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<b>Approved:</b>	<i>original approved by Christine Houghton, Director, Visitor Services Branch, BC Parks, Ministry of Environment</i>
<b>Effective Date:</b>	28-June-2011
<b>Relationship to Previous Policy:</b>	This policy replaces all previous policy regarding permit fees

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## Park Use Permits

### Permit Fees

#### Purpose

The purpose of this policy is to for determining and administering park use permit and resource use permit (PUP) application fees, administration fees, annual permit fees, annual rents and for waiving fees for the right or privilege authorized by the permit. The goal of all fee policies is to achieve provincially consistent administration of park use permit and resource use permit fees.

#### Scope

This policy applies to park use permits and resource use permits (PUPs) within parks, protected areas, conservancies and recreation areas, and to all park use permit and resource use permit (PUP) application, administration and annual fees. Ecological reserve permits and permits for operation of campgrounds and BC Parks' facilities are not addressed by this policy.

#### Definitions

**“non-profit organization”** means a club or association incorporated pursuant to the *Society Act* or a school board incorporated under the *School Act* in which the use or activity undertaken is

- a) of demonstrable benefit to the whole community,<sup>1</sup> and
- b) consistent with the approved objectives of the park, conservancy or recreation area

**“park”** for the purpose of this policy means Crown land established or continued as a park, protected area, recreation area, or conservancy under the *Park Act*, the *Protected Areas of British Columbia Act*, or the *Environment and Land Use Act*, and does not include ecological reserves

**“park use permit” (PUP)** means a licence, issued under the *Park Act*, authorizing an activity or a course of behaviour or conduct, or the occupancy, use, development, exploitation or extraction of a natural resource on or in a park

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<sup>1</sup> ‘Demonstrable benefit to the whole community’ could refer to tangible improvements to the park (restoration works or trail building) that would benefit the community of park users; involvement of youth in park activities to promote healthy living; or fundraising for a cause that would benefit society as a whole. Must be able to identify that the permitted activity has benefits, and that they are applicable to park users outside of the club, association or school board (whole community).

"**permit fee**" means the fee established by Order in Council pursuant to section 20 and 21 of the *Park Act* and charged by BC Parks for the Permittee's use or occupancy of park lands

"**resource use permit**" means a licence, issued under the *Park Act*, authorizing an activity or a course of behaviour or conduct, or the occupancy, use, development, exploitation, or extraction of a natural resource on or in recreation area

## Policy

### 1.1.1 Determining Fees

Permit fees shall be determined using Parts 1 through 4 of Schedule K –Fees for Park use Permits and Resource Use Permits, and Section 53 of the *Park, Conservancy and Recreation Area Regulation*.

### 1.1.2 Application of Provincial Taxes

Permittees will be required to pay in full all permit fees and any taxes applicable to those fees.

### 1.1.3 Fees Not Payable

#### General

As per Section 53 (4) of the *Park, Conservancy and Recreation Area Regulation*, no fee is payable for a park use permit or resource use permit issued:

- a) to British Columbia or Canada
- b) for the purpose of research
- c) for public telephones
- d) for the operation of campground and day facilities in a park, conservancy or recreation area
- e) for the exploration and development work authorized by an approved reclamation permit issued under the *Mines Act*, being undertaken on a mineral claim in good standing in a recreation area designated under section 23 of the *Mineral Tenure Act*,
- f) for a use which, prior to April 1, 1988, no fee was payable, or
- g) if the minister directs no payment is required.

#### Non-profit organizations

As per section 53(6) of the *Park, Conservancy and Recreation Area Regulation*, fees under Parts 3 and 4 (annual rent) of Schedule K are not payable if the permit is issued to a non-profit organization. Fees under Parts 1 and 2 of Schedule K (application and administration fees) still apply to non-profit organizations.

### 1.1.4 Waiving Fees

In setting fees for permissible uses within a park Cabinet has provided direction that fees are payable for those uses. Waiving of fees may be requested only for exceptional circumstances, and where reasonable justification is provided consistent with the justifications listed below.

#### Justifications for fee waiving

1. There is an officially induced permit error requiring the permit to be re-processed.  
*Rationale:* If error is not due to any fault of the Permittee, they should not be responsible for permit fees associated with it.
  
2. A contract has been issued to a third party to conduct work on behalf of BC Parks where that work requires a License to Cut under the *Forest Act*.

*Rationale:* For work being done on our behalf fees should not be charged, as a park use permit is only required for the contractor because it is a condition for holding a License to Cut.

- Original owners of lands that now fall within a park wish to continue pre-existing uses that were agreed to as part of the purchase and sale agreement.

*Rationale:* Where the uses were agreed to as a condition of sale or donation, permit fees may be waived to allow for their continuation (decision should be consistent with conditions of sale/donation).

- Associations are providing services or infrastructure that benefits the park and community and require a PUP to complete the works (e.g. use of heavy equipment involved). Where the group meets the definition of a non-profit organization annual rent fees are not applicable to them, but application and administration fees are still required to be paid.

*Rationale:* PUP fees should not be a barrier to projects that will benefit the park and all users of the park.

- There was a pre-existing land use tenure granted on Crown land prior to establishment of the park, and the tenure holder had been granted a Nominal Rent Tenure.

*Rationale:* Waiving of annual rent fees would be consistent with Cabinet decision to waive fees for the same permit on Crown land, and as such fees should be waived for the remainder of the term for the pre-existing tenure. Appropriate notice must be provided to the tenure holder that PUP fees under Schedule K will be applied once the end date of their original tenure has passed.

### 1.1.6 Refund policy

It is the policy of BC Parks not to issue refunds or to return uncashed cheques for park use permits or resource use permits except as may be approved following criteria outlined in the table below.

No refunds will be issued for an application that is denied by BC Parks. However, if annual fees have been submitted with an application fee, the annual fee portion of funds submitted will be returned or refunded to the applicant.

**Table 1.** Criteria for consideration of refund requests

Park Use Permit and Resource Use Permit Fees			
Item	Application Fee	Administrative Fee	Annual Fees (Schedule K, Parts 3 and 4)
Administrative error	Yes	Yes	Yes
Application is incomplete or has errors preventing the application from being processed (e.g. ineligible applicant or submitted to wrong agency). Application will be returned.	Yes	N/A	Yes (if submitted with application fee)
New application has been withdrawn prior to being processed	Yes	N/A	Yes (if submitted with application fee)

New application has been withdrawn after it has been processed	No	N/A	Yes (if submitted with application fee)
Request for permit amendment or renewal is withdrawn prior to being processed	N/A	Yes	Yes (if submitted with administrative fee)
Request for permit amendment or renewal is withdrawn after being processed	N/A	No	Yes (if submitted with administrative fee)
Under exceptional circumstances at the discretion of BC Parks, including debilitating injury or illness prior to undertaking permitted activities, or negative impacts of new Provincial restrictions on ability to undertake the permitted business, etc.	Yes	Yes	Yes

Yes – refund will be issued      No – refund will not be issued      N/A – not applicable

**Related Guidance/Considerations**

*Park, Conservancy and Recreation Area Regulation*

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**APPROVED AMENDMENTS:**

Effective Date:	Summary of Changes: