

BILL

No. 44 of 1930.

An Act respecting Provincial Parks.

(Assented to _____, 1930.)

HIS 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 and Protected Areas Act.*"

2. The Lieutenant Governor in Council may at any time, and from time to time, and out of moneys provided by the Legislative Assembly for that purpose, purchase any area within the Province for the purpose of a provincial park, and may accept a gift of any area from any person for that purpose.

3. The Lieutenant Governor in Council may at any time, and from time to time, constitute any area within the Province as a protected area for the purpose of protecting and preserving therein objects of natural beauty or fossil remains or other objects, animate or inanimate, of geological, ethnological, historical or other scientific interest.

4. Upon the publication of a proclamation to that effect in *The Alberta Gazette* any such area shall thereupon be constituted a provincial park or protected area (as the case may be) within the meaning of this Act.

5. Every provincial park shall be used for the purposes hereinafter set out or for any one or more of them, that is to say:

- (a) For the recreation and general benefit of the inhabitants of the Province;
- (b) For the propagation, protection and preservation therein of wild animal life and wild vegetation;
- (c) For the protection and preservation therein of objects of geological, ethnological, historical or other scientific interest.

6.—(1) The Lieutenant Governor in Council may by order constitute a board of management, to be known as the Provincial Parks Board, for the control and management of provincial parks and protected areas.

(2) The Lieutenant Governor in Council may also by notice in *The Alberta Gazette*, constitute a board of management, to be known by such title as may be set out in the order, for the control and management of any particular provincial park or protected area.

(3) Every board shall consist of such number of persons as the Lieutenant Governor in Council may from time to time determine.

(4) In lieu of constituting a board, the Lieutenant Governor in Council may by a similar order confer upon any board, official or officials of the Government or any person or persons, the powers and duties expressed by this Act to be conferred or imposed upon a board.

7. When any board is constituted under the provisions of this Act, the Lieutenant Governor in Council may appoint a chairman thereof, and fix the terms of office of the members thereof, the quorum for a meeting thereof, and may make regulations as to the vacation of office and such other matters as it seems proper to regulate.

8.—(1) Every board shall control, manage and maintain the parks or protected areas of which it has control for the objects specified in this Act, and for that purpose it shall utilize such moneys as may from time to time be appropriated by the Legislative Assembly for the purpose and other revenues of the board under the provisions of this Act.

(2) A board may within a park or protected area, as the case may be—

- (a) construct such roads, bridges, buildings, piers, fences, sanitation works and improvements and in addition may carry out such other works as it may consider necessary for the purposes of such park;
- (b) take such steps as will ensure the security of the animal and vegetable life in such park or protected area and the preservation of such park or protected area and the animals and vegetation therein in a natural state;
- (c) reserve or set aside any area of such park or protected area as breeding places for animals, and as nurseries for trees, shrubs, plants and flowers;
- (d) let sites in the park for the erection of hotels or other buildings for the accommodation of visitors, shops, or other undertakings, and set aside portions of the park for recreation grounds;
- (e) prescribe fees for services within a park;

- (f) erect a museum in the park;
- (g) exclude members of the public from any area or areas within a park;
- (h) dispose of any animal, vegetable or mineral or other product of a park;
- (i) regulate traffic in the park;
- (j) lease any part of the park in accordance with regulations to be prescribed by the Lieutenant Governor in Council;
- (k) do all such things as may be necessary or proper for the equipment, maintenance or management of a park or protected area and the preservation of order therein and of the amenities thereof;
- (l) exercise all such powers as may be conferred upon it by the Lieutenant Governor in Council;
- (m) make, subject to the approval of the Lieutenant Governor in Council, regulations not inconsistent with this Act, as to all or any of the matters mentioned in this section or otherwise entrusted to the board;
- (n) prescribe penalties for the breach of any regulations made by it, but not in excess of the penalties set out in section 12.

9.—(1) The revenue of a board shall consist of voluntary subscriptions, donations and bequests received by it from the public, fees or other moneys received under the provisions of this Act, fines paid or recovered in respect of contraventions of this Act or the regulations, and such money as may be appropriated for its use by the Legislative Assembly.

(2) Every board shall keep a full and correct account of all moneys received and expended by it, and shall at such time as may be directed by the Lieutenant Governor in Council submit a report of its operations, accompanied by a statement of its revenue and expenditure, to the Minister. The accounts of the board shall be subject to audit by the Provincial Auditor.

10. Any area of land which the Lieutenant Governor in Council desires to constitute as a provincial park shall be deemed to be a public work within the meaning of *The Public Works Act*, and all the provisions of that Act relating in any way to the expropriation of lands for public works, the compensation therefor and arbitration with respect thereto, shall apply to such area, together with such other provisions of the Act as may be applicable in view of the provisions of this Act, save that the powers in such Act conferred upon the Minister of Public Works shall be exercisable by such Minister as may be determined by the Lieutenant Governor in Council.

11. No rates or taxes of any kind shall be levied upon any land or building situate within a provincial park and in the occupation of the board or any of its officers or servants.

12. Any person contravening any of the provisions of this Act or of any regulation made thereunder (where no specific penalty is imposed by the regulations), shall be liable upon summary conviction to a penalty not exceeding one hundred dollars, or in default of payment thereof, to imprisonment with or without hard labour for a period not exceeding one year, or if such person has been previously convicted, to such imprisonment without the option of a fine.

13. Any fine paid or recovered in respect of any contravention of this Act or the regulations committed within a park or protected area, shall be paid over to the board.

14. The Lieutenant Governor in Council shall have power—

- (a) to make regulations as to terms upon which land within a public park may be subdivided and leased;
- (b) to forbid the excavation of fossil remains or skeletons within a public park or protected area, or regulate the same;
- (c) to confer upon any board powers of assessing leases within a park and imposing taxation in respect of such leases;
- (d) to confer upon any board all or any of the powers possessed by the council of a village, whether to be exercised by it with or without the assent of the proprietary electors;
- (e) to declare any structure or thing or any natural object existing within the Province to be a "historic object" and to prescribe penalties for any interference with such object;
- (f) to raise by way of loan such sum of money as may be necessary from time to time to render any area fit for enjoyment as a public park, and to lend the same to any board and to prescribe the terms of repayment thereof and the interest payable thereon, or to guarantee the repayment of any sum borrowed by a board for the purposes aforesaid upon terms approved by the Lieutenant Governor in Council.

No. 44.

FOURTH SESSION
SIXTH LEGISLATURE
20 GEORGE V
1930

BILL

An Act respecting Provincial Parks.

Received and read the

First time

Second time.....

Third time.....

HON. MR. MCPHERSON

EDMONTON:
W. D. McLEAN, KING'S PRINTER
A.D. 1930