



THE CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NUMBER 2019 – 019

BEING a by-law to regulate the use of park lands within and to regulate parking on lands owned by the Corporation of the Municipality of Calvin.

WHEREAS under the *Municipal Act*, S.O. 2001, c. 25, Section 8, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS section 11 (3) of the Act provides for the passing of By-laws for matters within the spheres of jurisdiction which include:

- Highways, including parking and traffic on highways.
- Culture, parks, recreation and heritage.
- Structures, including fences and signs. and
- Parking, except on highways.

AND WHEREAS pursuant to the provisions of Section 425 (1) of the *Municipal Act*, Council of all municipalities may pass a By-Law providing that a person who contravenes any By-Law of the Council passed under the authority of the *Municipal Act* is guilty of an offence;

AND WHEREAS Council deems it appropriate to pass a by-law to control the use of public lands which the Corporation owns, to regulate such use and protect said lands and to regulate parking;

NOW THEREFORE the Council of the Corporation of the Municipality of Calvin does enact as follows:

1. DEFINITIONS

- a. “camping” is to be defined as the setting up of and/or use of equipment, tents, trailers, recreational or other vehicles, or any other material which could be used for temporary sleeping accommodations;
- b. “overnight” is defined as the hours *between 23:00 h and 5:00 h*;
- c. “Highway” includes a common and public highway, driveway etc. for or used by the general public for the passage area between the lateral property lines thereof.

2. OVERNIGHT CAMPING

- a. **THAT** no overnight camping be permitted at the public boat launch at Smith Lake or the municipal grounds surrounding the Municipal Office/Community Centre/Public Works Garage and/or the Calvin Fire Hall;
- b. **THAT** all recreational vehicles and/or camping equipment be removed from boat launch sites between *23:00 h and 5:00 h*;
- c. **THAT** on a case by case basis, the stopping of the travelling public for health and safety purposes on an overnight basis might be allowed, with written permission from the Municipality;

3. PARKS AND ANIMALS

- a. **THAT** dogs are not permitted at Municipal Office/Community Centre/Public Works Garage grounds during public events unless on a leash and under the control of their owners at all times;
- b. **THAT** at all other times, pets are allowed so long as they remain under the care and control of their owners at all times;
- c. **THAT** all dog owners practice responsible pet ownership and monitor their animals at all times to ensure that their behaviour is not detracting from the enjoyment of others and remove them when they are;
- d. **THAT** pet owners practice responsible pet ownership including but not limited to poop and scoop habits while on municipal property.

4. BOAT LAUNCHES

- a. **THAT** water vehicles (boats) shall not be parked overnight at the municipal launch facilities at Smith Lake or during the day for any period of over 1 hour.
- b. **THAT** no overnight vehicle parking be allowed at the Smith Lake boat launch except in the designated spots assigned to water access only property owners with the appropriate permits. Any vehicles left overnight may be towed at the owner's expense.
- c. **THAT** all recreational vehicles and/or camping equipment be removed from boat launch sites between 23:00 h and 5:00 h except in emergency situations;

5. WATER ACCESS ONLY PROPERTIES

- a. **THAT** there will one parking spot per property allocated to each Water Access ONLY property.
- b. **THAT** each Water Access ONLY property owner must obtain a parking permit from the Municipal Office at an annual fee of \$125.00.
- c. **THAT** each Water Access ONLY property owner must park in the designated area for Water Access ONLY properties.
- d. **THAT** while parked in the designated parking area, the permit must be prominently displayed on the vehicle.

6. FIRE

- a. **THAT** no campfires of any type are allowed at any municipal boat launch or other municipal property except on an emergency basis.

7. SNOWPLOW TURNAROUNDS

- a. **THAT** no parking is permitted at any time of the day or night in designated municipal snowplow turn-arounds from November 1 – April 1 of each year;
- b. **THAT** vehicles parked in the snowplow turn-arounds may be towed at the owner's expense.
- c. **THAT** no person shall park a vehicle on any part of the highway in such a manner as to interfere with municipal services, such as snow plowing or the removal of ice or snow.
- d. **THAT** from November 1st to April 1st, no person shall park a vehicle except a vehicle used for emergency purposes, on any part of a road or highway at any time of the day or night to allow for snow plowing and /or snow removal operations. Snow plowing and/or snow removal operations are implemented when three inches (3") or more of snow has fallen or when snow banks must be reduced and vehicles parked on any part of a road or highway during the above-mentioned months will be towed at the owner's expense.

8. VEHICLES SUBJECT TO REMOVAL WHEN ILLEGALLY PARKED

- a. In addition to any other penalties provided by this By-Law, upon discovery of a vehicle parked, stopped or standing on any highway in contravention of any provisions of this By-Law, or apparently abandoned on any municipal or public property, any Provincial Offences Officer may cause such vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charge, for removing the vehicle and storage thereof, if any, are a lien upon the vehicle being released and may be enforced in the manner provided by the *Repair and Storage Liens Act*.

9. SIGNS - ERECTION OF SIGNS, ETC.

- a. The Municipality of Calvin's Recreation Supervisor and/or Road Superintendent are hereby authorized and directed to erect and maintain such signs, markings, barricades and other structures, plant and equipment as are required to give effect to this By-Law and as are required to regulate, direct, warn or guide pedestrians and vehicular traffic for the safety and convenience of the public.

10. The provisions of this By-Law shall be subject to the provisions of the Highway Traffic Act, R.S.O. 1990, Chapter H-8, as amended and to any regulations made thereunder and any reference in this By-law to the said Highway Traffic Act or any provision thereof shall be deemed to be a reference to the said Highway Traffic Act or provisions thereof as amended or re-enacted from time to time.

11. DEFACING SIGNS AND TRAFFIC SIGNALS

a. No person shall move, remove, deface or in any way interfere with any sign or marking placed, erected or maintained under this By-Law.

12. PENALTIES

a. Any fine imposed or offence created by this By-Law is subject to the provisions of Part II of the Provincial Offences Act, R.S.O., 1990, c.P. 33, as amended.

13. OFFENCES

a. Every person who contravenes any of the provisions of this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*.

14. ENFORCEMENT

a. That the municipal By-Law Enforcement Officer, a Police Officer or other designate appointed by the Municipality be authorized to enforce this by-law.
b. That enforcement will be complaint driven.

15. SEVERABILITY

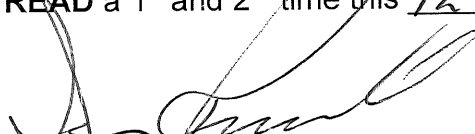
a. If any part of this By-Law shall be declared void such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this By-Law.

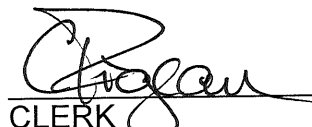
16. CONFLICT

a. In the event of conflict between this By-Law and any other By-Law passed prior to the effective date of this By-Law, the provision of this By-Law shall take precedence.

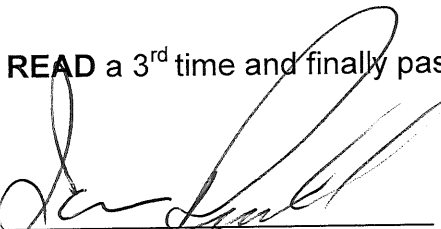
17. **THAT** this by-law comes into effect upon it's passing;


READ a 1st and 2nd time this 12 day of November 2019.


MAYOR


CLERK

READ a 3rd time and finally passed this 12 day of November, 2019.


MAYOR


CLERK