

THE CORPORATION OF THE TOWNSHIP OF RAMARA

BY-LAW NO. 2007.95

**BEING A BY-LAW TO PROHIBIT AND REGULATE WATERWAYS UNDER THE CONTROL AND MANAGEMENT OF THE LAGOON CITY PARKS AND WATERWAYS COMMISSION**

**WHEREAS** the Municipal Act, 2001, Section 11 and 463, provides authority to pass bylaws with respect to regulating the use of municipal canals and transportation systems other than highways;

**AND WHEREAS** the provisions of the Township of Mara Act, 1986, permits the delegation of such authority of the Lagoon City Parks and Waterways Commission with respect to the regulation and maintenance of canals and waterways within the development known as Lagoon City.

**AND WHEREAS** the enforcement measures outlined herein are authorized under Part XIV of the Municipal Act, 2001;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF RAMARA HEREBY ENACTS AS FOLLOWS:**

PART I - DEFINITIONS

1. For the purpose of this by-law:
  - (a) **"Commission"** means the Lagoon City Parks and Waterway Commission.
  - (b) **"moor, moored, mooring"** includes the positioning, placement and/or organization of any boat, vessel, water craft, or floating object or structure .
  - (c) **"prohibited months"** shall mean November, December, January, February and March.
  - (d) **"waterway"** includes a canal, body of water, slip, lagoon.

PART II - APPLICATION OF THE BY-LAW

2. This by-law applies to all waterways over and upon lands owned by the Corporation of the Township of Ramara and under the management and control of the Commission.

PART III - REGULATIONS

3. No person shall moor, or permit the mooring of, any boat, vessel, water craft, floating object or structure in or upon a waterway during the prohibited months in any year except as expressly permitted in writing by the Commission.
4. No person shall use or permit the use of any equipment or apparatus (mechanical or otherwise) to prevent or inhibit the freezing of water in a waterway.
5. No person shall erect or construct any building or structure in or upon a waterway, including the erection or construction of a building or structure upon a boat, vessel, water craft, floating object or other floating structure.
6. Upon receiving a written application, the Commission may authorize mooring during the prohibited period upon the terms and conditions that the Commission deems appropriate.

PART IV - ENFORCEMENT AND PENALTIES


7. Every person who contravenes any provision of this by-law is guilty of an offence.
8. The Municipality, at the request of the Commission, may order the person who has violated section 3, 4, 5, or the terms of any written authorization issued pursuant to section 6, or the person who is determined to be the owner of the boat, vessel, floating object or structure (section 3) or the equipment or apparatus (section 4) to remove such boat, vessel, floating object or structure, equipment or apparatus from the waterway.
9. If a person who is provided with an order issued under section 8 herein is in default of the requirements set out therein, the Municipality may undertake such remedial measures as outlined in the order and all costs of such remedial measures shall be paid for at the expense of the person or persons named in such order.

10. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid the remainder of this by-law shall continue to be valid and remain in force.

BY-LAW READ a first, second and third time and finally passed on the 5<sup>TH</sup> day of November, 2007.

THE CORPORATION OF THE  
TOWNSHIP OF RAMARA

Per:   
William Duffy, Mayor

Per:   
Richard P. Bates, Clerk