

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

By-law Number 06-67

BEING A BY-LAW TO REGULATE AND PROVIDE FOR THE ORDERLY USE AND OPERATION OF MUNICIPAL CAMPGROUNDS AND OTHER RECREATIONAL LANDS WITHIN ITS JURISDICTION

WHEREAS sections 11(2) and 94 of the Municipal Act, 2001, S. O. 2001 authorizes Council to pass by-laws to acquire, establish, maintain, operate and regulate municipal campgrounds and other recreational lands;

AND WHEREAS it is deemed advisable and necessary by this Council to prescribe and enforce regulations to govern the orderly use of campgrounds and other recreational lands set apart for public recreation through the Haliburton Highlands Water Trails program;

NOW THEREFORE the Council of the Township of Lake of Bays hereby enacts as follows:

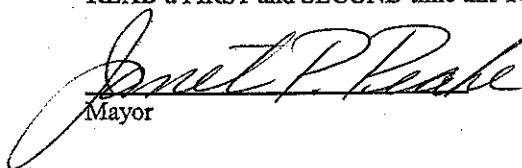
1. In this by-law:

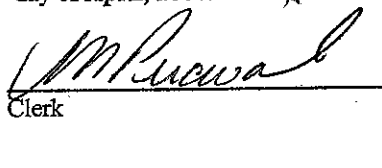
- a) "camp equipment" means any equipment used for the purpose of overnight sleeping accommodation, shelter or dining and includes but is not limited to tent, trailer, tent-trailer, recreational vehicle, camper back, dining shelter, boat, canoe, equipment trailer, ATV, or any motorized vehicle or other similar equipment used in the activity of camping;
- b) "campsite" shall mean a premises or area intended for personal use with camp equipment designated by a camp site number, post, marker, or other identification within a municipal campground;
- c) "municipal campground" means a premises or area of land established for use as a municipal campground operated by and within the jurisdiction of the municipality including lands within the municipal shoreline road allowance and lands described in a Land Use Permit issued by the Ministry of Natural Resources to the municipality;
- d) "portage" means a route, trail or passage way used to access, carry or transport a boat, or canoe and its cargo from one water body to another or from a point on land to a water body;
- e) "access point" means a location or point of access to and from public lands, lakes and municipal lands;
- f) "Ministry" means the Ministry of Natural Resources, Province of Ontario;
- g) "Land Use Permit" means a permit as issued by the Ministry of Natural Resources;
- h) "public lands" includes Crown lands whether or not covered with water;
- i) "Officer" means a Municipal By-law Enforcement Officer, a Provincial Offences Officer or a member of the Ontario Provincial Police who has been designated the responsibility of administering and enforcing this by-law;
- j) "Municipality" means The Corporation of the Township of Lake of Bays;
- k) "Open Air Burning By-law" means the Township of Lake Bays "Open Air Burning By-law";

- l) "occupier" includes,
 - (a) a person who is in physical possession of premises, or
 - (b) a person who has responsibility for and control over the condition of premises or the activities there carried on, or control over persons allowed to enter the premises, despite the fact that there is more than one occupier of the same premises; ("occupant")
- m) "premises" means lands and structures, or either of them, and includes,
 - (a) water,
 - (b) ships and vessels,
 - (c) trailers and portable structures designed or used for residence, business or shelter,
 - (d) vehicles and aircraft, except while in operation.
2. All lands affected by this By-law, including municipal campgrounds, campsites, access points and portages, shall be designated and described in Schedule "A" and located on a map in Schedule "C" attached to this By-law.
3. Campground - Campsite Capacities and Restrictions shall be as described in Schedule "B" attached to this By-law.
4. No person shall occupy any location within a municipal campground, except within a campsite.
5. No person shall permit more than the number of persons or of camp equipment shown on the campsite marker unless such persons comprise a single family group of parents and their children.
6. No occupier shall leave an occupied campsite unattended for a period of more than twelve (12) hours.
7. No person shall occupy any one campsite for more than seven (7) consecutive days.
8. Every person vacating a campsite shall remove all camp equipment and other personal property from the campsite, shall fully extinguish all fires, shall leave the campsite in a neat and tidy condition free of litter and other debris and shall otherwise restore the campsite as near as possible to its natural condition.
9. No person shall start a fire or permit a fire to continue to burn except in a fireplace provided by the municipality.
10. Despite section 9 of this by-law, no person shall start a fire or permit a fire to continue burning, contrary to the Open Air Burning By-law of the Municipality or the Forest Fire Prevention Act R.S.O 1990 Chapter F.24 and Ont. Reg. 207/96.
11. No person shall possess or ignite fireworks within a municipal campground.
12. Every person who starts a fire or who has control of a fire shall ensure the fire is attended and kept under control at all times and provide equipment and other resources on-site capable of controlling and extinguishing the fire.
13. No person using or occupying a municipal campground, campsite, access point or portage shall:

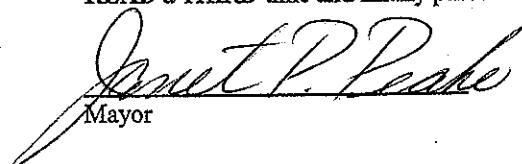
- a) remove, damage or deface any property including signs or equipment of the Municipality;
 - b) damage, cut or remove any plant or tree;
 - c) deposit litter or other debris;
 - d) abandon any motor vehicle, boat, trailer or any other camp equipment or related equipment upon the lands;
 - e) undertake any construction or make any excavation;
 - f) use abusive or insulting language, shout or make excessive noise disturbing other persons in the area at any time;
 - g) engage in horseplay or other rowdy or unruly behaviour that is disturbing, disruptive, annoying or unsafe to other users;
 - h) interfere, obstruct, block or prevent other lawful users from accessing and using such facility or land for its intended use.
14. Notwithstanding any other provision of this By-law, no action or activity shall be deemed to be in contravention of this By-law if written permission for such action or activity shall have first been obtained from the Council of the Municipality or its duly authorized representative in that regard.
15. An Officer investigating a complaint or who finds any person in contravention of this By-law or any other applicable provincial or federal statutes, may upon believed reasonable and probable grounds, order and/or evict those persons from the campground.
16. 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 the By-law shall be valid and remain in force.
17. Every person who contravenes any provision of this By-law:
- a) is guilty of an offence and upon conviction thereof, is liable to payment of a fine, as set out in Schedule "D" attached to this By-law, as provided for in the Provincial Offences Act;
 - b) who is convicted of an offence under subsection (a) and if the Municipality repairs or restores any of the facilities or other property that were damaged as a result of the offence, shall owe the cost to the Municipality of the repair or as a debt due to the Municipality by the person convicted of the offence and the debt may be recovered in a court of competent jurisdiction.
18. By-law 05-162 is hereby repealed in its entirety.

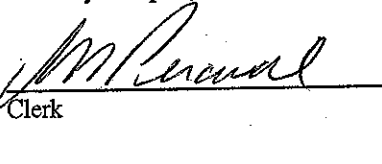
READ a FIRST and SECOND time this 18th day of April, 2006.


Mayor


Clerk

READ a THIRD time and finally passed this 18th day of April, 2006.


Mayor


Clerk

Schedule "A"
Township of Lake of Bays
Haliburton Highlands Water Trails

Description of Lands

1. Lands comprising those portions of the municipal shoreline road allowances fronting Crown Lands listed in section (2) within the Township of Lake of Bays;
2. Lands comprising those portions of Crown Lands within the geographic Township of Ridout listed as follows:

