



Enabling Statute: [Canada National Parks Act](#)

**National Historic Parks General Regulations (SOR/82-263)**

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Attention: See coming into force provision and notes, where applicable.

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## National Historic Parks General Regulations

SOR/82-263

CANADA NATIONAL PARKS ACT

### National Historic Parks General Regulations

## GENERAL REGULATIONS RESPECTING THE CONTROL AND MANAGEMENT OF THE NATIONAL HISTORIC PARKS OF CANADA

### SHORT TITLE

1. These Regulations may be cited as the *National Historic Parks General Regulations*.

### INTERPRETATION

2. In these Regulations,

"archaeological site" means any site or area containing historical resources buried or partially buried on land, resting on the surface of land or submerged or partially submerged beneath the surface of any watercourse or body of water in a Park; ( *site archéologique* )

"Director" means the Director of a Region of Parks Canada, Department of the Environment; ( *directeur* )

"diver's marker" means a floating device that incorporates a marker in the form of a red square flag with a white diagonal stripe extending from the head of the hoist; ( *indicateur de plongée* )

"explosive" means any substance or device other than a firearm made, manufactured or used to produce a violent effect by explosion or pyrotechnic effect; ( *explosif* )

"fauna" means all vertebrates or invertebrates, living or dead, or parts thereof and includes the eggs or young of fauna but does not include the fossil remains of any fauna; ( *faune* )

"fireplace" means a grill or stove or other such device designed for the kindling or maintenance of fire; ( *foyer* )

"flora" means any plant matter, living or dead, and includes fungi and moulds but does not include the fossil remains of any flora; ( *flore* )

"historical object" means any historical resource of a movable nature and includes any specimen, artifact, document or work of art, or any reproduction thereof; ( *objet historique* )

"historical resource" means any work of nature or of man that is primarily of interest for its palaeontological, prehistorical, historical, cultural, natural, scientific or aesthetic value including, but not limited to, a palaeontological, prehistorical, historical or natural site, structure or object or any remains, restoration or reconstruction thereof; ( *ressource historique* )

"kindle" means to start, or attempt to start, a fire; ( *allumer* )

"maintain" means, with respect to a fire, to add fuel to enjoy the use of, or allow to burn; ( *alimenter* )

"Minister" means the Minister of the Environment; ( *ministre* )

"moor" means to make fast or tie up a watercraft to a wharf or to another watercraft or to use a space or stall at a wharf and includes to dock, beach, store or anchor a watercraft; ( *amarrer* )

"natural object" means any natural material, soil, sand, gravel, rock, mineral or other object or natural phenomenon not included within the terms "'flora" and "fauna"' that is located within a Park, but does not include the fossil remains of any flora or fauna; ( *objet naturel* )

"Park" means any area set apart as a National Historic Park in accordance with Part II of the *National Parks Act*; ( *parc* )

"Superintendent" means the Superintendent of a Park; ( *directeur du parc* )

"vessel" includes any boat, canoe, raft, amphibious vehicle or any other structure or device, other than a seaplane, used or capable of being used for transportation on water; ( *bateau* )

"wharf" means any wharf, dock, pier, jetty, quay, landing, breakwater, mole or sea-wall or any floating structure or device that may be used to moor watercraft. ( *quai* )

## PRESERVATION OF PROPERTY

**3.** (1) No person shall disturb, remove, deface, damage or destroy any archaeological site or historical resource in a Park.

(2) Notwithstanding subsection (1), a Director may issue a permit to any person authorizing the person to remove historical resources from a Park for management of the Park or scientific purposes or for the purpose of public display.

**4.** (1) No person shall remove, deface, damage or destroy flora, fauna or natural objects in a Park.

(2) Notwithstanding subsection (1), a Superintendent may issue a permit to any person authorizing the person to remove, deface, damage or destroy flora, fauna or natural objects in a Park for management of the Park or scientific purposes.

(3) A permit issued by the Superintendent under subsection (2) shall specify the kind and amount of, and the location from which, flora, fauna or natural objects may be removed, defaced, damaged or destroyed, and any other conditions applicable to the permit.

**5.** No person shall remove, deface, damage or destroy any public building, fence or other structure in a Park or any signboard, sign or notice placed, posted or erected in a Park.

**6.** No person shall deposit any snow, leaves, rubbish or other matter in a Park except in such places, at such times and under such conditions as may be specified by the Superintendent.

## USE OF WATER RESOURCES

**7.** No person shall pollute any watercourse in a Park.

**8.** Subject to sections 9 to 11, no person shall obstruct, divert or otherwise interfere with any watercourse.

**9.** The Superintendent of a Park may permit the taking of water from any watercourse or water supply system in the Park to a place outside the Park in the case of drought, fire, contamination of a water supply or other emergency.

**10.** A Director may issue a permit to any person, for a period not exceeding 10 years, authorizing the person

to take water for domestic or business water supply purposes within a Park from any watercourse, well or water supply system in the Park.

11. (1) The Minister may enter into an agreement with a municipality or water district adjacent to a Park for the supply of water from the Park.

(2) The Minister may enter into an agreement with persons residing on land adjacent to a Park for the supply of water from the Park for domestic purposes and for use in establishments providing tourist accommodation.

## RESTRICTED AREAS AND ACTIVITIES

12. (1) The Superintendent of a Park may designate any activity or area in the Park as restricted if, in his opinion, it is necessary to control activities or entry in such areas for the preservation, control or management of the Park.

(2) Where the Superintendent of a Park designates any activity or area as restricted pursuant to subsection (1), he shall so inform the public by the posting, at all information offices or centres located in the Park, of notices describing the activity and of maps showing the area.

(3) The Superintendent of a Park may, on application to him by any person, authorize that person to engage in an activity in the Park or to enter an area of the Park that has been designated as restricted pursuant to subsection (1) on such terms and conditions as the Superintendent may prescribe.

(4) The Superintendent of a Park may suspend or cancel any authorization issued under subsection (3) if it is necessary to do so for the preservation, control or management of a Park.

(5) No person shall engage in an activity or enter an area that has been designated as restricted pursuant to subsection (1) except in accordance with the terms and conditions prescribed by the Superintendent.

SOR/88-538, s. 1(F).

## AUTHORIZATION

13. (1) In this section,

"authorization" means a pass, licence, ticket or other form of permission, issued pursuant to subsection (4) in respect of a designated activity, authorizing the holder to carry on the designated activity; ( *autorisation* )

"designated activity" means any activity in a Park, including travel, entry into an area of the Park and the use of any facility in the Park, that is designated pursuant to subsection (2). ( *activité désignée* )

(2) The Superintendent may, for the proper management of the Park, designate any activity, other than an activity referred to in section 12, that may be carried on only by the holder of an authorization issued in respect of that activity.

(3) The Superintendent shall post a list of designated activities and their description at information offices or centers located in the Park or at the entrances to the Park.

(4) The Superintendent may, on request, issue an authorization in respect of a designated activity, and may, in any such authorization, prescribe terms and conditions, taking into account

(a) the natural and cultural resources of the Park;

(b) the safety, health and enjoyment of persons visiting or residing in the Park; and

(c) the preservation, control and management of the Park.

(5) No person shall carry on a designated activity unless the person is the holder of an authorization issued in respect of that designated activity.

(6) The holder of an authorization shall, at the request of the Superintendent or a warden or other officer of the Park, produce the authorization for inspection.

(7) The Superintendent may

(a) suspend an authorization, where the holder fails to comply with any prescribed term or condition of it;

(b) reinstate any authorization suspended pursuant to paragraph (a), where the failure referred to in that paragraph has been remedied; and

(c) revoke an authorization, where the holder is convicted of a contravention of these Regulations.

SOR/95-255, s. 1.

## PREVENTION OF NUISANCES

**14.** (1) Where, in the opinion of the Superintendent of a Park or a medical or sanitary inspector, a nuisance exists on any premises in the Park, the Superintendent may order the owner, lessee, licensee, or occupier of the premises to abate the nuisance and, where necessary, to clean up the premises.

(2) Where the owner, lessee, licensee or occupier of any premises where a nuisance exists fails, after reasonable notice from the Superintendent, to abate the nuisance and, where necessary, clean up the premises, the Superintendent may take such steps as are necessary to abate the nuisance and clean up the premises.

