

The Parks Regulations, 1991

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Chapter P-1.1 Reg 6 (effective May 15, 1991) as amended by Saskatchewan Regulations 30/92, 30/93, [19/96](#), [69/97](#), [57/98](#), [58/2004](#), [38/2005](#), [52/2006](#), [41/2007](#), [48/2008](#), [95/2009](#), [86/2010](#), [18/2011](#), [61/2013](#), [16/2015](#), [39/2017](#) and [69/2018](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER P-1.1 REG 6

The Parks Act

PART I

Title and Interpretation

Title

- 1 These regulations may be cited as *The Parks Regulations, 1991*.

Interpretation

- 2(1) In these regulations:

- (a) **Repealed.** 3 May 96 SR 19/96 s3.
- (b) **“Act”** means *The Parks Act*;
- (c) **“architect”** means a person registered as an architect pursuant to *The Architects Act, 1996*;
- (d) **“beach area”** means an area designated pursuant to clause 64(1)(b);
- (d.1) **“building”** means any structure used or occupied or intended for supporting or sheltering any use or occupancy, and includes a trailer, mobile home or portable shack that is situated within park land for a period of more than 30 days and not in storage;
- (d.2) **“campfire”** means an open fire used for cooking, warming, lighting, ceremonial or aesthetic purposes;
- (e) **“camping unit”** means a vehicle or structure that is or may be used as a temporary living quarter or shelter and includes:
 - (i) a motor home;
 - (ii) a cabin trailer;
 - (iii) a tent trailer;
 - (iv) a truck camper;
 - (v) a tent;
 - (vi) a camper van;
- (f) **“campsite”** means:
 - (i) an area designated pursuant to clause 64(1)(d); or
 - (ii) with respect to the holder of a camping permit, an area of park land specified in the holder’s camping permit issued pursuant to section 13;

- (g) **“daily”** means one calendar day;
- (g.1) **“direct services”** means those services that are identified by the minister in a written notice provided by the minister to a holder of a recreational lease pursuant to section 67.3 as services that directly benefit holders or are provided for their exclusive use;
- (h) **“engineer”** means a professional engineer as defined in *The Engineering and Geoscience Professions Act*;
- (i) **“fiscal year”** means the period commencing on April 1 in one year and ending on March 31 of the following year;
- (i.1) **“improvement”** means:
- (i) a building or structure erected or placed on, over or under land or over or under water, but does not include machinery and equipment unless the machinery and equipment are used to service the building or structure; and
 - (ii) anything affixed to land or incorporated in a building or structure affixed to land, but does not include machinery and equipment unless the machinery and equipment are used to service the building or structure;
- (i.2) **Repealed.** 8 Jne 2007 SR 41/2007 s3.
- (j) **“land assessment”** means the value of land as determined by an assessment appraiser;
- (j.1) **“lease valuation”** means the market value of the leasehold interest in a disposition of a recreational lease determined in accordance with section 42.1;
- (k) **“motor boat”** means a water vessel that is propelled or drawn by a motor;
- (l) **“parking”** means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading or in obedience to traffic regulations, signs or signals;
- (l.1) **“permanent resident”** means a holder of a recreational lease of park land who is authorized pursuant to the lease to occupy the leased land on a year-round basis;
- (m) **“permit”** means a valid and subsisting permit issued pursuant to these regulations;
- (n) **“picnic ground”** means an area designated pursuant to clause 64(1)(c);
- (n.1) **“privy pit”** means a pit excavated under an outdoor toilet for confining human excrement;
- (o) **“public campground”** means an area designated pursuant to section 11;
- (o.1) **“real property report”** means a report:
- (i) that is prepared by a member in good standing of the Saskatchewan Land Surveyors Association; and

(ii) that is prepared with respect to a particular property and that clearly illustrates the above-ground structures and easements registered pursuant to *The Land Titles Act, 2000* in relation to the boundaries of that property;

(o.2) **“recreational lease”** means a lease pursuant to section 15 of the Act for the use and occupation of park land for recreational purposes;

(p) **“road”** means a road, parkway, driveway, square or place designed and intended for or used by the general public for the passage of vehicles;

(p.1) **“Saskatchewan Assessment Management Agency”** means the Saskatchewan Assessment Management Agency established pursuant to *The Assessment Management Agency Act*;

(p.2) **“sky lantern”** or **“flying lantern”** means a small, hot air balloon, or other similar device, that is designed to carry an open flame;

(q) **Repealed.** 3 May 96 SR 19/96 s3.

(r) **“swimming area”** means an area designated pursuant to clause 64(1)(a);

(s) **“total assessment”** means the value of land and all improvements of that land as estimated by the minister;

(t) **“trailer”** means a structure that:

- (i) is erected on a chassis which has attached wheels; and
- (ii) is designed primarily for transport behind a vehicle;

(u) **“water vessel”** includes boat, canoe, raft or other amphibious craft;

(v) **“wildlife attractant”** means any items that may attract wildlife and includes:

- (i) coolers;
- (ii) food;
- (iii) garbage or wrappings;
- (iv) dishes or pots;
- (v) pet food or bowls;
- (vi) bottles or cans;
- (vii) any item associated with food preparation or dish washing;
- (viii) containers of any items listed in subclauses (i) to (vii).

(2) **Repealed.** 8 Jne 2007 SR 41/2007 s3.

(3) **Repealed.** 8 Jne 2007 SR 41/2007 s3.

24 May 91 cP-1.1 Reg 6 s2; 22 May 92 SR 30/92 s3; 14 May 93 SR 30/93 s3; 3 May 96 SR 19/96 s3; 30 Jne 2004 SR 58/2004 s3; 23 Jne 2006 SR 52/2006 s3; 8 Jne 2007 SR 41/2007 s3; 5 Jly 2013 SR 61/2013 s3; 19 May 2017 SR 39/2017 s3; 21 Sep 2018 SR 69/2018 s3.

Service of documents

2.1(1) A leaseholder shall:

- (a) provide the minister with an address to which a notice or document pursuant to these regulations is to be sent; and
 - (b) advise the minister of any change to the leaseholder's address within 15 days after the change.
- (2) Unless otherwise authorized in these regulations, any notice or document that is required to be provided or served pursuant to these regulations may be served:
- (a) personally; or
 - (b) by registered mail or ordinary mail to:
 - (i) in the case of service on a leaseholder, the last address of the leaseholder being served provided pursuant to subsection (1); or
 - (ii) in the case of service on any other person, the last address provided to the minister by that person.
- (3) A notice or document served in accordance with clause (2)(b) is deemed to have been received on the tenth business day following the date of its mailing, unless the person to whom it was mailed establishes that, through no fault of the person, he or she did not receive the notice or document or that he or she received it at a later date.
- (4) In this section, "**business day**" means a day other than a Saturday, Sunday or holiday.

6 Jne 2007 SR 41/2007 s4; 6 Nov 2009
SR 95/2009 s3.

PART II Park Entry and Facility Use

Park-entry permit area

- 3(1) The minister may designate any area of park land as a park-entry permit area.
- (2) Where the minister designates a park-entry permit area, the minister shall cause signs to be posted identifying the area as a park-entry permit area.
- (3) The signs mentioned in subsection (2) are to be located at those places the minister considers suitable.

24 May 91 cP-1.1 Reg 6 s3.

Park-entry permit required

- 4(1) Subject to subsection (2), no person shall, unless the person holds or is deemed to hold a park-entry permit issued pursuant to section 5:
- (a) enter with a vehicle into a park-entry permit area designated pursuant to section 3; or
 - (b) operate or keep a vehicle in a park-entry permit area designated pursuant to section 3.

(2) The minister may waive the requirements of subsection (1) for any period and in any circumstances that the minister considers appropriate.

(3) The minister shall cause any waiver pursuant to subsection (2) to be made public in any manner that the minister considers appropriate, including posting the waiver on the ministry's website.

19 May 2017 SR 39/2017 s4.

Issuance of park-entry permit

5(1) The minister may issue a park-entry permit to an applicant or to any other person who, in the minister's opinion, requires a permit to fulfil that person's duties pursuant to the Act or these regulations.

(2) The minister may, by order:

- (a) determine any fee required to obtain a park-entry permit; or
- (b) determine that specific park-entry permits may be obtained at no cost.

(3) An applicant who wishes to obtain a park-entry permit shall pay the fee, if any, determined by the minister pursuant to subsection (2).

(4) The minister may issue to the applicant, in accordance with the application:

- (a) a special annual entry permit that is valid only:
 - (i) for a single area that is designated in the permit; and
 - (ii) for the fiscal year in which it is issued;
- (b) an annual entry permit that is valid only for the fiscal year in which it is issued;
- (c) a weekly entry permit that is valid only for the seven-day period for which it is issued;
- (d) a four-day entry permit that is valid only for the four-day period for which it is issued;
- (e) a three-day entry permit that is valid only for the three-day period for which it is issued;
- (f) a two-day entry permit that is valid only for the two-day period for which it is issued;
- (g) a one-day entry permit that is valid only until noon of the day following the day on which it is issued;
- (h) a courtesy entry permit that is valid only for one hour or any longer period that the minister may allow;
- (i) a private property access permit that allows a vehicle to be driven on a direct route through a park in order to access or exit private property and that:
 - (i) is registered to an owner of the private property, one permit being assigned for each vehicle registered to the owner of the private property;

- (ii) remains valid until the owner of the private property relinquishes his or her interest in the private property or the vehicle assigned the permit becomes no longer registered to the owner of the private property for whatever reason;
 - (iii) is non-transferable;
 - (iv) will be of a distinctive colour so as to distinguish it from other park-entry permits; and
 - (v) must be displayed as detailed on the permit.
- (5) No private property access permit authorizes the user of the vehicle with respect to which the permit has been issued to access park facilities or travel on park land for any other purpose than driving to or from his or her private property.

