THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

BY-LAW NUMBER 6-2013

Being a By-Law to Regulate a Dynamic Beach Park
and Commonly Known as North Sauble Beach Park
in the Town of South Bruce Peninsula

WHEREAS the Municipal Act, 2001 S.O. 2001 c.25 s.9 provides that Section 8 and 11 of the Municipal Act, 2001 shall be interpreted broadly so as to confirm broad authority on the Town to enable it to govern its affairs as the Council considers appropriate, and to have the Town’s ability to respond to Municipal issues.

AND WHEREAS the Council deems it desirable to pass a by-law for the prohibition or regulation of the activities that are carried out on the North Sauble Beach Park in the Town of South Bruce Peninsula.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF SOUTH PENINSULA ENACTS AS FOLLOWS:

1. **SHORT TITLE**

   This By-Law may be also known as the “Dynamic Beach By-Law”

2. This by-law applies to those lands described in Schedule “A” attached hereto and forming part of this by-law.

3. **DEFINITIONS**

   For the purpose of this by-law the following definitions apply:

   3.1 **“Animal”**

   Means any member of the animal kingdom, other than a human, without limiting the generality of the foregoing, including dogs, cats, birds, cows, horses, pony, mule, donkey, jackass, goat, sheep and cow on any land described in Schedule A.

   3.2 **“Beach”**

   As referred to in this by-law shall mean those lands described in Schedule A which are not covered by water.

   3.3 **“By-Law Enforcement Officer/Provincial Offences Officer”**

   Means person appointed to enforce the By-laws of the Town.

   3.4 **“Clerk”**

   Means the Clerk of the Corporation of the Town of South Bruce Peninsula.
3.5 “Council”
Means the Council of the Corporation of the Town of South Bruce Peninsula.

3.6 “Camp or Camping”
Meaning a temporary shelter such as a tent, hut or other temporary dwellings.

3.7 “Littering”
Means any placing or disposing of any dirt, paper, cups, handbill, household waste oil or gas, or any refuse.

3.8 “Motor Vehicle”
Means any motorized vehicle, any motor driven cycle, motorcycle or snowmobile as defined in the Motor Vehicle Act or an Off road vehicle as defined in the Off-Road Vehicle Act and includes any trailer or accessory attached to the motor vehicle, but does not include bicycles, wheelchairs or motorized wheelchairs.

3.9 “Service Animal”
As defined in the Accessibility for Ontarians With Disabilities Act, 2005 as may be amended from time to time, a service animal is an animal for a person with a disability if it is readily apparent that the animal is used by the person for reasons relating to his or her disability or if the person provides a letter from a physician or nurse confirming that the persons requires the animal for reasons relating to the disability.

3.10 “Tent”
Means any portable shelter, dwelling that you are unable to see through, but does not include a sun canopy or kitchen tent that does not contain sides.

3.11 “Town”
Means the Corporation of the Town of South Bruce Peninsula.

4. GENERAL PROVISIONS

4.1 No person(s) shall drive a motor vehicle on the beach as described in Schedule A of this by-law.

4.2 No person(s) shall use a generator or other such devices that are powered by gas, diesel, propane, or any other fuel on the beach as described in Schedule A of this by-law.

4.3 No person(s) shall permit, allow or carry a dog on the beach from May 1st to September 30th in each and every year as described in Schedule A of this by-law.

4.4 No person(s) shall camp overnight on the beach as described in Schedule A of this by-law.

4.5 No person(s) shall erect a tent on the beach as described in Schedule A of this by-law,
4.6 No person(s) shall cut damage or remove dune grass or plants or trees from the beach as described in Schedule A of this by-law.

4.7 No person(s) shall use any device for the purpose of cooking while on the beach as described in Schedule A of this by-law.

4.8 No person(s) shall set fire of any kind on the beach as described in Schedule A of this by-law.

4.9 No person(s) shall deposit litter on the beach as described in Schedule A of this by-law other than in garbage barrels provided for such litter.

4.10 No person(s) shall build a solid structure made of any material on the beach as described in Schedule A of this by-law.

4.11 No person(s) shall offer for sale any item on the beach as described in Schedule A of the by-law.

4.12 Notwithstanding Subsection 4.3 above, no person(s) shall permit or cause an animal to be on the beach as described in Schedule A of this by-law.

5. **GENERAL EXEMPTIONS**

5.1 This by-law does not apply to:

a. All service animals while performing or training for their duties. Example: seeing eye, hearing impaired, police and any other animal that is certified for a job and is engaged in performing or training for their duties.

b. Any activities or function approved by the Town of South Bruce Peninsula.

c. By-Law Department employees while performing their duties.

d. All police officers while performing their duties.

e. All medical rescue personnel while performing their duties.

f. All employees and designates of the Town of South Bruce while performing their duties.

