

# Colliery Dams Protest FAQs

## Can I protest in the Colliery Dams Park?

The City of Nanaimo respects the rights of citizens to have a peaceful protest. You have the right under the Canadian Charter of Rights and Freedoms to freedom of expression and this includes the right to protest on public property without interfering with the rights of others.

## Could I be arrested if I protest?

You cannot be arrested for a peaceful and lawful protest. You can be arrested if you break the law. Persons contravening municipal bylaws, such as the City of Nanaimo "Parks, Recreation and Culture Regulation Bylaw 2008 NO. 7073" (the "Parks Bylaw"), may receive bylaw offence notices. Persons who refuse to identify themselves for the purpose of receiving a bylaw offence notice; or trespass into an area closed to the public; or obstruct a Bylaw Enforcement Officer; or commit mischief in relation to property may also be charged with a more serious regulatory or criminal offence. They may also be arrested.

## If I interfere with the work taking place in Colliery Dams Park, could I be charged?

Interference with persons or property engaged in carrying out work on City land may be a criminal offence and result in an arrest. In addition, this and various other activities associated with an otherwise peaceful protest, occupation of the park by tents or other structures for example, may constitute a contravention of one or more of the provisions of the Parks Bylaw:

1. Section 3.1(c) - Interfere with City Employee;
2. Section 3.1(d) - Activity where prohibited by sign;
3. Section 3.4(b) - Occupy for lodging;
4. Section 3.4(c) - Cross area where sign prohibits;
5. Section 3.4(d) - Remain when directed to leave; and
6. Section 3.19 - Demonstration without license.

You will find the parks bylaw at:

<http://www.nanaimo.ca/ByLaws/ViewBylaw/7073.pdf>

## Contact Information

Randy Churchill  
Manager of Bylaw, Regulation and Security  
City of Nanaimo  
250-755-4422