8 Jne 2007 SR 42/2007 s5.

Display of park-entry permit

6(1) Subject to subsection (3), every person to whom a park-entry permit is issued pursuant to section 5 shall:

- (a) ensure that the park entry permit and its information is clearly and fully visible from the outside of the vehicle; and
 - (b) either:
 - (i) keep the permit fixed to the inside of a window on the driver's side of the vehicle; or
 - (ii) subject to subsection (2), in the case of a hanger-type permit, display the permit on the interior rear-view mirror of the vehicle.
- (2) If the rear-view mirror of the vehicle cannot accommodate a hanger-type park entry permit, the park entry permit must be displayed on the dashboard on the driver's side of the vehicle.
- (3) Every person operating a motorcycle and to whom a park-entry permit is issued shall produce the park-entry permit when requested to do so by an enforcement officer.
- (4) Subject to subsections (5) and (6), no person shall fix or attempt to fix any park-entry permit to a vehicle other than the vehicle for which the permit was issued.
- (5) Subsection (4) does not apply to a permit issued pursuant to clause 5(4)(b).
- (6) The holder of an annual entry permit issued pursuant to clause 5(4)(b) may transfer the permit to another person.

19 May 2017 SR 39/2017 s5.

Facility-use permits

7(1) The minister may designate:

- (a) any area of park land as a facility-use permit area; or
- (b) any facility in park land as a facility-use permit facility.

(2) Where the minister designates a facility-use permit area or facility, the minister shall cause signs to be posted identifying the area or facility as a facility-use permit area or facility.

(3) The signs mentioned in subsection (2) are to be located at those places the minister considers suitable.

24 May 91 cP-1.1 Reg 6 s7.

Facility-use permit required

8 No person shall enter, use or occupy:

- (a) a facility-use permit area; or
- (b) a facility-use permit facility;

designated pursuant to section 7 unless that person holds a facility-use permit issued pursuant to section 9.

24 May 91 cP-1.1 Reg 6 s8.

Issuance of facility-use permit

9(1) The minister may:

- (a) issue a facility-use permit to an applicant who pays the fee set by the minister; and
- (b) include in the facility-use permit any terms and conditions that the minister considers appropriate.

(2) A facility-use permit is valid only:

- (a) for the period of time; and
- (b) with respect to the area or facility;

specified in the permit.

(3) The holder of a facility-use permit shall:

- (a) keep the permit available for inspection at all times; and
- (b) produce it for inspection when requested by an enforcement officer.

24 May 91 cP-1.1 Reg 6 s9.

Campfires

9.1(1) No person shall use on park land any firewood provided by the minister without:

- (a) a valid camping permit issued pursuant to subsection 13(1); or
- (b) the prior written consent of the minister.

(1.1) Subsection (1) does not apply to the use of firewood at a designated picnic area where the minister has supplied the firewood.

- (2) Nothing in subsection (1) prohibits a person from using a gas-fired or charcoal-fired stove or barbeque on park land.
- (3) The minister may:
- (a) set any terms and conditions respecting the setting of a campfire that the minister considers appropriate; and
 - (b) restrict the use of a campfire if the minister considers it to be in the best interests of the park or the safety of the public.

20 Jne 2008 SR 48/2008 s3; 5 Jly 2013 SR
61/2013 s5.

9.2 Repealed. 20 Jne 2008 SR 47/2008 s4.

Cancellation of permits

10 The minister, without notice, may cancel a park-entry permit or a facility-use permit if the holder of the permit fails to comply with:

- (a) any provision of the Act or these regulations;
- (b) any Act or Act of the Parliament of Canada or regulation pursuant to an Act or Act of the Parliament of Canada that relates to the permit holder's conduct in the park land; or
- (c) the terms and conditions specified in the permit.

24 May 91 cP-1.1 Reg 6 s10; 30 Jne 2004 SR
58/2004 s5; 20 Jne 2008 SR 47/2008 s4; 20 Jne
2008 SR 48/2008 s5.

PART III
Camping

Public campgrounds

- 11(1)** The minister may designate any area of park land as a public campground.
- (2) Where the minister designates a public campground, the minister shall cause signs to be posted identifying the area as a public campground.
- (3) The signs mentioned in subsection (2) are to be located at those places the minister considers suitable.

24 May 91 cP-1.1 Reg 6 s11.

Camping permit required, etc.

12 No person shall camp on park land:

- (a) without a camping permit issued pursuant to this Part; and
- (b) except on the campsite specified in the camping permit.

24 May 91 cP-1.1 Reg 6 s12.

Issuance of camping permit

13(1) The minister may:

- (a) issue a camping permit to an applicant who pays the fee set by the minister; and
- (b) include in the camping permit or provide in any other manner as determined by the minister any terms and conditions associated with the camping permit that the minister considers appropriate.

(2) A camping permit is valid only:

- (a) for the period of time; and
- (b) with respect to the campsite;

specified in the permit.

(3) The holder of a camping permit shall:

- (a) keep the permit available for inspection at all times; and
- (b) produce it for inspection when requested by an enforcement officer.

24 May 91 cP-1.1 Reg 6 s13; 5 Jly 2013 SR
61/2013 s6.

Rules re camping

14(1) On the expiration or cancellation of a camping permit or when the holder of a camping permit vacates the campsite, the holder of the camping permit shall ensure that:

- (a) the campsite is vacated by all persons occupying the campsite under the permit;
- (b) all shelters, equipment and other possessions belonging to the persons mentioned in clause (a) are removed; and
- (c) all liquid and solid wastes created by the persons mentioned in clause (a) are removed and disposed of in accordance with these regulations and the permit.

(2) The holder of a camping permit and all persons occupying the campsite pursuant to the permit shall:

- (a) maintain the campsite in a clean state; and
- (b) remove and store or dispose of all wildlife attractants in a manner satisfactory to the minister or an enforcement officer when the wildlife attractants are not in use or when the campsite is unattended.

(3) No person shall:

- (a) alter a camping permit;
- (b) rent, sell, assign or otherwise transfer a camping permit to another person;

- (c) operate a vehicle in a public campground during the period commencing at 11:00 p.m. in one day and ending at 7:00 a.m. the following day unless the person:
 - (i) is the holder of a camping permit returning to the holder's designated campsite by the most direct route; or
 - (ii) is leaving a public campground by the most direct route;
- (d) where that person is the holder of a camping permit:
 - (i) leave the campsite specified in the permit unoccupied for more than 48 consecutive hours without the prior written consent of the minister to do so;
 - (ii) occupy more than one campsite with one camping unit; or
 - (iii) occupy a campsite with more camping units than specified in the camping permit;
- (e) discharge, discard or dispose of any liquid or solid waste other than into a sewage system or receptacle provided by the minister for that purpose; or
- (f) fail to comply with any terms or conditions of a camping permit.

24 May 91 cP-1.1 Reg 6 s14; 6 May 2005 SR
38/2005 s3; 5 Jly 2013 SR 61/2013 s7.

Cancellation of camping permits

15 The minister, without notice, may cancel a camping permit if the holder of the permit fails to comply with:

- (a) any provision of the Act or these regulations;
- (b) any Act or Act of the Parliament of Canada or regulation pursuant to an Act or Act of the Parliament of Canada that relates to the permit holder's conduct in the park land; or
- (c) the terms and conditions specified in the permit.

24 May 91 cP-1.1 Reg 6 s15.

PART IV Vehicles and Traffic

Traffic signs and devices

16(1) The minister may cause traffic signs or devices:

- (a) to be set up or placed on park land, other than a provincial highway designated pursuant to *The Highways and Transportation Act, 1997*; or
- (b) painted on any road in park land.

(2) The traffic signs or devices mentioned in subsection (1) may regulate, control, warn, direct or inform persons operating vehicles or pedestrians in park land and, without restricting the generality of the foregoing, may:

- (a) prescribe the maximum speed rate for vehicles;
- (b) regulate or prohibit the parking of any vehicles or class of vehicles;
- (c) require vehicles to stop;
- (d) limit or prohibit the passing or overtaking of one vehicle by another vehicle on a road;
- (e) designate a road as a one-way road;
- (f) limit the hours during which a road may be used;
- (g) limit the use of a road to a class of vehicles or any method of transportation;
- (h) prescribe the load limits and dimensions for any vehicle or class of vehicles; or
- (i) regulate pedestrian traffic.

(3) No person shall mark, place, remove, deface or alter any traffic sign or device on park land without the prior written consent of the minister.

(4) No person shall fail to obey any traffic sign or device set up or placed pursuant to subsection (1).

24 May 91 cP-1.1 Reg 6 s16; 19 May 2017 SR
39/2017 s6.

Use of vehicles

17(1) In this section, “**all terrain vehicle**” means an all terrain vehicle as defined in *The All Terrain Vehicles Act* and includes:

- (a) an amphibious vehicle;
- (b) a ground-effect or air-cushioned vehicle;
- (c) a vehicle with four-wheel drive; and
- (d) a motorcycle.

(2) Without the permission of the minister, no person shall have or operate a vehicle except on roads and parking areas designated by traffic signs or devices mentioned in section 16.

(3) No person shall operate an all terrain vehicle on park land except:

- (a) in those areas that are:
 - (i) set aside by the minister for that purpose; and
 - (ii) designated by traffic signs or devices mentioned in section 16; and
- (b) in compliance with *The All Terrain Vehicles Act* and *The Wildlife Act, 1998*.

(4) Notwithstanding subsections (2) and (3) and except within Saskatchewan Landing Provincial Park, a person who has lawfully killed a big game animal pursuant to a valid and subsisting hunting licence issued pursuant to *The Wildlife Act, 1998* may, for the sole purpose of retrieving the animal to a trail, designated road or provincial highway by the most direct route available, operate a vehicle:

- (a) during the game season; and
- (b) in the area of park land;

for which the licence is valid.

24 May 91 cP-1.1 Reg 6 s17; 5 Jly 2013 SR
61/2013 s8; 19 May 2017 SR 39/2017 s7.

Motorized snow vehicles

17.1 No person shall operate a snowmobile as defined in *The Snowmobile Act* on park land except:

- (a) in those areas that are set aside by the minister for that purpose; and
- (b) in compliance with *The Snowmobile Act*.