6. **PENALTY**

6.1 No person(s) shall interfere with an officer while performing their duty pursuant to this by-law.
6.2 Every person(s) who violates a provision of this by-law is guilty of an offence and upon conviction is liable to the penalty as provided in Section 61 of the Provincial Offences Act R.S.O 1990 Chapter 33 as amended from time to time.

7. THAT any by-law or a portion thereof that is inconsistent with this by-law is hereby repealed.

8. THAT this by-law shall take effect upon the passing thereof.

READ A FIRST AND SECOND TIME THIS 15TH DAY OF JANUARY, 2013.

READ A THIRD TIME AND FINALLY PASSED THIS 15TH DAY OF JANUARY, 2013.
SCHEDULE “A”

BY-LAW NUMBER 6-2013

Property:

1. South Bruce Peninsula property 152 Lakeshore Blvd-legal text Accretion of Lands in front; of Concession D Lots 26 to 29 property tax roll 4102540001116601. This property runs from Sauble Falls Road (also known as Groves Point) southerly to 6th Street, Sauble Beach and westerly to water’s edge.

2. South Bruce Peninsula property 1120 Lakeshore Blvd-legal text Accretion of Lands in front of; Lots 31 to 34 Concession D. This property runs southerly from 5th Street, Sauble Beach to 110 Lakeshore Blvd. and westerly to water’s edge.

Exemptions to this section are listed below and known as Section 1, 2, 3, 4, 5 and 6 of Schedule “A” of this by-law unless written permission has been given on a yearly basis to enforce the provisions of this by-law.

1 That is west of Lakeshore Blvd. and South of Sauble Falls Road (known as Groves Point) being the property Tax Roll 41-02-540-015-32000-000 Concession D Part Lot 34.

2 That is west of Lakeshore Blvd. being the property Tax Roll 41-02-540-011-16500-0000 and being Concession D Part Lot 26.

3 That is west of Lakeshore Blvd. North being the property Tax Roll 41-02-540-011-16300-0000 and Concession D Part Lot 26.

4 That is west of Lakeshore Blvd North being the property Tax Roll 41-02-540-011-16301-0000 and being Concession D Part Lot 26.

5 That is west of Lakeshore Blvd. North being the property Tax Roll 41-02-540-011-16200-0000 and being Concession D Part Lot 26.

6 That is west of Lakeshore Blvd. North being the property Tax Roll 41-02-540-013-21201-0000 Plan 378 Lot A Accretion W; of Lot30 Concession D.
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### Schedule A Exemptions #3 & 4

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TOWN OF SOUTH BRUCE PENINSULA

BYLAW 05-2013

SCHEDULE "A" EXEMPTION #5

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TOWN OF SOUTH BRUCE PENINSULA

BYLAW 05-2013

SCHEDULE “A” EXEMPTION #6

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<tr>
<td>Legal Text</td>
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<td>ITEM</td>
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<td>------</td>
<td>--------------------</td>
</tr>
<tr>
<td>1</td>
<td>Have motorized vehicle on Beach</td>
</tr>
<tr>
<td>2</td>
<td>Have generator or other such devices on Beach</td>
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<tr>
<td>3</td>
<td>Had dog on Beach May 1(^{st}) to Sept. 30(^{th}) in each and every year</td>
</tr>
<tr>
<td>4</td>
<td>Camping on Beach</td>
</tr>
<tr>
<td>5</td>
<td>Had tents on Beach</td>
</tr>
<tr>
<td>6</td>
<td>No cutting/damaging removing dune grass, plants or trees</td>
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<tr>
<td>7</td>
<td>Had cooking device on Beach</td>
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<tr>
<td>8</td>
<td>Had open fire on Beach</td>
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<tr>
<td>9</td>
<td>Deposit Litter on Beach</td>
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<td>10</td>
<td>Had solid structure on the Beach</td>
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<td>11</td>
<td>Offered for sale any item on Beach</td>
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<tr>
<td>12</td>
<td>Interfere with Officer while performing their duties</td>
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<tr>
<td>13</td>
<td>Permit or cause an animal to be on the Beach</td>
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NOTE: THE PENALTY PROVISIONS FOR THE OFFENCE(S) INDICATED ABOVE IS / ARE SECTION 6 OF BY-LAW NUMBER 6-2013 OF WHICH A CERTIFIED COPY HAS BEEN FILED.