. Reg. 241/2016, as amended or replaced from time to time;

“Manager” means General Manager, Community Services or delegate, or the person in the City’s organizational structure with responsibility for the management of parks;

“Permitted Space” means a Public Place or part of a Public Place that is City Property and has been designated by Council in this Bylaw as a place where Liquor may be consumed, but does not include a building, structure, vehicle or other installation within the Public Place that has not been expressly designated by Council in this Bylaw.

- 2.2. In this Bylaw, unless a contrary intention appears, words capitalized and not otherwise defined shall be defined to have the same meaning as in the *Liquor Control and Licensing Act*.
- 2.3. If a position to which powers, functions and duties are delegated under this Bylaw is altered, modified, renamed, split or consolidated after its enactment, each of those powers, functions and duties are deemed to have transferred to the person holding the position most closely connected to that which existed as of the date of enactment.

3. Designation of Permitted Spaces / Hours

- 3.1. The Public Places or parts thereof shown in Schedule A to this Bylaw as an area within which Liquor consumption is permitted and further identified by signage posted in accordance with this Bylaw are hereby designated as Permitted Spaces where Liquor may be consumed in accordance with this Bylaw.
- 3.2. Every Permitted Space designated under section 3.1 excludes a 10 metre buffer zone around any Children’s Play Area.
- 3.3. Despite section 14.4 of the City of Port Moody Parks and Community Facilities Rules and Regulations Bylaw, 2021, No. 3321, as amended or replaced from time to time, while this Bylaw is in effect Liquor may be consumed in Permitted Spaces, subject to compliance with the *Liquor Control and Licensing Act* and this Bylaw,

- 3.4. The hours that Liquor may be consumed in any of the Permitted Spaces are as set out in Schedule B.
- 3.5. A person must not consume Liquor other than in Permitted Spaces, including in parts of Public Places that are outside of the boundaries of the Permitted Spaces identified by signs posted in accordance with this Bylaw.

4. Sign Specifications

- 4.1. The Manager is hereby delegated the authority to determine the placement and design of signs setting out the boundaries of each Permitted Space, provided that the signs meet the criteria set out in section 4.2.
- 4.2. Signs posted in Permitted Spaces designating where Liquor may be consumed must:
 - (a) be no less than four (4) Signs at the boundaries of the Permitted Space;
 - (b) state the hours that Liquor may be consumed; and
 - (c) be posted on posts or affixed to other items forming the boundary of the Permitted Space.

5. Enforcement

- 5.1. Every person who consumes Liquor in contravention of this Bylaw commits an offence under this Bylaw.
- 5.2. Offences set out in the *Liquor Control and Licensing Act* apply to persons consuming Liquor in contravention of this Bylaw.

6. Severability

- 6.1. If any part, section, subsection, clause or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, it will be severed and the validity of the remaining provisions of this Bylaw will not be affected.

7. Attachments and Schedules

7.1. The following schedules are attached to and form part of this Bylaw:

- Schedule A – Maps of Permitted Spaces
- Schedule B – Hours that Liquor may be consumed in any of the Permitted Spaces

8. Expiry

8.1. Subject to section 8.2, this Bylaw expires on December 31, 2023.

8.2. Council may repeal this Bylaw on a date earlier than December 31, 2023.

8.3. Notwithstanding section 8.1, Council may repeal this section and this Bylaw will be in effect as of the date of enactment.

Read a first time this ___ day of ____, 20__.

Read a second time this ___ day of ____, 20__.

Read a third time this ___ day of ____, 20__.

Adopted this ___ day of ____, 20__.

M. Lahti
Mayor

S. Lam
City Clerk

I hereby certify that the above is a true copy of Bylaw No. 3392 of the City of Port Moody.