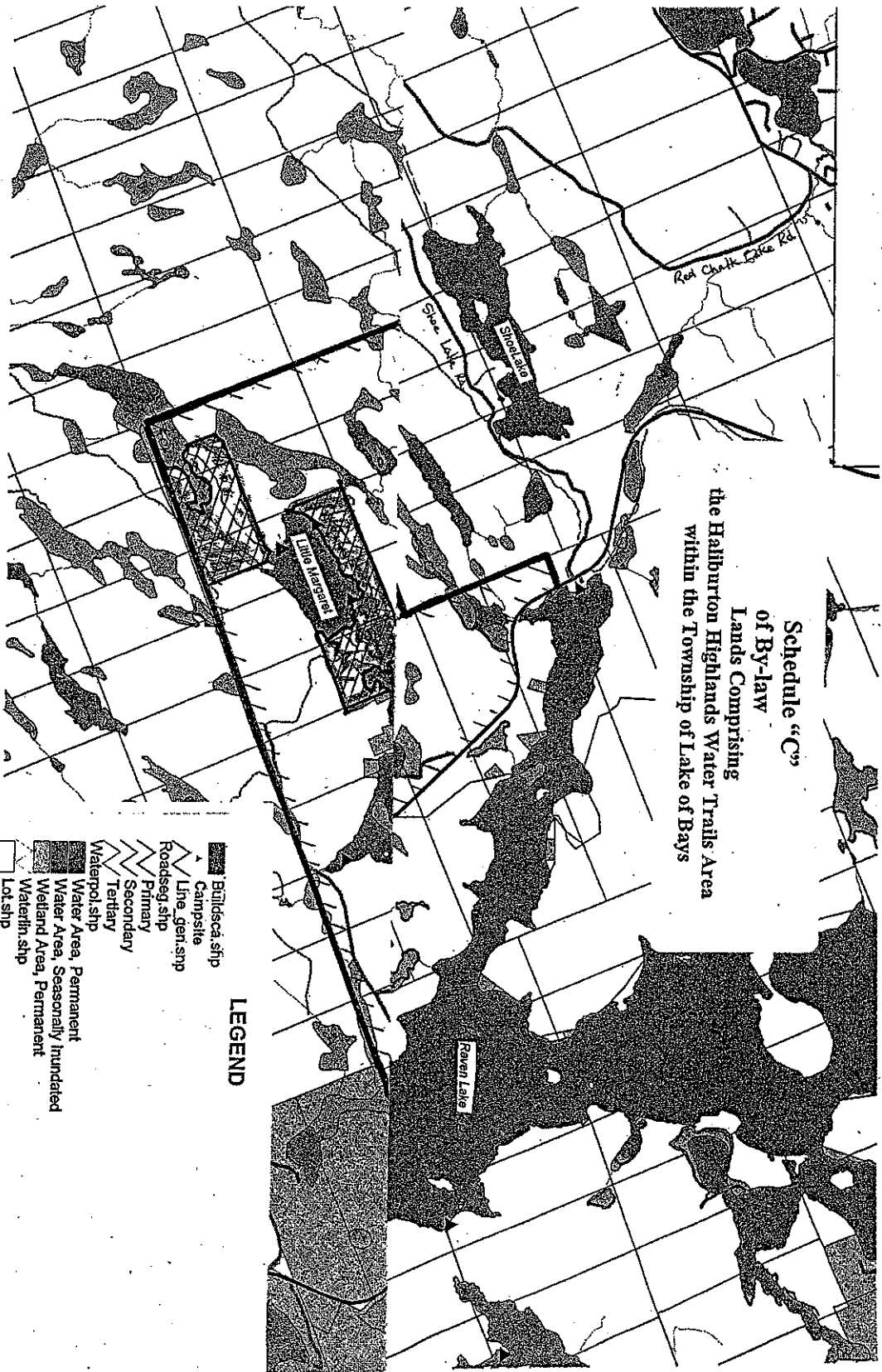
TOWNSHIP	LOT	CON	SAVING AND EXCEPTING
Note: This description is as per the Land Use Permit issued by the Minden Area Office of the Ministry of Natural Resources for the lands in Ridout Ward comprising a portion of the Haliburton Highlands Water Trails program (historically forming part of the Frost Centre lands).			