5 Jly 2013 SR 61/2013 s9.

Exemption for personnel in performance of duties

17.2 Sections 17 and 17.1 do not apply to the operation of all terrain vehicles or snowmobiles by park employees, enforcement officers or emergency measures personnel in the performance of their duties.

5 Jly 2013 SR 61/2013 s9.

Parking

18(1) The minister may designate any area of park land, other than the roadway of a provincial highway, as:

- (a) a parking area; or
- (b) a no parking area.

(2) Where the minister designates an area of park land pursuant to subsection (1), the minister shall cause signs to be posted identifying the area as a parking area or no parking area, as the case may be.

(3) The signs mentioned in subsection (2) are to be located at those places the minister considers appropriate.

(4) No person within park land shall:

- (a) park a vehicle or trailer in an area designated pursuant to subsection (1) as a no parking area;
- (b) park a vehicle or trailer within three metres of a water hydrant;
- (c) park a vehicle or trailer in a beach area;

- (d) park a vehicle or trailer on a road in a manner that obstructs:
 - (i) the normal flow of traffic;
 - (ii) the driveway leading to any private residence or to any office or any business premises within park land;
- (e) abandon a vehicle or trailer or leave it unattended for more than 72 consecutive hours; or
- (f) fail to comply with traffic directions given to the person by an enforcement officer.

24 May 91 cP-1.1 Reg 6 s18.

Speed limits

19(1) In this section:

- (a) “**restricted area**” includes a campground, picnic ground, park entry area, playground and beach area;
 - (b) “**use area**” includes a subdivision road, lane and service road.
- (2) The speed limit indicated by a traffic sign in a park applies to all vehicles.
- (3) Subject to subsection (4), the following speed limits are the maximum speed limits for the following areas:

AREA	SPEED LIMITS Max. km/hour
Restricted area	30
Use area	40
Other area	80

- (4) Where a speed limit, other than one mentioned in subsection (3), is posted in a traffic sign, the posted speed limit will apply.

24 May 91 cP-1.1 Reg 6 s19.

Speeding

20 No person shall operate a vehicle on a road at a speed greater than the maximum speed indicated in subsection 19(3) or by any traffic sign or device for that road or portion of road.

24 May 91 cP-1.1 Reg 6 s20.

Appropriate speed

21 No person shall operate any vehicle at a speed greater than a reasonable and proper rate of speed having regard to:

- (a) the nature, condition and use of the road; and
- (b) the amount of traffic that is or might reasonably be expected on the road.

24 May 91 cP-1.1 Reg 6 s21.

Failure to stop

22(1) No operator of a vehicle shall fail to stop the vehicle at every place where a stop sign is set up by the minister.

(2) No person who is required to stop pursuant to subsection (1) shall proceed until it is safe to do so.

24 May 91 cP-1.1 Reg 6 s22.

Excessive noise

23 No person within park land shall create or cause any loud and unnecessary noise from:

- (a) a vehicle;
- (b) a part of a vehicle; or
- (c) any thing or substance that the vehicle or part of the vehicle comes in contact with.

24 May 91 cP-1.1 Reg 6 s23.

Driving with due care

24(1) No person shall operate a vehicle within park land without due care and attention.

(2) No person shall operate a vehicle on a road without reasonable consideration for other persons and vehicles using the road.

24 May 91 cP-1.1 Reg 6 s24.

Emergency vehicles

25(1) The operator of an emergency vehicle that is:

- (a) used to transport a peace officer or enforcement officer in the performance of the officer's duties;
- (b) used for the transportation of a member of a fire department in response to an emergency; or
- (c) an ambulance used in response to an emergency;

may, while an emergency exists, drive contrary to this Part where it is necessary in the circumstances to do so.

(2) The driver of an emergency vehicle being operated in accordance with subsection (1) has the right-of-way over all other vehicles.

(3) If required to do so for the purpose of carrying out the enforcement officer's or peace officer's duties, an enforcement officer or peace officer may:

- (a) contravene section 22; or
- (b) park a vehicle contrary to this Part if it is necessary in the interests of law enforcement and, in the circumstances, safe to do so.

24 May 91 cP-1.1 Reg 6 s25.

Bicycles, etc.

26 No person shall operate a bicycle or other foot-propelled vehicle:

- (a) in any area where signs prohibiting their use are posted or set up by the minister; or
- (b) contrary to directions from an enforcement officer.

24 May 91 cP-1.1 Reg 6 s26.

Removing vehicles and water vessels

27(1) The minister or an enforcement officer may cause to be removed and stored in a suitable place, at the expense of the owner:

- (a) any vehicle parked or left on park land in contravention of these regulations; or
- (b) any vehicle or water vessel that is in a rusted, wrecked, partly wrecked, dismantled or partly dismantled condition and that has apparently been abandoned within park land.

(2) The minister or an enforcement officer may cause a vehicle or water vessel that is removed and stored pursuant to subsection (1) to be released to the owner of the vehicle or water vessel if the owner:

- (a) presents information satisfactory to the minister or an enforcement officer proving that he or she is the owner;
- (b) pays the cost incurred by the minister to remove and store the vehicle or water vessel; and
- (c) in the case of a vehicle or water vessel removed and stored pursuant to clause (1)(b), satisfies the minister or enforcement officer that the vehicle or water vessel will not again be abandoned or be a nuisance on park land.

(3) If a vehicle or water vessel that is removed and stored pursuant to clause (1)(b) is not claimed by the owner in accordance with subsection (2) within 90 days, the minister or an enforcement officer may dispose of the vehicle or water vessel in any manner that the minister or the enforcement officer considers appropriate.

(4) The costs of removing, storing and disposing of a vehicle or water vessel pursuant to this section are a debt due to the Crown by the owner of the vehicle or water vessel.

24 May 91 cP-1.1 Reg 6 s27.

PART V
Boats and Boating

Prohibition on boating

28(1) No person shall launch a motor boat in park land except in an area designated for that purpose pursuant to subsection (2).

(2) For the purposes of subsection (1):

(a) the minister may designate an area of park land as an area where a motor boat may be launched; and

(b) where the minister designates an area pursuant to clause (a), the minister shall cause signs to be posted, in those locations the minister considers appropriate, identifying the area as an area where launching may take place.

(3) No person shall use or operate a water vessel within 25 metres of:

(a) a swimming area;

(b) a beach area; or

(c) any area where the minister has caused signs to be posted prohibiting water vessels.

(4) No person shall use or operate a water vessel in any waters in or adjacent to park land:

(a) in a manner that disturbs other persons or creates excessive noise; or

(b) without due care and attention and without reasonable consideration for the safety of other persons.

(5) No person shall dock, moor or leave a water vessel:

(a) in park land; or

(b) in any waters in or adjacent to park land;

except in an area designated for that purpose pursuant to subsection (6).

(6) For the purposes of subsection (5):

(a) the minister may designate an area of:

(i) park land; or

(ii) waters in or adjacent to park land;

as an area where a water vessel may be docked, moored or left; and

(b) where the minister designates an area pursuant to clause (a), the minister shall cause signs to be posted, in those locations the minister considers appropriate, identifying the area as an area where docking, mooring or leaving may take place.

Prohibition re house boats

29(1) In this section, “**house boat**” means a water vessel equipped for use as a temporary or permanent dwelling.

(2) No person shall operate, occupy or keep a house boat on any waters in or adjacent to park land except:

- (a) with the prior written consent of the minister; or
- (b) within an area designated by the minister.

24 May 91 cP-1.1 Reg 6 s29.

PART VI
Swimming and Fishing

Prohibition re swimming

30(1) No person shall:

- (a) use inflated or flotation apparatus or equipment in any waters in or adjacent to park land where their use is prohibited; or
- (b) swim, bathe or water ski within 25 metres of an area designated pursuant to subsection 28(2) or (6).

(2) For the purposes of clause (1)(a):

- (a) the minister may designate any area of waters in or adjacent to park land where the use of inflated or flotation apparatus or equipment is prohibited; and
- (b) where the minister designates an area pursuant to clause (a), the minister shall cause signs to be posted, in those locations that the minister considers appropriate, identifying the area as an area where using inflated or flotation apparatus or equipment is prohibited.

24 May 91 cP-1.1 Reg 6 s30.

Angling

31(1) In this section, “**angling**” means angling as defined in *The Fisheries Regulations*.

(2) No person shall angle within 25 metres of:

- (a) a swimming area;
- (b) a beach area; or
- (c) any other area where angling is prohibited.

(3) For the purposes of clause (2)(c):

- (a) the minister may designate any area of waters in or adjacent to park land where angling is prohibited; and

(b) where the minister designates an area pursuant to clause (a), the minister shall cause signs to be posted, in those locations that the minister considers appropriate, identifying the area as an area where angling is prohibited.

24 May 91 cP-1.1 Reg 6 s31; 19 May 2017 SR
39/2017 s8.

Dressing fish

32(1) The minister may designate a location or facility at which fish may be filleted or dressed.

(2) Where the minister designates a location or facility pursuant to subsection (1), the minister shall cause signs to be posted, in those locations that the minister considers appropriate, identifying the location or a facility where fish may be filleted or dressed.

(3) No person on park land or on waters in or adjacent to park land shall fillet or dress fish:

(a) within 500 metres of a location or facility designated pursuant to subsection (1); or

(b) within a:

(i) campground;

(ii) picnic ground;

(iii) park entry area;

(iv) playground; or

(v) beach area;

where the minister has caused signs to be posted prohibiting the filleting or dressing of fish;

except at a location or facility designated pursuant to subsection (1).

24 May 91 cP-1.1 Reg 6 s32.

PART VII Animals

Domestic animals

33(1) In this section, “**domestic animal**” means:

(a) any cattle or other animal of the bovine species, any horse or other animal of the equine species, any sheep, goat or swine or any inter-species hybrid of those animals; or

(b) any animal that is tamed for domestic purposes including a dog or cat.