## CAMPING

**15.** (1) No person shall use, occupy, reside on or camp on any land in a Park or erect or use any structure in a Park or park any vehicle thereon for the purpose of camping unless he is the holder of a permit authorizing him to use that land for that purpose.

(2) Nothing in this section prevents a person from using the facilities provided in a public picnic ground for the preparation and consumption of meals.

**16.** (1) Subject to these Regulations, on receipt of an application, the Superintendent may issue a camping permit to the applicant for the use of an area for such period and under such conditions as the Superintendent specifies in the permit.

(2) The Superintendent of a Park may cancel a camping permit issued pursuant to subsection (1) at any time where, in his opinion, it is necessary for the preservation, control or management of the Park, or for the safety of the public.

(3) No person who holds a camping permit is eligible to apply for another camping permit for the period or any part of the period for which his camping permit is valid.

**17.** No person shall, for valuable consideration or for gain, permit another person to use, occupy, reside on or camp on any land in a Park or erect or use any structure in a Park or park any vehicle thereon for any purpose whatever.

**18.** (1) A camping permit is not transferable and is valid only during such period as the area to which the permit applies is occupied by the holder thereof.

(2) For the purposes of subsection (1) and paragraph 21(a), an area to which a camping permit applies is deemed not to be occupied where a tent or trailer or similar device has been unoccupied for a period exceeding 24 hours or has been removed from the area for a period exceeding 24 hours.

**19.** A camping permit expires on the expiry date specified thereon.

**20.** The holder of a camping permit shall, at all times, maintain the area to which the permit applies in a condition satisfactory to the Superintendent.

**21.** The Superintendent may cancel a camping permit where

(a) the area to which the permit applies is not occupied;

(b) the holder of the permit fails to maintain the area to which the permit applies in a condition satisfactory to the Superintendent;

(c) the holder of the permit has furnished the Superintendent with false or misleading information in order to secure the permit or maintain it in force; or

(d) the holder of the permit fails to comply with

(i) the conditions of the permit, or

(ii) a directive, instruction or order of the Superintendent made pursuant to these Regulations or to any other Regulations that apply in the Park.

**22.** Where a camping permit has been cancelled, the Superintendent shall give notice of the cancellation to the holder of the permit by mailing a copy of the notice to the holder or by posting a copy of the notice of cancellation in the vicinity of the entrance to any structure or vehicle used for camping in the area in respect of which the permit was issued, and the cancellation takes effect on the date the notice was so mailed or posted.

SOR/88-538, s. 2(E).

**23.** (1) The holder of a camping permit shall, before the expiration of the permit or, where the permit is cancelled, on receipt of the notice of cancellation, remove from the area in respect of which the permit was issued, any trailer or other vehicle or any structure, chattel or article that the holder placed in that area.

(2) The Superintendent may remove any trailer or other vehicle or any structure, chattel or article left in a Park in violation of subsection (1).

SOR/88-538, s. 3(E).

## FIRES

**24.** No person shall, in a Park, kindle or maintain any fire except

(a) in a fireplace provided by the Superintendent;

(b) in a portable stove burning fuel other than wood or charcoal; or

(c) in a charcoal or gas-fired barbecue.

**25.** Notwithstanding section 24, the Superintendent may, by written authorization, permit a person to kindle and maintain a fire and may stipulate the terms and conditions under which the fire shall be kindled and maintained.

**26.** No person shall, in a Park, be in possession of more than five gallons of gasoline or other inflammable liquid, unless the gasoline or other inflammable liquid is stored in the tank of a motor vehicle, a motor-driven boat or an aircraft or unless a permit has been obtained for possession of the gasoline or other inflammable liquid.

**27.** No person shall, in a Park,

(a) allow a fire to spread beyond the confines of the fireplace, portable stove or barbecue;

(b) discard a lighted cigar, cigarette, match or other burning substance, except in a receptacle provided for that purpose by the Superintendent;

(c) discard any unused match or any article or substance that could cause the kindling of a fire, except in a receptacle provided for that purpose by the Superintendent;

(d) operate any machine or equipment that may cause the kindling of a fire, unless precautions satisfactory to the Superintendent have been taken to prevent the kindling of a fire;

(e) when removing or disposing of brush or any inflammable material, allow such material to be accumulated, stored, handled, transported or disposed of in a manner other than in a manner satisfactory to the Superintendent; or

(f) leave any fire unattended.

