

The Corporation of the City of Kenora

By-Law Number 100 - 2011

A By-Law to Regulate the Use of Municipal Docks and Anchorages within the City of Kenora

Whereas the Corporation of the City of Kenora owns numerous waterfront properties with docking facilities as well as water lots utilized for boat anchorages; and

Whereas Council adopted By-law Number 9-2010 on the 18th Day of January 2010, adopting a municipal dock policy; and

Whereas Council deems it expedient to regulate the use of such City facilities and property;

Now Therefore the Council of the Corporation of the City of Kenora hereby enacts as follows:

PART 1 DEFINITIONS

- 1.1 **“Abandoned”** means a boat which is parked in contravention in contravention of this by-law for a period in excess of 48 hours.
- 1.2 **“Boat”** means any vessel which floats on water and includes an aircraft on floats.
- 1.3 **“By-Law Enforcement Officer”** means a Municipal Law Enforcement Officer appointed by the City.
- 1.4 **“City”** means the Corporation of the City of Kenora.
- 1.5 **“Launching Ramp”** means an area adjacent to or used in connection with a City dock, which is not a structure, and which serves as an area to launch or recover boats from the water, and which is owned by or leased to the City of Kenora.
- 1.6 **“City Dock”** means a dock, wharf, pier or Mooring Buoy owned by the City.
- 1.7 **“City Property”** means any property owned by the City adjoining water or comprising a water lot underwater, and includes all docks or other City facility on such property.
- 1.8 **“Seasonal Docking”** means the period from May 1st to October 31st in each calendar year

- 1.9** “**Facility Coordinator**” means the facility coordinator duly appointed from time to time by the City.
- 1.10** “**Moor**” means securing a boat to only those locations outlined in this by-law including anchoring or securing to a buoy, and beaching a boat on the shore.
- 1.11** “**Owner**” includes the person having possession or care and custody of a boat.

PART 2 GENERAL

- 2.1** No person shall moor a boat on any City Dock or other City Property except as specifically permitted by this By-law.
- 2.2** Where an area is designated as loading/unloading, mooring shall be restricted to actually loading or unloading passengers or cargo, and in any event, such mooring shall not exceed 15 minutes.
- 2.3** Where boat mooring is designated by length of time, the boat shall be removed from the dock for a minimum of one hour before being permitted to moor at the same dock or anchorage again.
- 2.4** No person shall park a boat at any City dock, wharf or launching ramp between the hours of 12.01 a.m. and 6:00 a.m. unless specifically permitted by this by-law
- 2.5** No person shall park a boat at any time in a location which would impede or interfere with the use of a launching ramp
- 2.6** No person shall load or unload a boat at a designated launching ramp under power of the boats propulsion system
- 2.7** No person shall store cargo or other material on any dock in excess of 15 minutes, or store such cargo or other material so as to impede others from reasonably using the dock.
- 2.8** No boat shall be permitted to moor at any City Dock which exceeds 21 feet (6.4 meters) in length at its longest dimension, except when authorized by the Facilities Coordinator
- 2.9** Mooring of boats is permitted without a permit at the docks identified, for the times, and during the periods set out in Schedule A.
- 2.10** Mooring of boats is permitted with a permit at the docks identified, for the times, and during the periods set out in Schedules A & B.
- 2.11** The provisions of this By-law do not apply to employees of the City of Kenora in the course of their employment, or to police, fire and ambulance personnel in the course of attending upon an emergency.

PART 3 SEASONAL MOORING PERMITS

- 3.1** An applicant for a Seasonal mooring permit shall provide a completed application in the form provided by the City, together with the applicable fee to the City of Kenora, as per General Tariff of Fees and Charges.
- 3.2** A seasonal permit for mooring expires on October 31st of the year in which it was issued.
- 3.3** Permits for mooring will be issued by the City of Kenora, issued on a first come, first served basis.
- 3.4** Seasonal permits for mooring will be renewed to the existing holder provided that same is renewed on or before April 15th of the year.
- 3.5** Season docking space located on the north side of Coney Island ,only owners of interior properties are eligible to apply for those seasonal spaces and limited to one space unless space is available on a first come first serve basis.
- 3.6** A mooring permit shall be displayed on a boat such that it is easily visible from the dock to which it is affixed, and in respect of a boat which is anchored or attached to a buoy, such permit shall be visible in the front windshield.
- 3.7** Where the owner of a boat is in violation of this By-law and the Facility Coordinator deems it appropriate to do so, he or she may cancel the mooring permit and thereafter, the permit shall be void.
- 3.8** Where a permit has been cancelled by the Facilities Coordinator, and the owner believes such cancellation to be unjustified, he or she may appeal in writing to the Clerk of the City within 10 days of being notified of the cancellation.
- 3.9** Upon receipt of Notice of Appeal, the Clerk shall hear the appeal orally, or in writing as he or she deems appropriate, and the Clerk's decision shall be final.
- 3.10** The City will not issue refunds for cancelled permits.

