

Corporation of the Township of

Algonquin Highlands

By-Law 2012-38

BEING A BY-LAW TO REGULATE DOCKING AND MOORING AT PUBLIC DOCKS WITHIN THE TOWNSHIP OF ALGONQUIN HIGHLANDS.

WHEREAS pursuant to Section 11 of the Municipal Act, S.O. 2001, c.25 as amended, a municipality may pass by-laws respecting matters within the spheres of jurisdiction, namely regulating overnight docking/mooring at public docks within the Township.

AND WHEREAS pursuant to Section 63(1) of the Municipal Act, S.O. 2001, c.25, as amended, and Section 170(15) of the Highway Traffic Act, R.S.O. 1990, c.H. a municipality may upon discovery of any vehicle parked or standing in contravention of a municipal by-law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for the removal, care and storage of the vehicle, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act R.S.O. 1990 c. R.25 as amended;

NOW THEREFORE the Council of the Corporation of the Township of Algonquin Highlands, in the County of Haliburton, in the Province of Ontario,
Enacts as follows:

1.0 DEFINITIONS:

- (a) **"Boat"** means a craft, whether powered or not powered, which is designed for carrying persons or chattels over water, and includes a ship under the jurisdiction of the Parliament of Canada pursuant to the Constitution Act, including personal watercraft.
- (b) **"Council"** means the Council of the Corporation of the Township of Algonquin Highlands.
- (c) **"Docking or mooring"** means to fasten, affix, tie, or anchor a boat, to a structure or to municipal land.
- (d) **"Emergency and government vehicle or boat"** means a vehicle or boat providing ambulance, fire, police, public service or similar services for the benefit and safety of the general public and includes federal, provincial and municipal agencies.
- (e) **"Township"** means the Corporation of the Township of Algonquin Highlands.
- (f) **"Vehicle"** means any bicycle, farm tractor, mobile home, motorcycle, road building machine, self-propelled implement of husbandry, vessel, boat, trailer, and motor vehicle.

2.0 SIGNAGE AND EMERGENCY EQUIPMENT:

- (a) No person shall remove or deface any signs or notices erected in a municipally owned or operated docking area.
- (b) No person shall interfere with or misuse any lifesaving, fire prevention or other emergency equipment situated in a municipally owned or operated docking area.

- (c) No person shall interfere with any person engaged in providing emergency services or with any emergency vehicle in a municipally owned or operated docking area.
- (d) All persons must adhere to all municipal signage posted within a municipally owned or operated docking area.

3.0 DOCKING AND MOORING OF BOATS

- (a) No person shall use a dock, wharf, boat launching facility or other structures in a municipally owned or operated docking area for commercial use or as a loading or un-loading zone of a commercial nature, unless authorized by council.
- (b) No person shall dock or moor a boat in any municipally owned or operated docking area for more than the allowable duration, 12 hours.
- (c) No person shall service or wash a boat in a municipally owned or operated docking area.
- (d) No person shall use any part of a municipally owned or operated docking area for boat launching except at designated boat launching facilities designated for that purpose.
- (e) No person shall operate a boat from, or leave a boat on any beach in any municipally owned or operated docking area.
- (f) Any boat docked, moored or left unattended, contrary to this by-law, may be removed by the Township or a person contracted on its behalf for the purpose, and shall be subject to the lien provisions, storage and disposal requirements set out in the repair and Storage Liens Act.

4.0 PENALTY:

Any person who contravenes any portion of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for under the Provincial Offences Act, R.S.O. 1990 c35 as amended or any successor thereof, and as set out in Schedule "A" attached to and forming part of this By-law.

READ a First, Second and Third time and finally passed this 21ST day of June, 2012.

Reeve Carol Moffatt

Seal

Clerk Dawn Newhook

Corporation of the Township of Algonquin Highlands
Part 1 Provincial Offences Act
By-law 2012-38: Docking and Mooring at Public Docks

SCHEDULE “A”

SET FINES

<i>ITEM</i>	<i>Column 1 SHORT FORM WORDING</i>	<i>Column 2 PROVISIONS CREATING OR DEFINING OFFENCE</i>	<i>Column 3 SET FINE</i>
1	Remove or deface any signs or notices erected in a municipally owned or operated docking area.	Section 2. (a)	\$305.00
2	Interfere with or misuse any lifesaving, fire prevention or emergency equipment in a municipally owned or operated docking area.	Section 2. (b)	\$305.00
3	Interfere with person or vehicle providing emergency services in a municipally owned or operated docking area.	Section 2. (c)	\$305.00
4	Use a dock, wharf or other structures in a municipally owned or operated docking area for commercial use.	Section 3. (a)	\$305.00
5	Use a dock, wharf or other structures in a municipally owned or operated docking area or loading zone for more than 12 hours	Section 3. (b)	\$305.00
6	Service or wash a boat in a municipally owned or operated docking area.	Section 3. (c)	\$305.00
7	Launch boat in other than designated areas.	Section 3. (d)	\$305.00
8	Locate boat on beach area in a municipally owned or operated docking area.	Section 3. (e)	\$305.00

Note: the general penalty provision for the offences listed above is section 4 of By-law 2012-38, a certified copy of which has been filed.