

BYLAW 4-2016

A BYLAW FOR THE PURPOSE OF ESTABLISHING USAGE REQUIREMENTS AND FEES FOR THE USE OF MUNICIPAL RESERVE PROPERTY AT HIGHWOOD BEACH IN THE RM OF DUFFERIN #190

BEING a bylaw of RM of Dufferin #190 in the Province of Saskatchewan, to establish a process for banning fires in the Municipality.

WHEREAS Section 8 (b) of the Municipalities Act, 2005, provides that Council may pass bylaws for the safety, health and welfare of people and the protection of people and property; Section 8 (c) people, activities and things in, on or near a public place or place that is open to the public; and Section 47 (b) charge fees, tolls and charges for the use of land, buildings or structures under its direction, control and management;

NOW THEREFORE, the Council of RM of Dufferin #190, enacts as follows:

1. This Bylaw may be cited as the "Municipal Reserve – Highwood Beach Boat Launch Use Bylaw".
2. The preamble forms a part of this Bylaw.
3. In this Bylaw
 - 3.1 "CAO" shall mean the Chief Administrative Officer / Administrator of the RM of Dufferin #190.
 - 3.2 "Council" shall mean the Council of RM of Dufferin #190.
 - 3.3 "Municipality" shall mean RM of Dufferin #190.
 - 3.4 "MR" shall mean lands designated as Municipal Reserve in Highwood Beach.
 - 3.5 "boat launch" shall mean the Municipal Reserve (MR) area at Highwood Beach.
 - 3.6 "temporary boat lift/structure" shall mean any structure or apparatus, including a temporary floating dock or pier, dolly/tracks, where a boat, seadoo or other water craft is to be stored with the apparatus being located on the water or on land within the Municipal Reserve
 - 3.7 "seasonal" shall mean part of the calendar year from May 1 to October 31.

4. Municipal Reserve Water Access/Waterfront

- i. Use of the MR is open to the public however ratepayers that do not have direct access (own or jointly own waterfront property) requiring or wishing to use the MR for temporary boat lift apparatus (such as lifts, dolly/tracks & Piers) use at the water front or for temporary seasonal use in the designated areas on the MR noted on the map in Schedule “C”; must have written consent from the RM of Dufferin #190; and shall be subject to the Fee Schedule as set out in Schedule “A”
- ii. Use of the MR at the water front for temporary boat lift apparatus will be limited to two locations (please note no adjacent (behind) parking is permitted behind these areas:
 - a. the first 30 m from the NE corner of the MR (as noted on the map attached which starts approx. 3 meters from the North of the concrete boat launch and ends at lot B).
 - b. Dorry Street – restricted.
- iii. Temporary boat lifts & piers may only be placed in the water after the annual permit is received with a designated spot (1 thru 8) off season storage on land directly adjacent to the permitted area can be used for temporary winter storage of the same (no summer storage) . In order to be equitable in a very limited area council feels that each permit will be issued (one per rate payer) based on 5 meters of shoreline and the adjacent area behind each respective area not to exceed 10 meters from the waters edge. Based on this guideline 10 designated areas will be made available to Non-Waterfront owners at Highwood Beach.

5. Seasonal Permitted Designated Parking Area

- i. Use of the MR for storage will abide by the following:
 - a. Council has designated an area adjacent to Windsor Drive on the MR for seasonal (summer only) temporary storage of boat trailers. This area is approx. 22 meters wide and six designated spots will be available to annual permit holders: and shall be subject to the Fee Schedule as set out in Schedule “B”
 - b. Annually from May 1 to Oct 15 no overnight storage of any items shall be permitted on the MR outside the designated permitted areas without the written permission of the municipality.

6. Any person who fails to comply with the provisions of Section 4 and 5 of this Bylaw is guilty of an offense and is liable to a fine of \$250.00 on summary conviction for the first offense; to a fine of \$500.00 on summary conviction for a second offense occurring within 12 months of the first offense; to a fine of \$1,000.00 on summary conviction for a third offense occurring within 12 months of the second offense.

6. Where the CAO or a member of Council has reasonable grounds to believe that a person has committed a breach of any of the provisions of this Bylaw, he or she may have a Peace Officer of the Municipality issue and serve such a person a Violation Ticket.
 - 6.1 Service of such a Violation Ticket shall be sufficient if:
 - (a) Personally served; or
 - (b) Left for the person at his/her last or most usual place of residence with a person who appears at least 16 years of age or older.

7. Should any section or part of this Bylaw be found to have been improperly enacted, for any reason, then such section or part shall be regarded as severable from the rest of this Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section or part found to be improperly enacted had not been enacted as part of this Bylaw.

This bylaw shall come into force and effect on the date of its final adoption.

READ A FIRST TIME this 26th of APRIL 2017.

READ A SECOND TIME this 26th of APRIL 2017.

READ A THIRD TIME UPON THE UNANIMOUS CONSENT OF THE COUNCIL this 26th of APRIL 2017.

Reeve

SEAL

Administrator

Certified a true copy of the original bylaw passed by the unanimous consent of the Council present at their regular meeting held on the 25TH day of April 2017.

Administrator

Schedule "A" to Bylaw 4-2016

Fee for Municipal Reserve Water - Water Front Access - \$250.00 per Season

Schedule "B" to Bylaw 4-2016

Fee for Seasonal Designated Parking - \$250.00 per Season

Schedule "C" to Bylaw 4-2016