(2) Without the prior written consent of the minister, no person having the custody or control of a domestic animal shall:

- (a) allow the domestic animal to roam at large on park land;
- (b) bring the domestic animal into or allow it to remain in any:
 - (i) beach area or swimming area;
 - (ii) public washroom, change house, concession, picnic shelter or other public structure; or
 - (iii) area where the minister has caused signs to be set up prohibiting domestic animals; or
- (c) enter on park land and remain on park land without:
 - (i) securing the domestic animal in a cage or comparable enclosure; or
 - (ii) restraining the movement of the domestic animal by means of a leash, chain or comparable restraint that is not to exceed two metres in length.

(2.1) No person having the custody or control of a domestic animal shall:

- (a) fail to restrain the domestic animal where the domestic animal is damaging or destroying any property located on park land, including the property of a person using park land;
- (b) fail to quiet the domestic animal where the domestic animal, by barking, howling or making excessive noise, is disturbing any person using park land; or
- (c) except with respect to a domestic animal mentioned in clause (1)(a), leave any area of park land without cleaning up, removing and disposing of the defecation of the domestic animal.

(3) Where, in the opinion of an enforcement officer, a domestic animal:

- (a) is a nuisance or danger to the life, safety, health or comfort of any person, any wildlife, as defined in *The Wildlife Act, 1998*, or any other domestic animal on park land, the officer may:
 - (i) prohibit the admission of the domestic animal to park land; or
 - (ii) order the domestic animal be removed from park land;
- (b) is not under the proper care or control of a person or is running at large on park land, the enforcement officer may capture and impound the domestic animal.

(4) An enforcement officer shall make every reasonable effort to contact:

- (a) the owner; or
- (b) the person who had care or custody;

of every domestic animal that was captured or impounded pursuant to clause (3)(b).

- (5) Before claiming a domestic animal captured or impounded pursuant to clause (3)(b), the owner or other person claiming the domestic animal shall:
- (a) provide the enforcement officer with evidence satisfactory to the officer that the person is entitled to take the domestic animal; and
 - (b) pay the cost incurred by the minister to remove and impound the animal.
- (6) An enforcement officer may dispose, in a manner the enforcement officer considers reasonable, of any domestic animal that has been impounded for 72 or more hours without being claimed in accordance with subsection (5).

24 May 91 cP-1.1 Reg 6 s33; 1 Aug 97 SR 69/97 s4; 19 May 2017 SR 39/2017 s9.

Horses

- 34(1)** Without the prior written consent of the minister, no person shall ride, drive, lead or keep any horse on park land except on trails or other areas that the minister has designated.
- (2) Compliance with this section does not in itself:
- (a) relieve a person from complying with section 33; or
 - (b) limit or restrict the powers given to the minister or an enforcement officer pursuant to section 33.

24 May 91 cP-1.1 Reg 6 s34.

Wild animals

- 35(1)** In this section, “**wildlife**” means wildlife as defined in *The Wildlife Act, 1998*.
- (2) No person shall, on park land, feed, harass, capture or hunt any wildlife, except:
- (a) with the prior written consent of the minister; and
 - (b) subject to the provisions of *The Wildlife Act, 1998* and the regulations made pursuant to that Act.
- (3) Clause (2)(a) does not apply to a person who:
- (a) is hunting during an open season; and
 - (b) holds a valid and subsisting hunting licence issued pursuant to *The Wildlife Act, 1998* that is issued for the area in which the person is hunting.

24 May 91 cP-1.1 Reg 6 s35; 19 May 2017 SR 39/2017 s10.

Wildlife attractant

35.1(1) If an enforcement officer is satisfied that a wildlife attractant creates or could create a danger to humans or wildlife, an enforcement officer may:

- (a) remove or cause to be removed from any park land or any premises on park land, other than a private dwelling, the wildlife attractant; or
- (b) order the person who owns or possesses the wildlife attractant to remove the wildlife attractant within the time and in the manner directed by the enforcement officer.

(2) If an enforcement officer removes a wildlife attractant pursuant to subsection (1), the enforcement officer or the minister shall:

- (a) store the wildlife attractant in a reasonable manner and release the wildlife attractant to the owner if the owner presents information satisfactory to the enforcement officer or to the minister that the person is the owner of the wildlife attractant; or
- (b) if it is not reasonable to store the wildlife attractant, dispose of the wildlife attractant in any manner the enforcement officer or the minister considers appropriate.

(3) The Crown, the minister, any enforcement officer or any employee of the Crown is not liable for any deterioration, diminution or other devaluation of wildlife attractants removed pursuant to subsection (1) or stored pursuant to subsection (2).

(4) No person shall fail to comply with an order of an enforcement officer pursuant to subsection (1).

(5) Nothing in this section restricts a person from placing bait in accordance with *The Wildlife Act, 1998* or *The Wildlife Regulations, 1981*.

5 Jly 2013 SR 61/2013 s10.

PART VIII
Fires

Setting fires

36 Subject to *The Wildfire Act*, no person shall set, light or maintain a fire on park land unless:

- (a) the person has obtained the prior written consent of the minister;
- (b) the fire is in a fireplace, pit or other facility provided or approved by the minister for the purpose; or
- (c) the person holds an authorization for the fire issued pursuant to *The Wildfire Act*.

19 May 2017 SR 39/2017 s11.

Handling fires

37 No person on park land shall:

- (a) set or light any fire without taking precautions to ensure that the fire can be kept under control;
- (b) fail to take reasonable steps to keep a fire from spreading;
- (c) deposit, discard or dispose of any burning matter in a place where it might set other matter on fire or result in a fire; or
- (d) leave a fire unattended.

24 May 91 cP-1.1 Reg 6 s37.

PART IX
Litter and Pollution

Littering prohibited

38 No person shall leave or dispose of any glass, bottles, cans, cartons, bags, garbage, paper, dirt, gravel, tree limbs or similar refuse on park land except in a place or receptacle provided by the minister for the purpose.

24 May 91 cP-1.1 Reg 6 s38.

Water pollution prohibited

39 No person shall pollute, contaminate or cause injury to waters in or adjacent to park land.

24 May 91 cP-1.1 Reg 6 s39.

Garbage collection

40(1) No person shall fail to comply with any instructions posted on park land by the minister respecting garbage or ashes.

(2) No person occupying park land shall fail to supply and maintain in good condition containers in a number sufficient to contain all the garbage originating from the person's premises between collections.

(3) The containers mentioned in subsection (2) are required to:

- (a) be of a type approved by the minister;
- (b) be tightly covered; and
- (c) be kept on or in a stand that is of a design and in a location approved by the minister.

24 May 91 cP-1.1 Reg 6 s40.

PART X
Dispositions

No development without disposition

41(1) Without a disposition, no person shall:

- (a) occupy park land;
- (b) undertake research on park land;
- (c) alter park land;
- (d) use or exploit any resource in, on or under park land; or
- (e) develop park land.

(2) Without limiting the generality of subsection (1), without a disposition or the written consent of the minister, no person shall:

- (a) graze or keep any livestock or allow any livestock to roam at large on park land;
- (b) undertake haying or cultivation on park land;
- (c) harvest timber on or remove timber from park land;
- (d) harvest wild rice on or remove wild rice from park land;
- (e) undertake commercial outfitting on park land;
- (f) explore for minerals or oil or gas in, on or under park land;
- (g) remove plant material, soil, rock or gravel from park land;
- (h) engage in research relating to resources in, on or under park land;
- (i) extract a mineral or oil or gas from park land;
- (j) construct or occupy a temporary or permanent dwelling on park land; or
- (k) construct, occupy or operate any private or commercial facility or service on park land.

5 Jly 2013 SR 61/2013 s11.

Disposition

42(1) Any person wishing to do a thing mentioned in section 41 shall apply to the minister.

(2) An application pursuant to subsection (1) is to include:

- (a) a plot plan showing the boundaries of the proposed activity;
- (b) a description of the use or activity for which the disposition or consent is requested;
- (c) a description of the proposed changes to existing land forms and vegetation;

- (d) the information prescribed in section 45 respecting any proposed buildings or structures related to a thing proposed under the application;
 - (e) the application fee determined by the minister; and
 - (f) any other information that the minister may require.
- (3) Where the minister receives an application pursuant to subsection (1) and is satisfied that it is complete, the minister may issue a disposition or consent.
- (4) The minister may impose any terms and conditions on a disposition or consent that the minister considers appropriate.
- (5) If a disposition is issued for harvesting timber or wild rice, compliance with *The Forest Resources Management Act* and the regulations made pursuant to that Act is deemed to be a term and condition of the disposition.
- (6) No person shall fail to comply with any terms or conditions of a disposition or consent given to that person.

24 May 91 cP-1.1 Reg 6 s42; 22 May 92 SR 30/92 s5; 5 Jly 2013 SR 61/2013 s12.

Lease valuation

- 42.1(1)** In this section, “**assessment appraiser**” means an assessment appraiser as defined in section 67.2.
- (2) The market value of the leasehold interest in a disposition of a recreational lease is to be determined by one of the following methods:
- (a) by appraisal by an assessment appraiser;
 - (b) by a public bid process;
 - (c) by the minister based on past appraisals of lots in the park in which the lot is to be leased.

21 Sep 2018 SR 69/2018 s4.

Public bid process

- 42.2(1)** In this section and in sections 43.01 and 43.03, “**establishment costs**” means the charges and rates described in clause 43(1)(d).
- (2) If a public bid process is used to determine the lease valuation for any recreational lease that may be issued pursuant to these regulations:
- (a) the minister is to issue a notice to the public seeking public bids to be submitted by sealed bid; and
 - (b) the notice of lease allocation by public bid must:
 - (i) be published on the ministry’s website;
 - (ii) specify the date that the land will be available for lease;
 - (iii) specify the date and time after which the minister will not receive sealed bids;

- (iv) describe the location of the land to be leased;
 - (v) specify the establishment costs, if any, that are to be paid;
 - (vi) set out the minimum bid for the lease valuation, including any establishment costs;
 - (vii) describe the method of payment for the bid; and
 - (viii) include the following:
 - (A) a requirement to pay any other fees required pursuant to the Act and the regulations;
 - (B) any terms and conditions of the lease;
 - (C) any other information that the minister considers appropriate.
- (3) Every bidder who wishes to obtain a recreational lease shall submit to the minister a sealed bid in a form and manner approved by the minister in accordance with the terms and conditions set out in subsection (2).
- (4) Notwithstanding subsection (3):
- (a) the minister reserves the unqualified right to refuse any or all bids and the unqualified right to refuse to issue a recreational lease to any or all persons submitting a bid; and
 - (b) if the minister refuses a bid, the minister shall refund any money submitted by that bidder.
- (5) The rights set out in subsection (4) are terms or conditions pursuant to which all bids are made.

21 Sep 2018 SR 69/2018 s4.

Fees

- 43(1)** A disposition holder shall pay:
- (a) for a lease of park land other than a recreational lease, the rents prescribed in Table 1 of the Appendix to these regulations and any other amounts determined by the minister;
 - (a.1) for a recreational lease of park land in a fiscal year commencing on or after April 1, 2006, the annual fee determined in accordance with Part XIII.1;
 - (b) for a disposition other than a lease, the amount determined by the minister;
 - (c) interest on all amounts unpaid after 30 days from the due date:
 - (i) for commercial lease fees, at a rate determined by the minister; and
 - (ii) in all other instances, at a rate of 12% per year; and

- (d) any charges or rates that the minister considers necessary to pay for:
 - (i) services;
 - (ii) local improvements;
 - (iii) capital development; and
 - (iv) administration:

provided by the minister in park land that will, in the opinion of the minister, benefit the disposition holder.
- (2) The interest mentioned in subclause (1)(c)(ii) is to be compounded annually.
- (3) In clause (1)(c):
 - (a) **“amounts”** includes all fees required to be paid pursuant to the Act or these regulations by a person;
 - (b) **“due date”** means the date that the notice containing the amount to be paid is served on the disposition holder.
- (4) Notwithstanding any terms and conditions included in any lease agreement respecting park lands, the minister may, with respect to any lease or category of leases, grant a discount for the early payment of rent on any terms and conditions the minister considers appropriate

24 May 91 cP-1.1 Reg 6 s43; 22 May 92 SR 30/92 s6; 23 Jne 2006 SR 52/2006 s4; 8 Apr 2011 SR 18/2011 s2.

Lease allocation fee

- 43.01(1)** Subject to subsection (2), if a public bid process is not used to determine the lease valuation, the minister shall require a person seeking a recreational lease to pay a lease allocation fee that includes all or any of the following with respect to the park land:
- (a) establishment costs;
 - (b) the lease valuation.
- (2) A lease allocation fee is not required for a renewal or an assignment of an existing lease.

21 Sep 2018 SR 69/2018 s5.

Minister may establish draw

- 43.02(1)** In this section and in section 43.03:
- (a) **“draw”** means the draw established by the minister pursuant to subsection (2);
 - (b) **“family”** means with respect to a person, the person’s:
 - (i) spouse;
 - (ii) child;
 - (iii) parents;

- (iv) grandchild;
- (v) grandparents;

and includes a brother or sister of any of the persons mentioned above and the spouse of any of the persons mentioned above and a brother or sister of a spouse mentioned above;

(c) **“lot”** means a lot that is the subject of a recreational lease to be allocated by a draw;

(d) **“spouse”** means:

- (i) the legally married spouse of a person; or
- (ii) a person who is cohabiting and has cohabited with another person in a spousal relationship continuously for a period of not less than 2 years.

(2) The minister may establish a draw for the purpose of allocating a recreational lease with respect to a lot.

(3) The draw may be conducted:

- (a) by computer or other electronic means; or
- (b) by any other means the minister considers appropriate given the number of applications that are received.

(4) If the minister establishes a draw:

- (a) applications for a recreational lease with respect to the lot must be made in accordance with this section; and
- (b) the issuance of the recreational lease is to be done in accordance with this section and section 43.03.

(5) The draw must be held in accordance with the terms and conditions set out in this section.

(6) A person seeking a recreational lease with respect to the lot may apply for that recreational lease by:

- (a) applying to the minister in the form and manner approved by the minister;
- (b) providing an undertaking satisfactory to the minister to:
 - (i) pay the lease allocation fee and the annual lease rental fee and service fee for the first year of the lease with respect to the lot; and
 - (ii) comply with the terms and conditions of the draw; and
- (c) providing the minister with any other information or material that the minister may reasonably require.

(7) The application must be received by the minister not later than the time set out in the application.

- (8) Only 1 person per family may apply for a recreational lease with respect to the lot.
- (9) A person submitting an application must attest to the authenticity of the information contained on the application.
- (10) The minister shall cause the draw to be held as soon as is practicable after the closing date for applications.

21 Sep 2018 SR 69/2018 s5.

Issuance of lease

43.03(1) If a public bid process is used to determine the lease valuation, after the expiration of the bidding period, the minister shall issue a lease to the person who:

- (a) subject to subsection 42.2(4), submits the highest bid in accordance with section 42.2 and who satisfies the minister that the person has complied with the terms and conditions of the bid;
 - (b) pays:
 - (i) the amount of the bid, including establishment costs, if any; and
 - (ii) all applicable taxes payable in relation to the bid, including establishment costs, and fees;
 - (c) executes the lease and provides an undertaking satisfactory to the minister to pay, when due, the annual lease rental fee and service fee as required by the lease; and
 - (d) meets all other requirements of the Act and these regulations.
- (2) Subject to subsection (3), if a method of determining the lease valuation other than a public bid process is used, the minister shall issue a lease to the person who:
- (a) pays:
 - (i) the lease allocation fee required by section 43.01; and
 - (ii) all applicable taxes payable in relation to the lease allocation and other fees;
 - (b) executes the lease and provides an undertaking satisfactory to the minister to pay, when due, the annual lease rental fee and service fee as required by the lease; and
 - (c) meets all other requirements of the Act and these regulations.
- (3) If a draw is held, following the draw the minister shall issue a lease to the person who:
- (a) is drawn in the draw and satisfies the minister that the person has complied with the terms and conditions of the draw;

- (b) pays:
 - (i) the lease allocation fee required by section 43.01;
 - (ii) the annual lease rental fee and service fee for the first year of the lease; and
 - (iii) all applicable taxes payable in relation to the lease allocation and other fees;
- (c) executes the lease and provides an undertaking satisfactory to the minister to pay, when due, the annual lease rental fee and service fee as required by the lease; and
- (d) meets all other requirements of the Act and these regulations.

21 Sep 2018 SR 69/2018 s5.

Applications to assign or renew recreational leases

43.1 A holder of a recreational lease who intends to assign or renew his or her recreational lease shall:

- (a) apply to the minister on a form supplied by the minister for approval to assign or renew the recreational lease; and
- (b) provide the minister with:
 - (i) a real property report respecting the land that is the subject of the recreational lease, unless the minister determines that it is not necessary to do so; and
 - (ii) in the case of an assignment, the price agreed on between the holder and the person to whom the recreational lease is to be assigned, including the price to be paid for the sale by the holder of any buildings or structures on the land that is the subject of the recreational lease.

5 Jly 2013 SR 61/2013 s13.

PART XI **Buildings and Structures**

Building permit required

44 No person shall develop, erect, alter, demolish, remove or relocate any building or structure on park land without a building permit issued pursuant to this Part.

24 May 91 cP-1.1 Reg 6 s44.

Application and issuance

45(1) Any person wishing to do a thing mentioned in section 44 shall apply in writing to the minister.

- (2) An application pursuant to subsection (1) is to include:
 - (a) plans and specifications showing the type, style, design and construction of the proposed building or structure;

- (b) a plot plan indicating:
 - (i) the position of the building or structure;
 - (ii) the position of existing buildings or structures and of existing vegetation;
 - (iii) the boundaries of the lands held or to be held under a disposition;
 - (c) a description of proposed changes to existing land forms and vegetation;
 - (d) the fee determined by the minister; and
 - (e) any other information that the minister may require.
- (3) If the building or structure is to be accessible to the public, the minister may require that the plans and specifications mentioned in clauses (2)(a) and (b) be certified or approved by an engineer or architect.
- (4) Where the minister receives an application pursuant to subsection (1) and is satisfied that the application is complete, the minister may issue a building permit.
- (5) The minister may impose any terms or conditions on the building permit that the minister considers appropriate.
- (6) No holder of a building permit shall fail to comply with the terms or conditions of the holder's building permit.
- (7) As a condition of every building permit, the holder of the building permit shall provide the minister with a real property report within 30 days, or any longer period that the minister may approve, after the completion of the foundation work for the building or structure, unless the minister determines that it is not necessary to do so.
- (8) The minister may suspend or cancel a building permit if:
- (a) the holder of the building permit fails to comply with subsection (7) or any other term or condition that the minister may impose on the building permit; or
 - (b) the real property report provided pursuant to subsection (7) shows that the position of the building or structure, in the opinion of the minister, differ significantly from that shown on the plot plan submitted pursuant to clause (2)(b).
- (9) Before suspending or cancelling a building permit pursuant to subsection (8), the minister shall:
- (a) provide the holder of the building permit with written notice of the minister's intention; and
 - (b) give the holder of the building permit an opportunity to be heard.

24 May 91 cP-1.1 Reg 6 s45; 22 May 92 SR
30/92 s7; 23 Jne 2006 SR 52/2006 s6.

Construction requirements

46(1) Without the prior written consent of the minister, no person shall construct more than one dwelling on any surveyed lot.

(2) Without the prior written consent of the minister, no person shall construct any building or structure:

- (a) within six metres of the front of any surveyed lot; and
- (b) within 1.5 metres of other boundaries of any surveyed lot.

(3) **Repealed.** 22 May 92 SR 30/92 s8.

24 May 91 cP-1.1 Reg 6 s46; 22 May 92 SR 30/92 s8; 23 Jne 2006 SR 52/2006 s7.

Water and sewer mains

47 Without the prior written consent of the minister, no person shall have a privy pit or make a connection on park land with:

- (a) a water main or sewer main;
- (b) a water pipe connected to a water main; or
- (c) a sewer pipe connected to a sewer main.

