

THE CORPORATION OF THE TOWNSHIP OF SEGUIN

BY-LAW NO. 2005-053

Being a By-law Respecting the Control and Regulation of Parks

WHEREAS, Section 11 of the Municipal Act, 2001, S.O. 2001, c 25 as amended authorizes a single-tier municipality to pass by-laws respecting matters within spheres of jurisdiction including culture, parks, recreation and heritage;

AND WHEREAS the Council of The Corporation of the Township of Seguin deems it advisable to regulate the parks under the jurisdiction and control of the Township of Seguin;

NOW THEREFORE the Council of The Corporation of the Township of Seguin enacts as follows:

1. THAT all By-laws or Resolutions or parts thereof of The Corporation of The Township of Seguin or all By-laws or Resolutions or parts thereof of any of the former municipalities comprising The Corporation of The Township of Seguin, regulating parks owned by The Corporation of the Township of Seguin are hereby repealed.
2. THAT Schedule "A" attached hereto shall form part of this By-law.
3. THAT this By-law shall come into full force and effect upon passage thereof.

PART 1
DEFINITIONS AND APPLICATION

Definitions

1.
 - (a) "Motor Vehicle" means an automobile, truck, motorcycle, motorized snow vehicle or any other vehicle propelled or driven otherwise than by muscular power, and includes traction engines, farm tractor, self propelled implement of husbandry or road building machine within the meaning of the *Highway Traffic Act*, R.S.O. 1990 as amended.
 - (b) "Municipality" or "Township" means The Corporation of the Township of Seguin.
 - (c) "Vessel" includes every description of watercraft, including non-displacement craft and seaplanes, used or capable of being used as a means of transportation on water.

Application of By-law

2. This by-law applies to the parks set out in Schedule "A" to this By-law.

PART 2
REGULATIONS AND SPECIAL PERMISSIONS

General Prohibition - Activities

3. Unless authorized by permission granted under Section 7 herein, no person shall:
 - (a) permit or cause to permit any disorderly or act.
 - (b) have in his or her possession any intoxicating beverage except in areas duly authorized by Council and in accordance with the L.C.B.O. regulations.
 - (c) in any manner injure/damage any tree, plant, grass, flower, fruit, turf, or structure.
 - (d) post or display any sign, banner or advertisement.
 - (e) discharge any fireworks;.
 - (f) bring any animal into any of the said parks except on a leash.
 - (g) build, set or start any fire in any part of the said parks grounds or boulevards.
 - (h) drive a motor vehicle on the grass of in any area that is signed "No Vehicular Traffic", in any of the municipality's parks, except as permitted under Section 5.
 - (i) create a temporary domicile in a park.
 - (j) use, ride, train, or race any horse in a park;
 - (k) fly, operate or use any engine powered airplane in a park;

- (l) operate or use any apparatus, mechanism or device for the amplification of the human voice, music or other sound in a park;
- (m) discharge a firearm, air gun, air pistol, bow, catapult, sling shot, or other similar devices in a park;
- (n) beg, publicly solicit subscriptions for any purpose, solicit passengers for any boat or vehicle for hire or keep, or keep or offer anything for sale in a park or a park building;
- (o) perform for reward any art, skill, service, or work or practise or carry on, conduct or solicit for any trade, occupation, business or profession in a park or a park building;
- (p) obstruct in any way a roadway or path in a park;
- (q) erect or leave any tent, shelter or structure of any kind in a park;
- (r) encroach upon park lands or make exclusive use of any portion of any park land;
- (s) hunt or kill or attempt to hunt or kill any animal or bird, or in any way maim, injure, molest or disturb any animal or bird in a park;
- (t) destroy, damage or disturb the nest or den of any bird or animal in a park;
- (u) park any vehicle in any park except in a parking lot designated for that purpose and in a designated parking space when so provided, it being understood that the maximum permissible parking period shall be as posted.
- (v) service, maintain any motor vehicle/vessel or repair any motor vehicle/vessel in a park except in the case of an emergency;
- (w) operate amusement or entertainment rides, hot air balloons or games of chance in a park or park building;
- (x) permit a domestic animal to enter/use a public swim area, or childrens' play apparatus area.

Park Hours

4. No person shall enter into or upon or be present in a municipal park between the hours of:
 (a) 2300 hours and 0600 hours

Motorized vehicles - parking

5. All motor vehicles shall park only in areas designated, by signage in each park set out in Schedule "A", for that purpose.

Vessels - Regulations

6. (1) No person shall moor a vessel at a dock located in or adjacent to the municipal parks between the hours of 2300 hours and 0600 hours and no person shall moor a vessel for more than one (1) hour between the hours of 06:00 and 23:00 hours.
- (2) No person shall operate a vessel in excess of 10 km/hour, where such boats are within 30 metres of shoreline or undertake water-skiing activities within 50 metres of the shoreline.

Special Permissions

7. (1) Council may grant written permission to a person authorizing the person or persons to undertake an activity (or activities) that is otherwise prohibited under section 3, 4, 5 and/or 6.
- (2) Council may grant written permission for the use of a portion of a park or park building (including docks).
- (3) Permission granted under subsection (1) and/or (2) may include terms and conditions as Council in their discretion may consider reasonable, desirable and appropriate.

