

No. 153

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1st Session, 15th Legislature, Alberta  
12 Elizabeth II

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## **BILL 153**

A Bill respecting Provincial Parks, Historical Sites,  
Natural Areas and Wilderness Areas

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HON. MR. WILLMORE

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## **Explanatory Note**

**General.** This Bill replaces and revises The Provincial Parks Act, R.S.A. 1955, chapter 249. The principal changes are:

1. The introduction of natural and wilderness areas.
2. The creation of the post of Director of Parks.
3. The change in the function of the Parks Board from administrative to advisory.
4. Expansion of the powers of the Lieutenant Governor in Council to manage parks, historical sites, natural areas and wilderness areas and to regulate activity pertaining to them.
5. The disposition to be made of land and timber in areas affected by this Bill are to be governed by The Public Lands Act and the Forests Act, 1961, respectively.

### **2. Definitions.**

### **3. Continuation of existing parks.**

### **4. Provincial Parks Board and its functions.**

# BILL

No. 153 of 1964

An Act respecting Provincial Parks, Historical Sites,  
Natural Areas and Wilderness Areas

(Assented to \_\_\_\_\_, 1964)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** This Act may be cited as "*The Provincial Parks Act, 1964*".

**2.** In this Act,

- (a) "Director" means the Director of Parks appointed pursuant to this Act;
- (b) "disposition" means an instrument heretofore or hereafter entered into or issued by which any estate or interest in any public lands contained within the boundaries of a park, historical site, natural area or wilderness area is granted by or on behalf of the Crown to any person;
- (c) "dues" means all ground rents, royalties, dues, fees, rates, charges or other money payable by any person to the Crown under any disposition;
- (d) "historical site" means land established as a historical site pursuant to this Act;
- (e) "local road" means any road, trail or path situated within the boundaries of a park, historical site, natural area or wilderness area;
- (f) "Minister" means the Minister of Lands and Forests;
- (g) "natural area" means land established as a natural area pursuant to this Act;
- (h) "park" means land established as a provincial park pursuant to this Act and the parks referred to in section 3;
- (i) "wilderness area" means land established as a wilderness area pursuant to this Act.

**3.** Parks established pursuant to any previous Act respecting provincial parks continue to be parks under this Act.

**4.** (1) There shall be a board called the Provincial Parks Board.

**5.** Director of Parks.

**6.** Park advisory committees.

**7.** Powers of Minister.

(2) The Lieutenant Governor in Council may appoint not more than three persons as members of the Board, determine their remuneration, and designate one of them to be chairman of the Board.

(3) The Board shall meet at the call of the Minister or the chairman.

(4) The Board shall act in an advisory capacity to the Minister for the purpose of assisting him to formulate policies for the administration and development of parks, historical sites, natural areas and wilderness areas.

(5) The Board shall undertake the enquiries and investigations assigned to it by the Minister.

(6) The Minister may appoint an employee of the Department to be secretary of the Board.

**5.** Subject to *The Public Service Act, 1962*, the Minister may appoint a Director of Parks who shall perform the duties and functions assigned to him by the Minister.

**6.** (1) The Minister may appoint for any park an advisory committee of not more than three members.

(2) The Director shall consider any recommendations submitted to him by an advisory committee for any park concerning the operation or development of the park.

(3) Each member of an advisory committee shall serve without remuneration.

**7.** The Minister may ...

- (a) declare a structure or object or any natural thing to be an "historical object",
- (b) dispose of any chattels found in a park, historical site, natural area or wilderness area, the owners of which, upon reasonable enquiry, cannot be ascertained,
- (c) seize, confiscate and dispose of any chattels found in a park, historical site, natural area or wilderness area contrary to the regulations,
- (d) exclude any person or persons from a park, historical site, natural area or wilderness area or from any part thereof,
- (e) prescribe by signs posted along any local road the speed limit to be observed on it, or any part of it, by all vehicles or by any class or classes of vehicles,
- (f) prescribe by signs posted along any local road or any part of it directions or orders controlling or prohibiting the movement of any vehicular, pedestrian or other traffic,
- (g) open or close a local road at any time, and
- (h) grant concession permits to any person for the

**8. Establishment of parks, etc., and acquisition of land.**

**9. Regulations.**

**10. Regulations.**

operation of any service to the public or of any buildings for the accommodation of the public.