24 May 91 cP-1.1 Reg 6 s47; 22 May 92 SR 30/92 s9.

Sewage

48(1) Without the prior written consent of the minister, no disposition holder occupying or operating a dwelling or public facility on park land shall fail to have an operating septic tank or sewage system.

(2) Without the prior written consent of the minister, no person shall install on park land a septic tank or sewage system.

(3) A person who wishes to do a thing mentioned in subsection (2) shall apply to the minister.

(4) An application pursuant to subsection (3) is to include:

- (a) detailed drawings of the proposed installations; and
- (b) evidence satisfactory to the minister that:
 - (i) the applicant is competent to make the proposed installation; and
 - (ii) the plans for the construction and operation of the proposed installation the septic tank or sewage system have been approved by:

- (A) the Department of Health;
- (B) the Saskatchewan Water Corporation; or
- (C) the Department of Environment and Public Safety;

as the case may require.

(5) Where the minister receives an application pursuant to subsection (3) and is satisfied that it is complete, the minister may give his or her consent.

(6) The minister may impose any terms and conditions on a consent that the minister considers appropriate.

(7) No person shall fail to comply with any terms or conditions imposed on a consent.

24 May 91 cP-1.1 Reg 6 s48; 22 May 92 SR 30/92 s10.

Water works

- 49(1)** Without the prior written consent of the minister, no person shall make any installation on park land to take water from any stream, lake or underground water.
- (2) A person who wishes to do a thing mentioned in subsection (1) shall apply to the minister.
- (3) An application pursuant to subsection (2) is to include:
- (a) detailed drawings of the proposed installation; and
 - (b) evidence satisfactory to the minister that:
 - (i) the water supply to be obtained is satisfactory for the purpose stated by the applicant;
 - (ii) the applicant is competent to make the proposed installation; and
 - (iii) the construction and operation of the proposed installation have been approved by either or both of the following, as the case may require:
 - (A) the ministry presided over by the member of the Executive Council to whom the administration *The Public Health Act, 1994* is assigned;
 - (B) the Saskatchewan Water Corporation.
- (4) Where the minister receives an application pursuant to subsection (2) and is satisfied that it is complete, the minister may give his or her consent.
- (5) The minister may impose any terms and conditions on a consent that the minister considers appropriate.
- (6) No person shall fail to comply with any terms or conditions imposed on a consent.

24 May 91 cP-1.1 Reg 6 s49; 22 May 92 SR 30/92 s11; 3 May 96 SR 19/96 s6; 19 May 2017 SR 39/2017 s12.

Excavations

- 50(1)** Without the prior written consent of the minister, no person shall make an excavation on park land.
- (2) Every person who makes an excavation or causes an excavation to be made:
- (a) shall place warning signs and effectively protect the excavation to prevent it from becoming dangerous to individuals, animals or property;
 - (b) shall preserve any contiguous wall from injury; and
 - (c) shall protect the wall mentioned in clause (b) so that it remains as safe as it was before the excavation.

24 May 91 cP-1.1 Reg 6 s50.

Dilapidation

51(1) Every person who leases park land or maintains a building or structure on park land shall maintain the land, building or structure:

- (a) in a reasonable state of repair; and
- (b) in a clean and satisfactory state.

(2) Where:

- (a) all or part of a building, leased premises, staging, a fence, a sign or other structure or a leased lot is, in the opinion of the minister, unsafe or unsightly; and
- (b) the minister causes a written notice to be delivered to the person responsible for the premises, structure or lot specifying the defects and the time within which the defects are to be corrected;

the person shall immediately deal with the defects in a manner that is satisfactory to the minister.

(3) Where the person fails to deal with the defects in the manner mentioned in subsection (2) within the time specified by the minister, the minister may:

- (a) remove or pull down the structure or put the structure in a condition that is satisfactory to the minister; or
- (b) correct the defects.

(4) The minister may recover the costs incurred by the minister pursuant to clauses (3)(a) and (b), and those costs are a debt due to the Crown.

22 May 92 SR 30/92 s12.

PART XII General Prohibitions

No business activity without permission

52 Without the prior written consent of the minister, no person shall:

- (a) carry on any business, calling, trade or occupation; or
- (b) charge any fee for any activity, function or special event;

on park land or waters in or adjacent to park land.

24 May 91 cP-1.1 Reg 6 s52.

Offensive behaviour

53(1) No person shall:

- (a) annoy, be a nuisance to or disturb any other person on park land; or
- (b) interfere with the rights of other persons to quiet and peaceful enjoyment of park land.

(2) Without limiting the generality of subsection (1), no person shall cause a disturbance to others or hinder park employees in the performance of their duties by:

- (a) fighting;
- (b) swearing or using obscene language;
- (c) causing or creating a loud noise; or
- (d) impeding or molesting other persons.

24 May 91 cP-1.1 Reg 6 s53; 5 Jly 2013 SR
61/2013 s14.

Interference with enforcement officer

54 No person shall obstruct, delay or interfere with an enforcement officer engaged in the discharge of the officer's duties.

24 May 91 cP-1.1 Reg 6 s54.

False or misleading information

55(1) No person shall provide false or misleading information to:

- (a) the minister on an application for a licence, permit, disposition or consent;
or
- (b) an enforcement officer.

(2) In addition to any penalty imposed by the Act, if a person supplies false or misleading information to the minister on an application for a licence, permit, disposition or consent, the minister may cancel the licence, permit, disposition or consent.

24 May 91 cP-1.1 Reg 6 s55; 6 May 2005 SR
38/2005 s4.

Firewood

56(1) Without the prior written consent of the minister, no person shall remove firewood provided by the minister from:

- (a) a public campground;
- (b) a picnic ground; or
- (c) park land.

(2) Without the prior written consent of the minister, no person shall bring firewood onto park land.

24 May 91 cP-1.1 Reg 6 s56.

Fireworks

57(1) Subject to *The Wildlife Act, 1998* and *The Fisheries Act (Saskatchewan), 1994* and to subsection (2), without the prior written consent of the minister, no person shall possess or discharge on park land any of the following:

- (a) a pistol;
- (b) a revolver;

- (c) a rifle;
 - (d) any gun other than a pistol, revolver or rifle;
 - (e) an airgun;
 - (f) a rocket;
 - (g) a torpedo;
 - (h) a missile-projector;
 - (i) a bow and arrow;
 - (j) a slingshot;
 - (k) a firecracker;
 - (l) an explosive;
 - (m) a firework;
 - (n) a spear gun;
 - (o) a sky lantern or a flying lantern.
- (2) Subject to *The Wildlife Act, 1998* or *The Fisheries Act (Saskatchewan), 1994*, a person who is passing through park land may carry firearms or bows and arrows if they are:
- (a) encased or sealed in such a way as to prevent their use; or
 - (b) kept in a trunk of a vehicle in such a way that they are not readily available.

24 May 91 cP-1.1 Reg 6 s57; 23 Jne 2006 SR
52/2006 s8; 5 Jly 2013 SR 61/2013 s15; 19 May
2017 SR 39/2017 s13.

Metal detector

58 Without the prior written consent of the minister, no person shall use or possess a metal detector in an historic park.

24 May 91 cP-1.1 Reg 6 s58.

General prohibition

59 No person shall:

- (a) take, damage or destroy a flower, plant, shrub, tree or any other natural vegetation on park land without the prior written consent of the minister;
- (b) alter the natural state of any part of park land without the prior written consent of the minister;
- (c) place any sign, poster or advertisement on park land without the permission of the minister;
- (d) sleep on park land in any kitchen shelter, service building or pavilion;

- (e) attach any tarpaulin, blanket or thing to the walls of any public building on park land;
- (f) use a public building or structure on park land in a manner that:
 - (i) is inconsistent with its intended use; or
 - (ii) is to the detriment or inconvenience of other persons;
- (g) be in any area of park land where the minister has caused signs to be placed prohibiting unauthorized persons; or
- (h) deface, destroy or damage any Crown property that the minister has caused to be erected or placed on park land.

24 May 91 cP-1.1 Reg 6 s59; 23 Jne 2006 SR
52/2006 s9.

Eviction from park

59.1 Enforcement officers may evict individuals who are in non-compliance with the following provisions of these regulations and who fail to comply when requested to do so by an enforcement officer:

- (a) section 4;
- (b) section 8;
- (c) clause 9.1(3)(b);
- (d) section 10;
- (e) section 12;
- (f) section 15;
- (g) section 24;
- (h) section 36;
- (i) section 37;
- (j) section 53;
- (k) section 54.

5 Jly 2013 SR 61/2013 s16.

PART XIII
Other

Facilities, etc., to be kept clean

60 Every person using facilities provided by the minister or an area of park land shall:

- (a) keep the facilities or area in a clean and satisfactory state; and
- (b) remove or dispose of all wildlife attractants in a manner satisfactory to the minister or an enforcement officer.

5 Jly 2013 SR 61/2013 s17.

Personal articles

61(1) Every person who finds any lost or unclaimed personal property on park land shall take the property to the nearest park office.

(2) The minister may dispose of any personal property mentioned in subsection (1) if the property has not been claimed within 90 days after being taken to the park office.

24 May 91 cP-1.1 Reg 6 s61.

Storing vehicles

62(1) Every person who is in control of a camping unit, trailer, vehicle or water vessel may store it in a storage area designated by the minister.

(2) A person storing a camping unit, trailer, vehicle or water vessel pursuant to subsection (1) shall do so only:

- (a) on the terms and conditions; and
- (b) for the time;

determined by the minister.

(3) A holder of a recreational lease may store or use one camping unit on the land that is the subject of the recreational lease on the terms and conditions imposed by the minister.

24 May 91 cP-1.1 Reg 6 s62; 5 Jly 2013 SR
61/2013 s18.

General powers

63 The minister may:

- (a) prescribe the hours during which a public facility or building on park land may be used;
- (b) prohibit the use of a public facility or building on park land;
- (c) where, in the opinion of the minister, an emergency exists or the safety of persons is endangered:
 - (i) order that the park land or any area of park land be vacated;
 - (ii) prohibit entry into or occupation of park land.

