

BYLAW NO. 2015 – 09

BOATS AND BOATING BYLAW

LAC PELLETIER REGIONAL PARK

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PART I: INTRODUCTION

1. Authority

- (a) Pursuant to section 13 of The Regional Parks Act, 2013, the Lac Pelletier Regional Park Authority, hereby enacts this Boats and Boating Bylaw.

2. Title

- (a) This Bylaw shall be known as the "Boats and Boating Bylaw" of the Lac Pelletier Regional Park.

3. Scope

- (a) This Boats and Boating Bylaw shall apply to the whole of the Lac Pelletier Regional Park.

4. Purpose

- (a) The purpose of the Boats and Boating Bylaw shall be:
 - (i) To regulate the use, launching, mooring, and leaving of water vessels in Lac Pelletier Regional Park and waters adjacent to the Park; and
 - (ii) To provide for the health, protection, safety and general welfare of persons within the Lac Pelletier Regional Park;

PART II: DEFINITIONS

In this Bylaw, the following words and terms shall have the indicated meaning, unless otherwise indicated elsewhere in the Bylaw:

BEACH AREA means all shoreline areas within the park including the waters adjacent to the shoreline, plus immediate land (surrounding the shoreline) area whether sand, reeds, or grass, signed as beach.

BYLAW means the Lac Pelletier Regional Parks Bylaw.

CAMPING PERMIT means a valid and subsisting permit to camp in a campsite which is issued by a Park Officer.

CAMPSITE means an area within a public campground, designed and developed to accommodate a family or a specified number of persons in one camping unit.

HOUSEBOAT means a water vessel equipped for use as a temporary or permanent dwelling.

LEASED LOT means a lot within the Park leased or rented to persons pursuant to the terms of their lease or rental agreement and the Bylaws of the Park and shall include but not be limited to trailer park lots and residential lots and does not include campsites.

LESSEE means persons to whom the Park Authority grants the lease or rent of a leased lot.

MOTORBOAT means a water vessel that is propelled or drawn by a motor.

PARK means the area that is designated as Lac Pelletier Regional Park.

PARK AUTHORITY means the people who are, from time to time, appointed for the purpose of carrying out the management and administration of the Lac Pelletier Regional Park.

PARK OFFICER means any member of the Park Authority, as well as any person employed by the Park Authority for the Administration and Management of the Park, and the enforcement of this Bylaw within that area.

PEACE OFFICER shall have the same meaning as defined in the Criminal Code of Canada.

PERSON or **PERSONS** means any individual, business, partnership, firm, corporation, or occupant of the Park.

ROADWAY means a highway in the Park and includes a common parking lot, road, street, avenue, parkway, driveway, bridge, viaduct, or trestle within the park intended for or used by the general public for the passage of vehicles.

SWIMMING AREA means an area where signs or standard markers have been placed identifying the area as a swimming area.

WATER VESSEL includes a boat, canoe, raft or other amphibious craft.

PART III: BYLAWS

A. GENERAL

1. (a) the Park Authority may designate an area of the Park as an area where a water vessel may be launched, moored, or left; and

(b) where the Park Authority designates an area pursuant to subsection (a), the Park Authority shall cause signs to be posted, in those locations the Park Authority considers appropriate, identifying the area as an area where launching, mooring, or leaving of water vessels may take place.
2. Unless stated otherwise in this Bylaw no person shall launch, moor, or leave a water vessel in the Park except in an area designated for that purpose, pursuant to section 1.
3. No person shall use or operate a water vessel within twenty-five (25) meters of:
 - (a) a swimming area;
 - (b) a designated beach area; or
 - (c) any area where the Park Authority has caused signs to be posted prohibiting water vessels.
4. No person shall 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 occupy or keep a houseboat in the Park or on any waters on or adjacent to Park land except:
 - (a) with the prior written consent of the Park Authority; or
 - (b) within an area designated, by Park Authority, for the occupying or keeping of a houseboat.
6. Unless stated otherwise in this Bylaw no person shall moor or otherwise leave any water vessel in the Park for more than 24 consecutive hours, except in areas designated by the Park Authority for the mooring or leaving of water vessels.
7. No person shall launch a water vessel with a motor except in an area designated for the launching of water vessels with motors and all launching areas are for the timely launching and loading of water vessels with motors and no water vessel or other item shall be left in a launching area.
8. Any water vessel left in the Park or in adjacent waters shall be left at the owner's risk.

9. Unless otherwise stated, any Act and regulations referred to in this Bylaw shall include any amendments to the legislation and regulations and any legislation and regulations proclaimed successive to that specifically referred to herein.
10. Water vessels in operable condition may be left by lessees in leased lots and in campsites by the holders of a camping permit for periods in excess of 24 hours.
11. Water vessels left pursuant to section 10. Shall be wholly within the boundaries of the leased lot or campsite.

B. PENALTY CLAUSES

General Penalty Clause:

12. (a) Any person who contravenes any provision of these Bylaws is guilty of an offence punishable on summary conviction by a fine in an amount not exceeding:
 - (i) \$2,000 (Two Thousand Dollars) in the case of an individual;
 - (ii) \$5,000 (Five Thousand Dollars) in the case of a public corporation;or, in default of payment by an individual, by imprisonment for a term of not more than 30 (thirty) days.

Voluntary Penalty Clause:

13. Any person who contravenes any of the provisions of the Bylaw, may be, at the discretion of the officer, subject to a voluntary penalty as listed:
 - (a) Section 2 = \$50.00;
 - (b) Section 3 = \$50.00;
 - (c) Section 4 = \$50.00;
 - (d) Section 5 = \$50.00;
 - (e) Section 6 = \$50.00;
 - (f) Section 7 = \$50.00; and
 - (g) Section 11 = \$50.00.

PART IV: REPEAL AND EFFECTIVE DATE OF BYLAW

1. Repeal

(a) Bylaw 1997, sections 54 to 56, as amended, shall be repealed upon Bylaw 2015-09 coming into force and effect.

2. Park Authority Readings and Adoption


Introduction this 6th day of July, 2015

Read a first time this 6th day of July, 2015


Read a second time this 6th day of July, 2015

Read a third time this 26th day of October, 2015

Adoption of Bylaw this 26th day of October, 2015



Chairperson



Secretary