

CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS

BY-LAW NUMBER 27-2002

Being a By-law to prohibit certain activities and classes of motor vehicles from using the Georgian Bluffs Trail.

WHEREAS the Municipal Act, R.S.O. 1990, c.M.45, Section 102. as amended, states that every council may pass such by-laws and make such regulations for the health, safety morality and welfare of the inhabitants of the municipality in matters not specifically provided for in the Act;

AND WHEREAS the Municipal Act, R.S.O. 1990, c.M.45, Section 207 subsection 42. as amended provides for prohibiting carriages, wagons, bicycles, sleighs and other vehicles and conveyances of every description, and whatever the motive power, or any particular kind or class of such vehicles or conveyances being upon, or being used, drawn, hauled or propelled along or upon, any sidewalk, pathway or footpath, used by or set apart for the use of pedestrians and forming part of any highway or bridge, boulevard or other means of public communication, or being in or upon any highway, boulevard, park, park-lot, garden or other place set apart for ornament or embellishment or for public recreation;

AND WHEREAS the Township of Georgian Bluffs is the owner of approx. 15.8 km of abandoned rail line which is now known as the Georgian Bluffs Trail;

AND WHEREAS the Council of the Corporation of the Township of Georgian Bluffs deems it desirable to prohibit certain activities and classes of motor vehicles from using the Georgian Bluffs Trail;

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS ENACTS AS FOLLOWS:

PART 1 – DEFINITIONS

- 1.1 “Georgian Bluffs Trail” – shall mean those lands owned by the Township of Georgian Bluffs that were previously used as a rail line or any other lands owned or designated by the Corporation as a trail.
- 1.2 “ Corporation” – shall mean the Corporation of the Township of Georgian Bluffs.
- 1.3 “ By-law Enforcement Officer” – shall mean a person or persons duly appointed by the Corporation to enforce the provisions of this By-law.
- 1.4 “Unauthorized Motor Vehicle” – shall include an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, **but does not include** a motorized snow vehicle, farm tractor or (ATV) all terrain vehicle.
- 1.5 “No Unauthorized Motor Vehicle Sign” – shall mean a display sign as posted by the Corporation.
- 1.6 “Person” – means a natural individual, including women as well as men and includes their heirs, executors, administrators, or other legal representative of such person to whom the context can apply according to law, as well as artificial beings such as corporations.

PART 2 – GENERAL PROVISIONS

- 2.1 The Corporation shall post “No Unauthorized Motor Vehicle Signs” at those locations on the Georgian Bluffs Trail as determined by the Corporation.
- 2.2 When “No Unauthorized Motor Vehicle Signs” have been erected and are on display, no person shall operate or cause to be operated an unauthorized motor vehicle on the lands known as the Georgian Bluffs Trail, within the limits of the Corporation except for those used in the course of construction, maintenance, enforcement or emergency purposes or where the prior approval of the Corporation has been obtained in writing.
- 2.3 No person shall hunt or discharge a firearm from or across the traveled portion of the Georgian Bluffs Trail.
- 2.4 Only nuisance trapping will be allowed on the Georgian Bluffs Trail with prior written approval by the Council of the Township of Georgian Bluffs.
- 2.5 No person shall remove signs, plant life, trees or shrubs from the Georgian Bluffs Trail.
- 2.6 No person shall litter/dump garbage or deface the Georgian Bluffs Trail property.
- 2.7 No person shall operate or cause to be operated an (ATV) All Terrain Vehicle on the Georgian Bluffs Trail without first obtaining a trail permit from the Township of Georgian Bluffs and pay an annual permit fee of \$10.00 or as otherwise set from time to time by Council resolution.
- 2.8 No person shall operate or cause to be operated an (ATV) All Terrain Vehicle on the Georgian Bluffs Trail between November 30th in any year and April 1st, in the following year.

PART 3 – ENFORCEMENT AND PENALTIES

- 3.1 No person shall obstruct or interfere with an officer in the lawful execution of their duty enforcing the provisions of this by-law.
- 3.2 The By-law Enforcement Officer appointed by Council to enforce the provisions of this by-law shall enforce this by-law.
- 3.3 Every person who contravenes this by-law is guilty of an offence and upon conviction is liable to a minimum fine of \$300.00 or as provided for in Section 61 of the Provincial Offences Act, R.S.O. 1990, chapter P.33, as amended or re-enacted from time to time.

PART 4 – ENACTMENT AND READINGS

4.1 That this By-law shall come into full force and effect upon the final passing hereof.

Read a first and second time this _____ day _____ 2002.

Read a third time and passed this _____ day of _____ 2002.

Mayor – Larry Miller

Clerk – Kenneth Clarke