24 May 91 cP-1.1 Reg 6 s63.

Designation

64(1) The minister may designate:

- (a) any area of waters in or adjacent to park land as a swimming area;
- (b) any area of park land as a beach area;
- (c) any area of park land as a picnic ground;
- (d) any area of park land as a campsite.

(2) Where the minister designates an area pursuant to subsection (1), the minister shall cause to be placed signs or standard markers identifying the area according to its designated use.

(3) The signs and standard markers mentioned in subsection (2) are to be located at those places the minister considers suitable.

24 May 91 cP-1.1 Reg 6 s64.

Signs

65(1) All signs designating areas that were placed by the minister on park land before the coming into force of these regulations and pursuant to authority given to the minister are deemed to be signs placed in accordance with these regulations.

(2) No person who is required to obey a sign placed pursuant to these regulations shall fail to comply with a sign mentioned in subsection (1).

24 May 91 cP-1.1 Reg 6 s65.

Other fees

66 The minister may determine the fee amount for any:

- (a) right to use or occupy any park land, park land reserve, park facility or park area; or
- (b) service provided by the department;

that is not mentioned in these regulations.

24 May 91 cP-1.1 Reg 6 s66; 22 May 92 SR 30/92 s13.

R.R.S. c.P-1.1 Reg 3, P-34 Reg 4 and P-34 Reg 5 repealed

67(1) *The Park Land Fees Regulations* are repealed.

(2) *The Provincial Parks Regulations, 1985* are repealed.

(3) *The Provincial Park Traffic Regulations* are repealed.

24 May 91 cP-1.1 Reg 6 s67.

PART XIII.1 Annual Fees

Application of Part

67.1 This Part applies to:

- (a) the determination of the service fee and land lease fee portions of the annual fee required to be paid by holders of recreational leases pursuant to section 19.01 of the Act; and
- (b) appeals of the determination of the land lease fee portion of the annual fee and of certain fees imposed in the 2004-05 and 2005-06 fiscal years.

23 Jne 2006 SR 52/2006 s10.

Interpretation of Part**67.2** In this Part:

- (a) **“adjudicator”** means an assessment appraiser appointed pursuant to subsection 67.7(1);
- (b) **“appeal review panel”** means a panel of three people appointed pursuant to section 67.7 to review and decide assessment appeals;
- (c) **“assessment appraiser”** means an individual who provides evidence satisfactory to the minister:
 - (i) to demonstrate that he or she has adequate experience in real estate valuation within Saskatchewan; and
 - (ii) of his or her qualifications;
- (d) **“fair value assessment”** means the fair value of land or buildings as determined by an assessment appraiser using the assessment methods set out in *The Assessment Management Agency Act*;
- (e) **“leaseholder”** means the holder of a recreational lease;
- (f) **“seasonal resident”** means any leaseholder other than a permanent resident.

8 Jne 2007 SR 41/2007 s6; 20 Jne 2008 SR
48/2008 s7.

Determination of service fee**67.3(1)** In this section:

- (a) **“four-year period”** means:
 - (i) the period commencing on April 1, 2006 and ending on March 31, 2010; or
 - (ii) any period of four years, subsequent to that mentioned in subclause (i), that commences on April 1 of one year and ends on March 31 of the fourth year following;
 - (b) **“park”** means:
 - (i) with respect to recreational leases in provincial parks other than the Meadow Lake Provincial Park, the provincial park constituted pursuant to the Act in which the land that is the subject of the recreational lease is located; and
 - (ii) with respect to recreational leases in the Meadow Lake Provincial Park, the subdivision of that provincial park in which the land that is the subject of the recreational lease is located.
- (2) The service fee portion of the annual fee must be determined in accordance with this section.

- (3) For each four-year period, after any consultations with leaseholders that the minister considers necessary, the minister shall:
- (a) determine the total cost of providing direct services to all leaseholders within the park based on a reasonable estimate by the minister using the records maintained by the minister respecting the costs of providing direct services; and
 - (b) provide written notice to each leaseholder identifying the direct services that, in the opinion of the minister, directly benefit leaseholders or are for their exclusive use and that the minister provides to leaseholders.
- (4) The minister shall do the things mentioned in subsection (3):
- (a) for the four-year period commencing on April 1, 2006, as soon as the minister considers it possible after the coming into force of this section; and
 - (b) for every following four-year period, within six months before the commencement of that four-year period.
- (5) The service fee portion of the annual fee to be paid for a fiscal year by each leaseholder who is a seasonal resident is the amount SFSR calculated in accordance with the following formula:

$$\text{SFSR} = \frac{\text{TC}}{\text{SR} + (\text{PR} \times 1.35)}$$

where:

TC is the total cost of providing direct services to all leaseholders within the park as determined in accordance with subsection (3);

SR is the number of seasonal residents within the park; and

PR is the number of permanent residents within the park.

- (6) The service fee portion of the annual fee to be paid for a fiscal year by each leaseholder who is a permanent resident is the amount SFPR calculated in accordance with the following formula:

$$\text{SFPR} = \frac{\text{TC} - (\text{SR} \times \text{SFSR})}{\text{PR}}$$

where:

TC is the total cost of providing direct services to all leaseholders within the park as determined in accordance with subsection (3);

SR is the number of seasonal residents within the park;

SFSR is the service fee portion of the annual fee for the fiscal year payable by each seasonal resident as calculated pursuant to subsection (5); and

PR is the number of permanent residents within the park.

(7) For each fiscal year of a four-year period that follows the first fiscal year of that period, the minister may increase the service fee portion of the annual fee if the minister determines it necessary to reflect any increased costs of providing direct services, but the maximum increase in the service fee portion is not to exceed the amount that equals the product of:

- (a) the amount of the service fee portion paid by the leaseholder in the previous fiscal year; and
- (b) the annual average of the all items Consumer Price Index for Saskatchewan for the calendar year preceding the April 1 of the fiscal year for which the service fee portion is being determined.

23 Jne 2006 SR 52/2006 s10.

Land lease fee portion

67.4(1) The land lease fee portion of the annual fee must be determined in accordance with this section.

(2) Subject to subsection 67.5(2), the land lease fee portion of the annual fee to be paid by a leaseholder is the amount LLF calculated in accordance with the following formula:

$$\text{LLF} = \text{FVA} \times 0.70\%$$

where FVA is the fair value assessment of the land that is the subject of the leaseholder's recreational lease.

23 Jne 2006 SR 52/2006 s10; 13 Aug 2010 SR 86/2010 s3; 6 Mar 2015 SR 16/2015 s3; 21 Sep 2018 SR 69/2018 s6.

Land lease fee portion

67.5(1) In this section, "**four-year period**" means:

- (a) the period commencing on April 1, 2010 and ending on March 31, 2014; or
 - (b) any period of four years, subsequent to that mentioned in clause (a), that commences on April 1 of one year and ends on March 31 of the fourth year following.
- (2) The minimum land lease fee portion of the annual fee that a leaseholder shall pay is \$600.
- (3) Commencing on April 1, 2018, a land lease fee portion of the annual fee must not:
- (a) increase more than \$335 from the previous year's land lease fee; and
 - (b) increase more than \$1,340 over a four-year period.

13 Aug 2010 SR 86/2010 s4; 6 Mar 2015 SR 16/2015 s4; 21 Sep 2018 SR 69/2018 s7.

67.51 Repealed. 13 Aug 2010 SR 86/2010 s4.

Reconsideration by minister of land lease fee portion

67.6(1) A leaseholder may request the minister to reconsider the determination of the land lease fee portion of the leaseholder's annual fee.

(1.1) A request made pursuant to subsection (1) must be made:

- (a) within the year that a new land assessment value is used to determine a leaseholder's land lease fee; or
- (b) within any other period that the minister may allow.

(2) The sole issue that a leaseholder may request the minister to reconsider, and the sole issue that the minister may reconsider, pursuant to this section is whether or not the fair value assessment of the land that is the subject of the leaseholder's recreational lease is correct.

(3) A leaseholder who wishes to request a reconsideration must:

- (a) file an application with the minister within 60 days after being served with written notice of the fair value assessment of the land that is the subject of the leaseholder's recreational lease;
- (b) at the same time the application is filed, pay to the minister a fee of \$100.

(4) An application pursuant to subsection (2) must be on a form provided by the minister.

(5) On receipt of an application pursuant to this section and the \$100 fee, the minister:

- (a) shall undertake a reconsideration of the fair value assessment of the land that is the subject of the leaseholder's recreational lease; and
- (b) for the purposes of clause (a), may request the assessment appraiser:
 - (i) to review his or her assessment of the land that is the subject of the leaseholder's recreational lease; and
 - (ii) to provide the minister with a report respecting his or her review.

(6) After reconsidering pursuant to subsection (5), the minister may:

- (a) confirm the original determination of the land lease fee portion of the leaseholder's annual fee; or
- (b) reduce or increase the land lease fee portion if, in the opinion of the minister, the original fair value assessment prepared by the assessment appraiser on which the minister determined the land lease fee portion was not correct.

(7) The minister shall provide the leaseholder who submitted a request pursuant to this section with written notice of the minister's decision pursuant to subsection (6), including reasons for the minister's decision.

(8) The minister shall provide the written notice mentioned in subsection (6) as soon as is reasonably possible after receiving the application.

(9) If the minister decides pursuant to subsection (6) to reduce or increase the land lease fee portion of a leaseholder's annual fee, the minister shall refund the \$100 fee paid by the leaseholder.

- (10) If the minister decides pursuant to subsection (6) to:
- (a) reduce the land lease fee portion of the leaseholder's annual fee and the leaseholder:
 - (i) has paid the annual fee, the minister shall refund any amount of the land lease fee portion that is in excess of the amount the leaseholder should have paid; or
 - (ii) has not paid the annual fee, the leaseholder shall pay the amount of the annual fee that reflects the reduced land lease fee portion; or
 - (b) increase the land lease fee portion of the leaseholder's annual fee and the leaseholder:
 - (i) has paid the annual fee, the leaseholder shall pay an amount equal to the difference between the land lease fee portion that the leaseholder must pay to reflect the increased fair value assessment and the land lease fee portion that the leaseholder has already paid; or
 - (ii) has not paid the annual fee, the leaseholder shall pay the amount of the annual fee that reflects the increased land lease fee portion.

