



The Municipal Corporation of the Town of Fort Erie

By-law No. 55-2019

Being a By-law to Amend By-law No. 119-03 (To Regulate the Use of Parks and Beaches in the Town of Fort Erie) (General Regulations and Prohibitions)

Whereas By-law No. 119-03, as amended, was passed by the Municipal Council of the Town of Fort Erie on the 26th day of May, 2003 to regulate the use of Parks and Beaches in the Town of Fort Erie; and

Whereas Report No. IS-03-2019 was received for information purposes at the Council-in-Committee Meeting held February 19, 2019 and directed that a public meeting be held on March 4, 2019 to receive comments from the public, and to bring forward a recommendation report at the March 18, 2019 Council-in-Committee Meeting; and

Whereas Report No. IS-03-1-2019 was accepted and approved, as amended, at the Council-in-Committee Meeting held March 18, 2019 to seek Council's direction on the policies for operational changes at Bay Beach and passed the following recommendations:

- Council directs staff to proceed with Option 1 modified to charge \$10.00 for season passes for residents and children 10 years of age and under free, for Beach Admission at Bay Beach, and further
- Council directs staff to proceed with Option 1 for access through the Ashwood Road allowance to Bay Beach (Full access entrance and exit), and further
- Council directs staff to proceed with Option 2 for security at Bay Beach (Contracted security service), and further
- Council directs staff to proceed with Option 1 for on-street parking in the vicinity of Bay Beach (Paid on-street parking), and further
- Council directs staff to review all aspects of operation of Bay Beach prior to the end of 2019 and report to Council; and

Whereas it is deemed necessary to further amend Parks and Beaches By-law No. 119-03 to include additional Regulations and Prohibitions.

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** By-law No. 119-03, as amended, is further amended under Section 3 General Regulations and Prohibitions by inserting immediately after subsection (o) the following:

“(p) no person shall bring to any park an umbrella(s) with a centre pole greater than 2.3 metres (7 ft. 6 ins.) in height and/or a maximum shade area of 2.47 metres (9 ft.), table(s), tent(s), tarp(s), cabana(s), pavilion(s), sports-brella(s), or the like.”

- 2. That** By-law No. 119-03, as amended, is further amended by adding the following section immediately following Section 3, as follows:
- “3.1 (a) No person shall defecate or urinate in any park except in a public washroom.
- (b) Every person who contravenes subsection 3.1 (a) of this by-law is guilty of an offense and is liable to the set fine established under Schedule “C” attached and forming part of this by-law.
- (c) The set fine established in Schedule “C” of this by-law shall come into force and effect upon receipt of the Judge’s Order from the Ministry of the Attorney General.”
- 3. That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 23rd day of April, 2019.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 55-2019 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20_____.

SCHEDULE “A” TO BY-LAW NO. 55-2019

**SCHEDULE “C”
TO AMEND PARKS AND BEACHES BY-LAW NO. 119-03**

**Town of Fort Erie By-law No. 119-03,
as amended**

Title: Regulation of Parks & Beaches

PART I – PROVINCIAL OFFENCES ACT

	COLUMN 1	COLUMN 2	COLUMN 3
Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1.	Defecate or urinate in any park except in a public washroom	Section 3.1 (a)	\$500.00

NOTE: **The general penalty section for the offence listed above is Section 3.1 of By-law No. 119-03, as amended, a certified copy of which has been filed.**