

**CITY OF MORDEN**  
**By-law No. 06 - 2025**

**BEING** a By-law of the City of Morden to regulate overnight use of designated municipal parks within the City of Morden.

**WHEREAS** Subsection 232(1) of *The Municipal Act, C.C.S.M., c. M225* provides in part as follows:

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation;

**AND WHEREAS** it is deemed advisable to exercise the powers set out in the said Sections of *The Municipal Act* in order to provide for the abatement of nuisances, including property, activities, or things that adversely affect:

1. The safety, health or welfare of people in the neighbourhood,
2. People's use and enjoyment of their property, or
3. The amenity of a neighbourhood.

**NOW THEREFORE** be it resolved as a By-law of the City of Morden and it is hereby enacted as follows:

1. **THAT** this By-law be referred to as the "City of Morden Park Use By-law";
2. **THAT** except to the extent permitted by this or any other City of Morden By-law, no person shall be permitted to:
  - (a) Congregate in municipal parks between the hours of 11:00pm and 6:00am.
  - (b) Utilize municipal parks for overnight camping and/or sleeping therein of tents, trailers, motor homes, or any other self contained sleeping accommodation.
3. **THAT** exceptions to the provisions of this By-law shall apply to the following:

- (a) Persons who are continuously travelling through the municipal parks on foot.
- (b) Persons who are continuously travelling through the municipal parks on other forms of non-motorized modes of transportation.
- (c) Persons who are continuously travelling through the municipal parks on forms of motorized modes of transportation as required by persons who are mobility challenged.
- (d) Any vehicle of the police or fire department or any ambulance or any public service or emergency vehicle while responding to a call.
- (e) Any activity, work or undertaking which would otherwise be prohibited by this By-law where a permit has been issued by the City of Morden.
- (f) Colert Beach and Lake Minnewasta Campground.

4. **THAT** this By-law shall be administered by the Morden Police Service or a By-law Enforcement Officer appointed by the City of Morden.
5. **THAT** every person or corporation in breach of any provision of this By-law, unless a penalty or fine is specifically provided in Schedule A as provided for by the Enforcement By-Law, or on summary conviction, to a fine not exceeding one thousand (\$1,000.00) Dollars, and or imprisonment of 12 months in addition to costs.
6. **THAT** Wherever the provisions of any By-law, Zoning By-law and amendments thereto or impose overlapping or contradictory regulations over the control or prohibition of noise, or contain any restrictions covering any of the same subject matter contained herein, the most restrictive standard shall apply.
7. **THAT** Severability if any provision of this By-law is held to be invalid by any Court of competent jurisdiction, the remaining provisions of the By-law shall not be invalidated.
8. **THAT** this By-law shall come into force upon the passing thereof and repeal By-law 12-2017.
9. **THAT** the Schedule to the by-law can be amended by Council of the City of Morden by resolution.

**DONE AND PASSED** by the Council of the City of Morden, assembled at the Council Chambers of the City of Morden, in the Province of Manitoba this 24th day of February, A.D. 2025.

**CITY OF MORDEN**

<Original Signed By>

<Nancy Penner>

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**Mayor**

<Original Signed By>

<Nicole Reidle>

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**City Manager**

<b>Read a first time this</b>	27th	<b>day of</b>	January	<b>A.D. 2025</b>
<b>Read a second time this</b>	24th	<b>day of</b>	February	<b>A.D. 2025</b>
<b>Read a third time this</b>	24th	<b>day of</b>	February	<b>A.D. 2025</b>

City of Morden

**Schedule A to By-law 06-2025**

Fines applicable as first, second and subsequent offence to clauses:

<b>Offence No.</b>	<b>By-Law Section</b>	<b>Contradiction Penalty</b>	<b>First Offence</b>	<b>Second Offence</b>	<b>Third Offence</b>
401	2 (a)	Congregate in a park between 11pm and 6am	\$100	\$150	\$250
402	2 (b)	Overnight camping	\$100	\$150	\$250