23 Jne 2006 SR 52/2006 s10; 8 Jne 2007 SR
41/2007 s8; 6 Nov 2009 SR 95/2009 s5.

Appeal re land lease fee portion

- 67.7(1)** The minister may appoint as the adjudicator a person who:
- (a) is an assessment appraiser;
 - (b) in the opinion of the minister, has experience in determining fair value assessments for land; and
 - (c) in the opinion of the minister, is independent from the department and the leaseholder.
- (2) If an appeal pursuant to this section and section 67.71 is to be heard by an appeal review panel, the adjudicator is to be the chairperson of the appeal review panel.
- (3) A leaseholder who is not satisfied with a decision of the minister pursuant to section 67.6 may appeal the minister's decision by filing with the minister a written appeal in a form provided by the minister.
- (4) An appeal pursuant to this section must be made within 30 days after the date written notice of the minister's decision pursuant to section 67.6 is served on the leaseholder.
- (5) In an appeal, the leaseholder may request that the appeal be heard by:
- (a) an appeal review panel; or
 - (b) a single adjudicator.
- (6) Subject to subsection (8), if the leaseholder does not make a request pursuant to subsection (5), the minister shall refer the appeal to an appeal review panel or a single adjudicator.

- (7) On receipt of an application pursuant to subsection (3) and if the minister is satisfied that the application is complete, the minister shall:
- (a) subject to subsection (8), refer the appeal for a hearing and decision pursuant to this section and section 67.71 to:
 - (i) an appeal review panel; or
 - (ii) a single adjudicator; and
 - (b) provide the appeal review panel or the adjudicator, as the case may be, with the assessment of the land that is the subject of the leaseholder's recreational lease.
- (8) In deciding whether to refer the appeal for a hearing and decision to an appeal review panel or a single adjudicator pursuant to this section, the minister shall consider whether, in the opinion of the minister, an appeal review panel or a single adjudicator is better able to hear and decide the issues.
- (9) If an appeal is to be heard by an appeal review panel:
- (a) the minister shall appoint the panel; and
 - (b) subject to clause (10)(b), the appeal review panel must consist of:
 - (i) an adjudicator;
 - (ii) one assessment appraiser recommended by the department; and
 - (iii) one assessment appraiser recommended by the Saskatchewan Provincial Parks Cabin Owners Association.
- (10) If the Saskatchewan Provincial Parks Cabin Owners Association fails to recommend an assessment appraiser for the appeal review panel:
- (a) the minister shall refer the appeal for a hearing and decision pursuant to this section and section 67.71 to:
 - (i) an appeal review panel; or
 - (ii) a single adjudicator; and
 - (b) if the minister refers the appeal to an appeal review panel pursuant to subclause (a)(i), the appeal review panel must consist of:
 - (i) an adjudicator;
 - (ii) one assessment appraiser recommended by the department; and
 - (iii) one assessment appraiser recommended by the adjudicator.
- (11) The following persons are not eligible to be appointed as members of an appeal review panel:
- (a) persons who are employed by the department;
 - (b) persons who are leaseholders.

Hearings and decision of appeals

- 67.71(1)** If a hearing is to be held by an appeal review panel, the hearing must be held at the date, time and place that the minister considers appropriate.
- (2) Within 30 days after having the appeal referred pursuant to section 67.7:
- (a) if the appeal is to be heard by an appeal review panel, the minister shall provide the appeal panel members and the leaseholder with written notice of the date, time and place of a hearing; or
 - (b) if the appeal is to be heard by an adjudicator, the adjudicator shall provide the leaseholder and the minister with written notice of the date, time and place of a hearing.
- (3) The only issue that is to be before the appeal review panel or the adjudicator is the correctness of the fair value assessment of the land that is the subject of the leaseholder's recreational lease.
- (4) The leaseholder may be represented at the hearing by a representative at the leaseholder's own expense.
- (5) At the hearing, the minister and the leaseholder may present the appeal review panel or the adjudicator with any written or other evidence respecting the following:
- (a) the fair value assessment of the land that is the subject of the leaseholder's recreational lease;
 - (b) the fair value assessment of other similar properties in the park in which the land is situated and in areas used by the assessment appraiser to formulate the fair value assessment of the land that is the subject of the leaseholder's recreational lease;
 - (c) any applicable formula, rule or principle set out in the most recent assessment manual as approved by the Saskatchewan Assessment Management Agency;
 - (d) any other facts, conditions or circumstances respecting the land that is the subject of the leaseholder's recreational lease.
- (6) The legal and technical rules of evidence do not apply to a hearing, and the appeal review panel or the adjudicator may accept any evidence that the appeal review panel or the adjudicator considers relevant.
- (7) If the leaseholder or a representative of the leaseholder does not appear at the date, time and place mentioned in the written notice given pursuant to subsection (6), the appeal review panel or the adjudicator may dismiss the appeal without conducting a hearing.
- (8) If the appeal review panel or the adjudicator considers it necessary, the appeal review panel or the adjudicator may do both or any of the following:
- (a) adjourn a hearing from time to time;
 - (b) inspect the land that is the subject of the leaseholder's recreational lease.

- (9) If the appeal review panel or the adjudicator considers it necessary to inspect the land that is the subject of the leaseholder's recreational lease and the leaseholder refuses to permit the inspection, the appeal review panel or the adjudicator may dismiss the appeal.
- (10) In making a decision, the appeal review panel or the adjudicator shall take into consideration only the matters mentioned in clauses (5)(a) to (d).
- (11) Within 90 days after completing a hearing, the appeal review panel or the adjudicator shall provide the leaseholder and the minister with a decision, including written reasons for the decision.
- (12) In a decision, the appeal review panel or the adjudicator may:
- (a) dismiss the appeal; or
 - (b) allow the appeal and:
 - (i) amend the fair value assessment of the land to correct any errors or omissions that the appeal review panel or the adjudicator considers necessary; or
 - (ii) increase or decrease the fair value assessment of the land to reflect, in the appeal review panel's or the adjudicator's opinion, a fair and more accurate assessment.
- (13) If the appeal review panel or the adjudicator allows an appeal pursuant to subsection (12), the minister shall:
- (a) reduce or increase the land lease fee portion of the annual fee to be consistent with the appeal review panel's or the adjudicator's decision; and
 - (b) refund the \$100 fee paid by the leaseholder pursuant to section 67.6.
- (14) If, as a result of the appeal review panel's or the adjudicator's decision pursuant to this section:
- (a) the land lease fee portion of the leaseholder's annual fee is reduced and the leaseholder:
 - (i) has paid the annual fee, the minister shall refund any amount of the land lease fee portion that is in excess of the amount the leaseholder should have paid; or
 - (ii) has not paid the annual fee, the leaseholder shall pay the amount of the annual fee that reflects the reduced land lease fee portion; or
 - (b) the land lease fee portion of the leaseholder's annual fee is increased and the leaseholder:
 - (i) has paid the annual fee, the leaseholder shall pay an amount equal to the difference between the land lease fee portion that the leaseholder must pay to reflect the increased fair value assessment and the land lease fee portion that the leaseholder has already paid; or
 - (ii) has not paid the annual fee, the leaseholder shall pay the amount of the annual fee that reflects the increased land lease fee portion.

Appeals of certain fees

67.8(1) A leaseholder may request the minister to reconsider or appeal any assessments of land and buildings that were used to determine fees, or any portion of fees, payable for recreational leases, if those fees:

- (a) were imposed by the minister pursuant to the Act or these regulations;
- (b) were based on the fair value assessment of the land and buildings that are the subject of the leaseholder's recreational lease; and
- (c) were imposed for the 2004-05 and 2005-06 fiscal years.

(2) Sections 67.6 and 67.7 apply, with any necessary modification, for the purposes of an appeal pursuant to this section.

23 Jne 2006 SR 52/2006 s10.

Appendix

TABLE 1
[Section 43]

Annual Lease Rental Fees

1. Commercial Lease Fees	
Commercial Lease Fees per year:	\$775 per hectare but not less than \$325
NOTE: This fee applies to all commercial leases unless the commercial lease agreement specifies a different rate for park and recreation facilities and services and that fee is approved by the minister.	
2. Petroleum and Natural Gas Lease Fees	
(a) First Year Development Fee	
(i) up to 1.21 hectares	\$1,780 per hectare
(ii) each additional hectare	\$890 per hectare
(iii) existing trail	\$445 per hectare
(b) Annual Surface Lease Rental (includes well sites and roads)	
(i) up to 1.21 hectares	\$1,460 per hectare but not less than \$1,180
(ii) additional hectares	\$730 per hectare
(c) Multiple Well Heads Fee	\$350 per head
(d) Easements (other than roads)	
(i) one-time or first-time annual fee	\$1,780 per hectare
(ii) annual fee in subsequent years	\$1,105 per hectare
(iii) distribution line (Saskatchewan Crown Corporations)	no charge

(e) Temporary Work Space (one-time charge)	\$890 per hectare
(f) Battery Site	
(i) first year development fee	\$1,927 per hectare
(ii) annual rental fee	
(A) up to 1.21 hectares	\$3,335 per hectare
(B) each additional hectare	\$755 per hectare
(g) Surface Lease Amendment Fee	\$200
(h) Annual Surface Restoration Fee related to items (b), (c) and (f) above	50% of the applicable annual surface rental charge
3. Institutional Camp Fees	
Institutional Camp Lease fees per year:	\$35.51 per hectare
NOTE 1: Applies to all institutional camp leases where the camp operators are incorporated or continued pursuant to <i>The Non-profit Corporations Act, 1995</i> .	
TE 2: Where camp operators are not incorporated or continued pursuant to <i>The Non-profit Corporations Act, 1995</i> , the Commercial Lease Fees apply.	

8 Jne 2007 SR 41/2007 s10.