Schedule "B"
Township of Lake of Bays
Haliburton Highlands Water Trails

Campsite Capacities and Restrictions

<u>Waterbody</u>	<u>Campsite #</u>	<u>Max. # Persons</u>	<u>Max. # Tents</u>
Black Lake	8	4	1
	9	10	3
	9A	10	3
	73	Day Use Only – no camping	
	99	Closed permanently	
Black River	96	10	3
	97	4	1
Dan Lake	4	10	3
	114	6	2
Horse Lake	6	6	2
	7	4	1
	98	10	3
Little Margaret Lake	2	6	2
	75	6	2
	75 A	6	2
Margaret Lake	74	6	2
McEwen Lake	5	10	3
	5A	6	2
	107	6	2
	107A	10	3
Three Island Lake	3	6	2
	3 A	Closed permanently	

Schedule "C"
of By-Law
Lands Comprising
the Haliburton Highlands Water Trails Area
within the Township of Lake of Bays



LEGEND

- Buildings.sfp
- Campsite
- Line, gen.sfp
- Roadseg.sfp
- Primary
- Secondary
- Tertiary
- Waterpol.sfp
- Water Area, Permanent
- Water Area, Seasonally Inundated
- Wetland Area, Permanent
- Waterfn.sfp
- Lot.sfp
- Mfrden_owner.sfp
- 1
- 3

Schedule "C"
Township of Lake of Bays
Haliburton Highlands Water Trails
Map of Lands

As per the Schedule attached to the Land Use Permit issued by the Minden Area Office of the Ministry of Natural Resources for the lands in Ridout Ward comprising a portion of the Haliburton Highlands Water Trails program (historically forming part of the Frost Centre lands).

Schedule "D"
Township of Lake of Bays
Haliburton Highlands Water Trails

Set Fine Schedule

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

PART I Provincial Offences Act

By-law # 06-67, To Regulate and Provide for the Orderly Use and Operation of Municipal Campgrounds and other Recreational Lands

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence creating provision or Defining Offence	COLUMN 3 Set Fine (includes costs)
1.	Occupy location other than campsite	Section 4	\$200.00
2.	Excessive number of persons or tents occupying campsite	Section 5	\$100.00
3.	Leave occupied campsite unattended over time limit	Section 6	\$100.00
4.	Occupy campsite over time limit	Section 7	\$100.00
5.	Fail to restore campsite to its original condition	Section 8	\$200.00
6.	Fail to leave campsite in neat and tidy condition	Section 8	\$200.00
7.	Fail to remove camp equipment or other personal property from campsite	Section 8	\$100.00
8.	Fail to extinguish fire at campsite	Section 8	\$400.00
9.	Start fire other than in fireplace	Section 9	\$200.00
10.	Permit fire other than in fireplace	Section 9	\$350.00
11.	Possess fireworks	Section 11	\$200.00
12.	Ignite fireworks	Section 11	\$400.00
13.	Remove Municipal property	Section 13 (a)	\$150.00
14.	Damage Municipal property	Section 13 (a)	\$150.00
15.	Deface Municipal property	Section 13 (a)	\$150.00
16.	Unlawfully damage plant or tree	Section 13 (b)	\$150.00
17.	Unlawfully cut plant or tree	Section 13 (b)	\$400.00
18.	Unlawfully remove plant or tree	Section 13 (b)	\$400.00
19.	Deposit litter or other debris	Section 13 (c)	\$250.00
20.	Abandon vehicle, boat, trailer or other equipment	Section 13 (d)	\$200.00
21.	Unlawfully construct or make excavation	Section 13 (e)	\$400.00
22.	Use abusive or insulting language	Section 13 (f)	\$200.00
23.	Make excessive noise	Section 13 (f)	\$200.00
24.	Disturb other persons	Section 13 (f)	\$200.00
25.	Engage in horseplay	Section 13 (g)	\$200.00
26.	Engage in rowdy or unruly behavior	Section 13 (g)	\$200.00
27.	Interfere with lawful use	Section 13 (h)	\$200.00
28.	Obstruct access to facility or land	Section 13 (h)	\$200.00
29.	Block access to facility or land	Section 13 (h)	\$200.00
30.	Prevent use of facility or land	Section 13 (h)	\$200.00

Note: The penalty provision for the offences indicated above is Section 17 of By-law 06-67, a certified copy of which has been filed.