



EXPLANATION

Parks Control By-law Amendment Regarding Cetaceans in Parks

Enactment of the attached By-law will implement the Vancouver Park Board's resolution of March 9, 2017, to prohibit the importation or display of cetaceans in parks.

Director of Legal Services
May 15, 2017



BY-LAW NO. _____

**A By-law to Amend the Parks Control By-law Regarding
Cetaceans in Parks**

THE PARK BOARD OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the Parks Control By-law.
2. In Section 1, the Park Board:
 - (a) adds in alphabetical order:

““CETACEAN” means a marine mammal belonging to the Cetacea order and includes, but is not limited to, baleen whales, narwhals, dolphins, porpoises, killer whales and beluga whales.”; and
 - (b) re-numbers the definitions in Section 1 in alphabetical order.
3. The Park Board repeals section 9(e) and substitutes:
 - “(e) no person shall bring a cetacean into a park.
 - (f) no person shall keep a cetacean in a park, except that this prohibition does not apply to cetaceans already in a park on [*date of enactment*].
 - (g) no person shall produce or present in a park a show, performance, or other form of entertainment, which includes one or more cetaceans.”
4. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
5. This By-law is to come into force and take effect on the date of its enactment.

Chair, Park Board

General Manager