S. Lam
City Clerk

SCHEDULE "A" to Bylaw 3392

Maps of Permitted Spaces

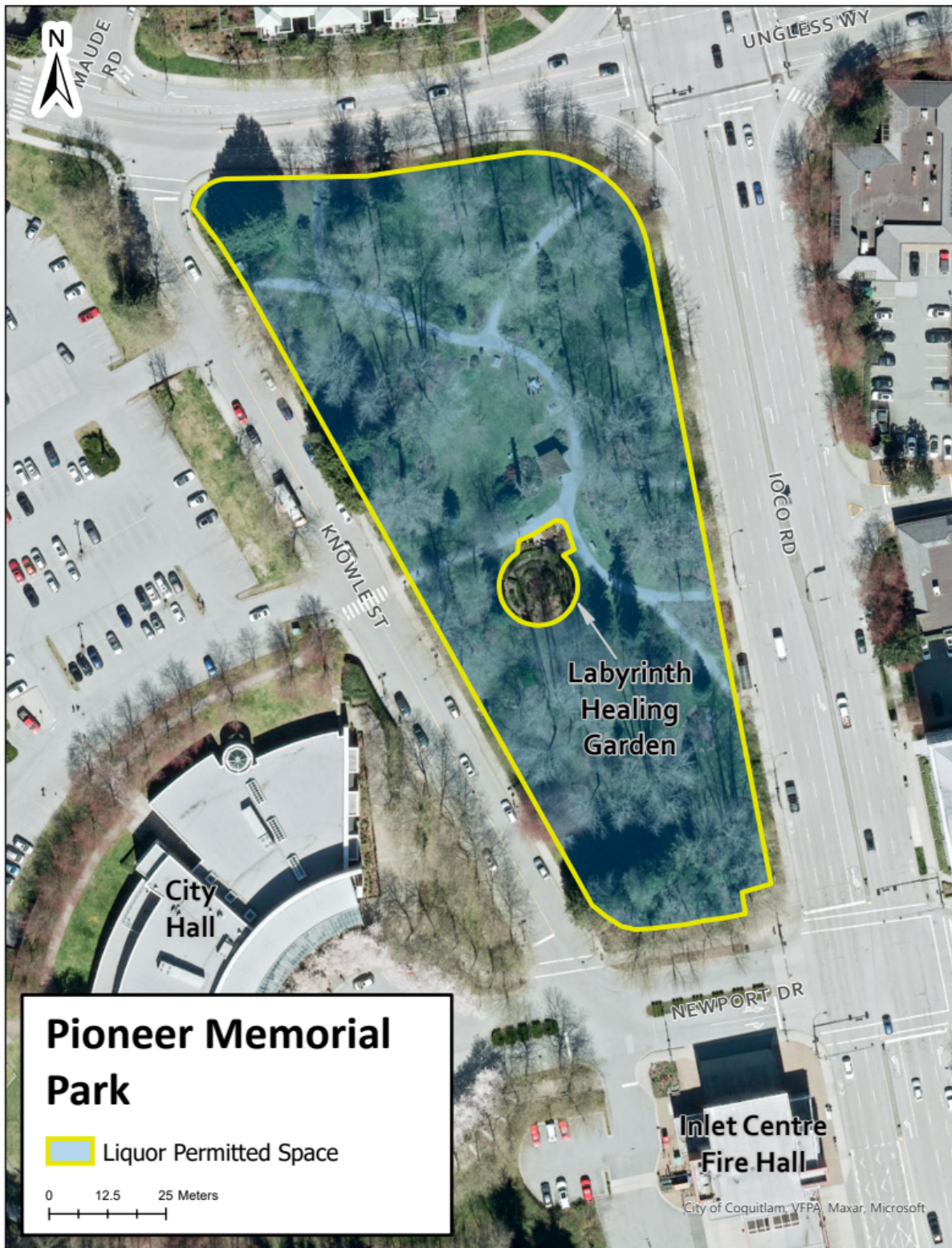
1. Rocky Point Park



2. Old Orchard



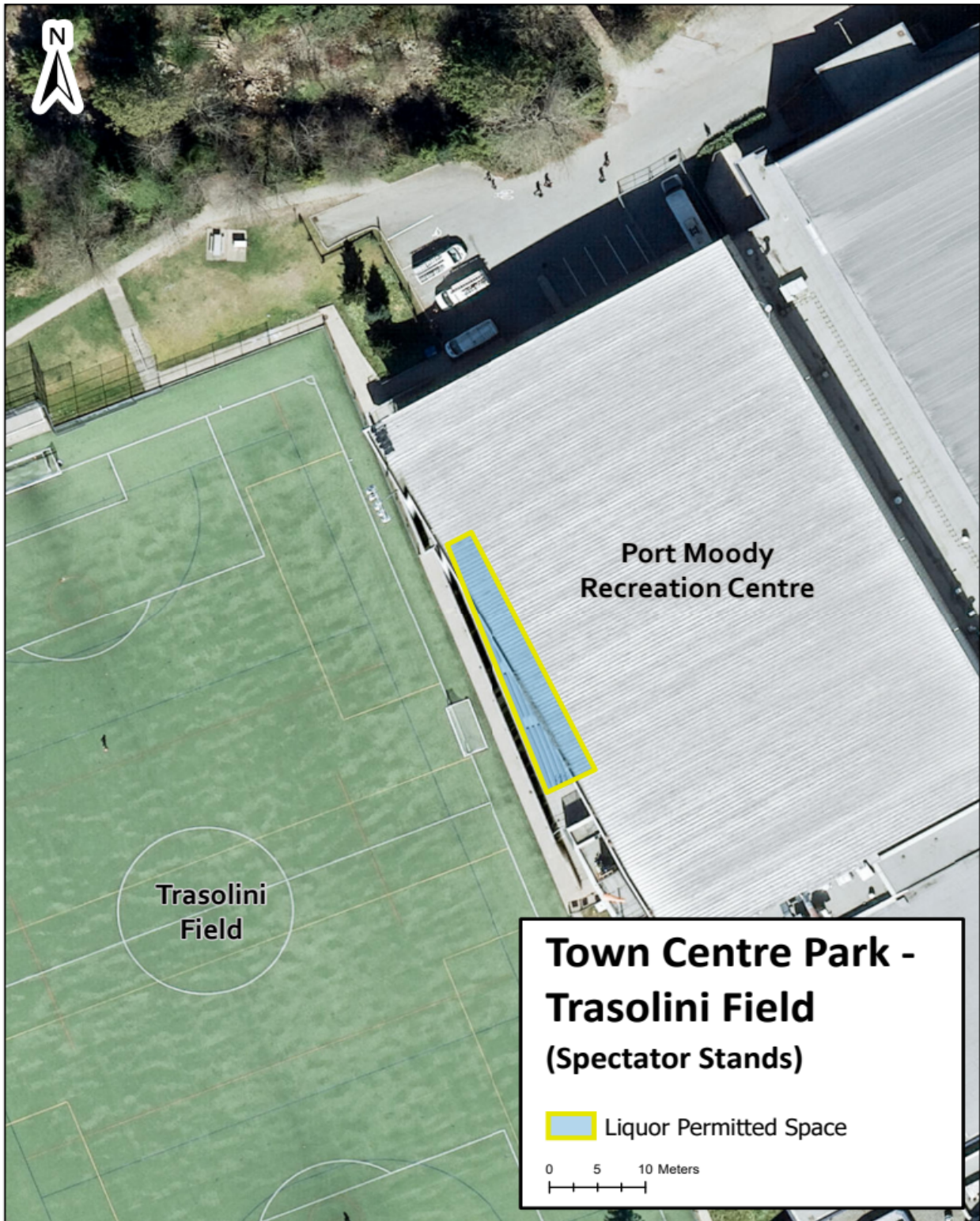
3. Pioneer Park



4. Kyle Centre pop-up park



5. Trasolini Field spectator stands



6. Queen Street Plaza



SCHEDULE “B” to Bylaw 3392

Liquor may be consumed in the Permitted Spaces in the following locations from 11:00 am to Dusk each day:

1. Rocky Point Park
2. Old Orchard
3. Pioneer Park
4. Kyle Centre pop-up park
5. Trasolini Field spectator stands
6. Queen Street Plaza