**8.** The Lieutenant Governor in Council may

- (a) by regulation
  - (i) designate land that is owned by or leased to the Crown as a park, historical site, natural area or wilderness area and declare the name by which it is to be known, and
  - (ii) increase or decrease the area of land designated as a park, historical site, natural area or wilderness area,
- and
- (b) by order authorize the purchase, expropriation or other acquisition of land by the Minister for the purposes of this Act.

**9.** The Lieutenant Governor in Council may make regulations with respect to parks, historical sites, natural areas and wilderness areas

- (a) governing the use, prevention and suppression of fires,
- (b) governing or prohibiting the cutting and removal of timber,
- (c) governing the granting of land and the payment of amount of dues under dispositions,
- (d) governing the establishment of reservoirs and the use of water stored therein for domestic and commercial purposes,
- (e) governing the establishment of fees, charges and tolls for the use of any facilities or for the use of any part of a park, historical site, natural area or wilderness area,
- (f) governing the preservation and management of wildlife or prohibiting the destruction of wildlife,
- (g) regulating or prohibiting any kind of business, behaviour or traffic,
- (h) governing the exploration for and excavation of fossils or other objects of geological, ethnological, historical or scientific interest, and
- (i) controlling livestock or any other animals not defined as game under *The Game Act*.

**10.** The Lieutenant Governor in Council may make regulations

- (a) respecting the provision of financial assistance to any municipal district or county or to the Minister of Municipal Affairs in respect of any improvement district or special area for the purpose of developing and improving picnic grounds, camp grounds and other recreational facilities, and

**11. Application of other Acts.**

**12. Delegation of powers.**

**13. Damage to local roads.**

**14. Offence and penalties.**

**15. Cancellation of disposition.**



- (b) respecting the provision for the improvement, development and beautification of any land owned by the Crown or a Crown corporation.

**11. (1)** Except as otherwise provided in the regulations *The Game Act*, *The Forests Act, 1961* and *The Public Lands Act* apply to parks, historical sites, natural areas and wilderness areas.

(2) Subject to the regulations,

- (a) dispositions other than those relating to timber rights shall be made pursuant to *The Public Lands Act*, and
- (b) dispositions relating to timber rights shall be made pursuant to *The Forests Act, 1961*.

**12.** The Minister may authorize the Director or any other employee of the Department of Lands and Forests to exercise any of the powers conferred upon him by this Act.

**13. (1)** The Minister may recover the cost of repairing any closed local road damaged by the operation of any vehicle from the owner or operator of the vehicle.

(2) Where a vehicle is operated on a local road by or on behalf of any person for commercial purposes, the Minister may

- (a) require the owner or operator of the vehicle or the person on whose behalf the vehicle is operated to pay a deposit to the Minister in an amount prescribed by him, and
- (b) where a local road is damaged by the vehicle,
  - (i) recover the cost of repairing the damage by action or by declaring all or part of the deposit to be forfeited to the Crown, or
  - (ii) require the owner or operator of the vehicle or the person on whose behalf the vehicle is operated to repair the local road in a manner satisfactory to the Minister.

**14.** Every person who contravenes this Act or the regulations is guilty of an offence and is liable on summary conviction to a fine of not more than three hundred dollars and in default of payment to imprisonment for a term of not more than six months.

**15. (1)** The Minister may cancel a disposition held by a person convicted of an offence against this Act or the regulations that relates to the use of lands held by him under the disposition.

(2) Where a person is convicted of an offence of the kind referred to in subsection (1), the magistrate or justice shall

**16. Repeal.**

**17. Commencement of Act.**

order that the convicted person's copy of the document evidencing the disposition be delivered to him, and he shall forthwith deliver the document to the Department of Lands and Forests at Edmonton.

**16.** *The Provincial Parks Act*, being chapter 249 of the Revised Statutes, is repealed.

**17.** This Act comes into force on the day upon which it is assented to.

No. 153.

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FIRST SESSION

FIFTEENTH LEGISLATURE

12 ELIZABETH II

1964

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**BILL**

An Act respecting Provincial Parks,  
Historical Sites, Natural Areas  
and Wilderness Areas

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Received and read the

First time .....

Second time .....

Third time .....

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HON. MR. WILLMORE

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