## EXPLOSIVES

**28.** (1) Subject to subsection (4), no person shall, except in accordance with a permit issued pursuant to subsection (2), have in his possession, store or use any explosive or bring any explosive into a Park.

(2) A Superintendent may issue a permit authorizing a person described in subsection (3) to have in his possession, store or use any explosive in a Park, where that person is authorized under the *Explosives Act* to have in his possession, store, use, make, manufacture or sell such an explosive in any other part of Canada.

(3) A permit referred to in subsection (2) may be issued to the following persons:

(a) a person engaged in construction or demolition work who requires the explosive for his work;

(b) a person representing an organization retained by written agreement with the Director to present a reenactment of a historic event or other program for the education or entertainment of the public; and

(c) a person in the employ of Her Majesty in right of Canada whose duties include the presentation of programs for the education or entertainment of the public.

(4) Notwithstanding subsection (1), any person may

(a) transport explosives through a Park in accordance with the *Explosives Act* or any provincial regulation respecting explosives; or

(b) possess flares or fuses for use as safety equipment for motor vehicles, trains or boats in accordance with any federal or provincial requirements.

## AIRCRAFT

**29.** Except as authorized by the Superintendent for the control or management of the Park, no person shall, in a Park, take off or land or deposit persons or objects from any aircraft, sail plane, glider, body kite, hang glider or other device designed or used to carry persons or objects through the air in powerless flight.

## VESSELS

**30.** (1) No person shall operate or use, or cause to be operated or used, on or under any watercourse in a Park any type of motorized vessel, water-skiing equipment or subsurface diving equipment unless a sign or notice authorized by the Superintendent permitting such operation or use is posted on or near the watercourse.

(2) Notwithstanding subsection (1), the Superintendent may operate or use, or cause to be operated or used, any vessel or equipment referred to in subsection (1) on or under any watercourse in the Park where such operation or use is necessary for the management of the Park or for the safety of the public.

(3) No person shall drain, dump or discharge any waste or refuse from a vessel into any watercourse in a Park.

**31.** No person shall moor any vessel in the approach to or in the lee of any wharf in a Park in such a manner as to obstruct the free flow of vessels to and from the wharf.

**32.** (1) No person shall moor any vessel at any wharf or area in a Park except in accordance with a traffic control device erected by the Superintendent pursuant to subsection (2).

(2) The Superintendent may designate any wharf or area in the Park or any portion thereof as a wharf or area

where mooring is allowed or where mooring is allowed only

- (a) in accordance with a permit issued by the Superintendent,
- (b) during specified periods of time, or
- (c) for particular types of vessels

and the Superintendent shall erect a traffic control device at or near the designated wharf or area to indicate such designation.

**33.** (1) No person shall undertake any underwater activities in a Park unless he first places a diver's marker in the vicinity of the dive site so that the marker is clearly visible to vessel operators.

(2) Every person who operates a vessel in the vicinity of a diver's marker referred to in subsection (1) shall proceed with due caution and at a slow speed.

## AGREEMENTS

**34.** The Minister may enter into an agreement with a province or any person for the development, operation and maintenance in a Park of telephone, telegraph, natural gas and electrical, other than hydro-electrical, services for use only in the Park.

## ADVERTISEMENTS

**35.** No person shall display or distribute any advertisement or handbill in a Park except under and in accordance with a permit issued by the Superintendent.

## PROHIBITIONS

**36.** (1) No person shall, in a Park,

- (a) cause any excessive noise;
- (b) behave in a manner that unreasonably disturbs other persons in the Park or unreasonably interferes with their enjoyment of the Park;
- (c) carry out any action that unreasonably interferes with fauna or the natural beauty of the Park;
- (d) carry out any action that threatens the historic resources in the Park; or
- (e) create or cause any nuisance in the Park.

(2) The Superintendent may remove or have removed from a Park any person who by his disorderly conduct, behaviour or action is in violation of subsection (1).

(3) No person who has been removed from a Park under subsection (2) shall enter or attempt to enter that Park for one year following the date of removal unless that person applies for and obtains permission from the Director to enter the Park.

