

**SUMMER VILLAGE OF ISLAND LAKE SOUTH  
BYLAW NO 102-17**

**BEING A BYLAW TO CONTROL AND REGULATE THE USE OF THE DOCK BELONGING TO THE SUMMER VILLAGE OF ISLAND LAKE SOUTH.**

**WHEREAS**, THE Council for the Summer Village of Island Lake South may pass bylaws for Municipal purposes respecting the safety, health, welfare and the protection of people and property; and

**WHEREAS**, the council for the summer Village of Island Lake South, for the safety, enjoyment and protection of the residents and property, wishes to pass a by-law to regulate and limit the use of the dock provided by the Summer Village for the Summer Village residents;

**NOW THEREFOR**, The Municipal Council of the Summer Village of Island Lake South, in Council, duly assembled, enacts as follows:

**1. Definitions**

- a. "Administrator" means the person appointed as the Administrator for the Municipality pursuant to The Municipal Government Act.
- b. "Council" means the Council of the Summer Village of Island Lake South
- c. "Designated officer" means a person appointed by the Municipality to enforce this Bylaw and shall include the Administrator and a Peace Officer;
- d. "Dock" is the structure used for the purpose of mooring vessel(s) and for providing pedestrian access to and from moored vessel(s) and can consist of a single dock, wharf or pier, including walkway and access ramp and in this case will refer to the dock belonging to The Summer Village of Island Lake South.
- e. "Local authority" shall mean the Summer Village of Island Lake South.
- f. "Moor" means to make secure a vessel by attaching it to the shore, to an anchor or to a dock or other object.
- g. "Municipality" means The Summer Village of Island Lake South.
- h. "Peace Officer" means a peace officer as defined in The Summary Offences Procedures Act.

- i. "Personal watercraft" is a jet propelled vessel typically ridden in a similar style as a motorcycle and commonly referred to as a Jet Ski, Sea Doo or Wave Runner.
- j. "Season" shall mean the time period from May 15<sup>th</sup> to September 15<sup>th</sup> inclusive.
- k. "Vessel" means every type of boat used or capable of being used solely or partly for navigation in, on, through or immediately above water, without regard to method or lack of propulsion.

## **2. Regulations**

- a. No person shall moor any vessel or personal watercraft on the dock who is not a resident or guest of a resident of the Summer Village of Island Lake South.
- b. There will be no overnight mooring on the dock.
- c. The dock will be unattended and residents will use at their own risk.

## **3. Inspections**

- a. The inspection of property by a designated officer to determine if this Bylaw is being complied with is hereby authorized.
- b. No person shall obstruct a designated officer or a person who is assisting a designated officer.
- c. Any person stopped, detained or otherwise, pursuant to this bylaw shall be required to give his or her name, date of birth, address and any other reasonable information on request of the designated officer requesting the information so long as that person is readily identifiable as a designated officer and in the lawful execution of his or her duties and responsibilities.

## **4. Enforcement of Bylaw**

- a. The administration and enforcement of this Bylaw is hereby delegated to a designated officer for the Municipality during the season.

- b. Failure to comply with this bylaw shall result in, in addition to any fine imposed, having the vessel being removed by the Municipality or an authorized representative of the Municipality, the cost of which shall be invoice to the owner.
- c. The Municipality may recover costs associated with the actions taken in the enforcement of this bylaw by civil action in court.
- d. No person shall
  - i.) obstruct or hinder any designated officer or any other person acting under the authority of this Bylaw: or
  - ii.) Fail to comply with any other provision of this Bylaw.

## **5. Penalties**

- a. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction:
  - i) In the case of a first offence, to a maximum fine of \$500.00;
  - ii) In the case of a second or any subsequent offence, to a maximum fine of \$1,000.00

## **6. Notice of Violation**

- a. Notwithstanding section 5a, a designated officer may issue a notice of violation to any person committing a first or second offence under this bylaw.
- b. The notice of violation shall require the person to pay to the Municipality a fine as described in section 5.
- c. The amount specified on the notice may be paid by mail, to the Summer Village of Island Lake South.
- d. The imposition of any penalty for violation of this bylaw shall not relieve the person from complying with this bylaw.

## **7. Severability**

- a. If a Court of competent jurisdiction should declare any section of this bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the

bylaw and it is hereby declared that the remainder of the bylaw shall be valid and shall remain in force and effect.

**8. Coming into Force**

- a. This bylaw shall come into force and take effect on final passing thereof.

READ A FIRST TIME THIS            DAY OF            A.D. 2017

READ A SECOND TIME THIS            DAY OF            A.D. 2017

READ A THIRD TIME AND FINALLY PASSED THIS            DAY OF            A.D. 2017

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MAYOR

\_\_\_\_\_  
ADMINISTRATOR