Fees

8. The Township may from time to time prescribe a fee or fees for the public use of a park or park building or a portion thereof and no person shall use such park or park building or portion thereof without having first paid the prescribed fee to the Township.

Exemptions

9. The provisions contained in Section 3, 4, 5 and/or 6 of this by-law shall not apply to;
- (a) an employee of The Corporation of the Township of Seguin while engaged in the performance of his or her municipal duties; and;

- (b) a member of a police force while engaged in the performance of his or her police duties.
- (c) emergency vehicles such as fire, ambulance, rescue service, Ministry of Natural Resources and Society for Prevention of Cruelty to Animals.
- (d) Section 3(o), 4 and 6(1) do not apply to the Rosseau Waterfront.

PART 3
ENFORCEMENT AND INTERPRETATION

Fines for Contravention

10. Every person who contravenes this By-law and every director or officer of a corporation who concurs in such contravention by a corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$5,000.

Continuation - Repetition - Prohibited - By Order

11. The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

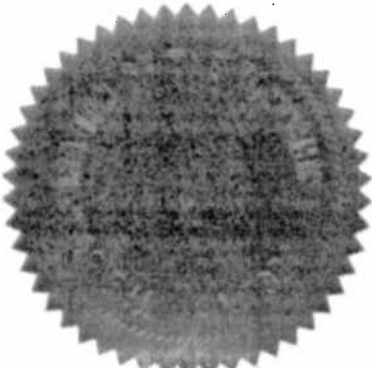
Integrity of By-law - Severability

12. Notwithstanding that any Part or Parts, section or sections of this By-law, a part or parts thereof, may be found by any court of law to be bad or illegal or beyond the power of the Council to enact, such Part or Parts, section or sections or a part or parts thereof shall be deemed to be severable, and all other sections of this by-law, or parts thereof, are separate and independent therefrom and enacted as such.

Read a FIRST, SECOND and THIRD time, ENACTED and PASSED this 20th day of June, 2005.

David Conn,
Reeve

Craig Jeffery
Clerk



Schedule "A" to By-Law No. 2005-053

TOWNSHIP OF SEGUIN RECREATION SITES

SITE NAME	LOCATION OF SITE - 911 ADDRESS
SALMON LAKE BOAT RAMP	Lot 25, Con.2, Foley - access from Birch Cres.
OTTER LAKE BOAT RAMP	Lot 24, Con 4, Foley-access from Bradshaw Rd.
OTTER LAKE NARROWS BOAT RAMP	Lot 25, Con 2, Foley
LITTLE OTTER LAKE BOAT RAMP	Lot 131, Con A, Foley - access from Elliott House Rd left after railway tracks
FOLEY MATHESON PARK	125 Rankin Lake Road
BARTLETT SPRINGS PARK	Lot 135, Con B, Foley- Oastler Lake
RANKIN LAKE BOAT RAMP	Lot 125, Con. A - access from Rankin Lake at public beach
FIRST LAKE BEACH - BLACKSTONE/CRANE LAKE RD	Lot 6, Con 2, Foley
OTTER LAKE-ACCESS FROM OTTER LK RD	Lot 20 , Con. 3. Foley
HORSESHOE PITS	Rankin Lake Road, Foley Activity Centre
HORSESHOE LK. BEACH AT FOLEY STN 2	McKaig Drive, Foley
HORSESHOE LAKE BOAT RAMP @ HERON RESTAURANT	Lot 1, Con 2, Humphrey
LAKE JOSEPH CENTENNIAL BEACH/ BOAT LAUNCH	Clear Lake Road.
ROSSEAU BALL DIAMOND	Maple Street, Rosseau
ROSSEAU WATERFRONT	Short Street, Rosseau
JESUIT BROTHERS GOV'T DOCK	Stanley House Road
MAPLE KEY PARK	Maple Lake Estates
MAPLE COVE PARK (LOST LAGOON)	Maple Lake Estates
CHRISTIE BALLFIELD	22 Sugar Lake Rd
ISABELLA LAKE BOAT LAUNCH	Former Christie Township
BLACK LAKE BOAT LAUNCH	Former Humphrey Township
TURTLE LAKE BOAT LAUNCH	Former Humphrey Township
WHITEFISH LAKE BOAT LAUNCH	Former Humphrey Township
BOAT LAUNCH - TALLY-HO /SWORDS MAPLE LAKE	Former Christie Township
SUCKER LAKE- END OF ROSSEAUVIEW	Former Humphrey Township
HAINES LAKE-access from Hwy 518.	Lot 13, Con 11, Foley Township
Christie Village Green	1231 Hwy 518
Horseshoe Lake Ball Diamond	Horseshoe Lake Rd
Park Land Behind Humphrey Firehall	Sandy Plains North
Play Area Adjacent to Rosseau Field House	3 Ash Street, Rosseau
Road Allowance between Lot 1, Plan M-395 & Lot 104, Concession A, Humphrey, Little Whitefish Lake	Vehicular access from Sandy Plains Road South
Road Allowance between Part Lot 31, Concession 12, Humphrey and Lot 5, Plan M-395 - Little Whitefish Lake	Vehicular access from Greenwood Camp Road
Road Allowance between Plan M490 Lot 1, Humphrey and Lot 35 , Con. 1 Christie to Horseshoe Lake	Vehicular access from Southwell Drive off Elsasser Road
Rosseau Park Area	Victoria Street, Rosseau