PART 4 MOORING BOUYS

- 4.1** Boats over (40) feet in length shall not be anchored or attached to a mooring buoy
- 4.2** Mooring Buoy usage shall be based on a maximum 72 hour period per each mooring buoy
- 4.3** A mooring permit is valid only for the specific location for which it is issued
- 4.4** Mooring buoys shall not be tampered or moved from their designated spot
- 4.5** An applicant for a Mooring buoy permit shall provide payment for the period of use to the City of Kenora, as per General Tariff of Fees and Charges.

PART 5 ENFORCEMENT

- 5.1 Any person who contravenes a provision of this By-law is guilty of an offence, and upon conviction, shall be subject to the penalties provided for in the *Provincial Offences Act*.
- 5.2 Where a By-Law Enforcement Officer or the Facility Coordinator finds a boat moored in contravention of this By-law, he or she may arrange for the boat to be removed to a secure storage area.
- 5.3 Where a boat and or cargo have been removed to a storage area, it shall be released to the owner upon payment of all removal costs, storage costs, and a City administration fee of \$250.
- 5.4 Where a By-law Enforcement Officer or the Facility Coordinator finds cargo, material or other personal property stored on City property in contravention of this By-law, he or she may arrange for same to be removed to a secure storage area.

PART 6 MISCELLANEOUS

- 6.1 Schedules A, B, & C attached to this By-law are hereby incorporated into and form part of this By-law.

PART 7 EFFECTIVE DATE

- 7.1 This By-law shall be in full force and effect on the third and final reading and approval thereof.

PART 8 REPEAL

- 8.1 That By-law Number 9-2010 be and is hereby repealed.

By-law read a First and Second Time this 19 day of September, 2011.

By-law read a Third and Final Time on this 19 day of September, 2011.

The Corporation of the City of Kenora:

.....Mayor
David S. Canfield

.....City Clerk
Joanne L. McMillin

SCHEDULE "A"
To By-Law 100-2011

Location and Detail Maps

1. 7th Street South
2. Anicinabe Park Boat Launch
3. Anicinabe Park West
4. Bay Road
5. Coney Island Beach
6. Coney Island North
7. Harbourfront
8. Keewatin Beach
9. Keewatin Arena
10. Keewatin Wharf
11. Kenora Recreation Centre
12. Main Street South
13. Matheson Street South
14. Water Street
15. Water Treatment Plant
16. Discovery Centre
17. Harbourfront Mooring Balls
18. Winnipeg River Boat Launch

SCHEDULE "B"
To By-Law 100-2011

The following docks are for use between 6 am to 12 pm (midnight)

- Harbourfront Docks as specified in Harbourfront Dock Map
 - * (4hr) maximum mooring time - Dock B
 - * (15 min) maximum mooring time - Load & Unload Zone
 - * (seasonal docking)

- Coney Island Beach Dock A, B, C as specified in Coney Island Beach Map
 - * (4hrs) maximum mooring Docks A, B & C

- Discovery Centre Docks as specified in Discovery Centre Dock Map
 - * (4hrs) maximum mooring time

- Matheson Street Docks as specified in Matheson Street South Map
 - * (4hrs) maximum mooring time

- Main Street Docks as specified in Main Street South Map
 - * (4hrs) maximum mooring time

- Anicinabe Park as specified in Anicinabe Park Maps
 - * (4hrs) maximum mooring time day use docks
 - * (15 min) maximum mooring time launch area

- Seventh Street South Dock as specified in Seventh Street South Dock Map
 - * (1hr) maximum mooring time

- Keewatin Wharf as specified in Keewatin Wharf Map
 - * (1hr) maximum mooring time
 - * (seasonal docking)

- Kenora Recreation Centre Dock as specified in Kenora Recreation Centre Map
 - * (15 min) maximum mooring time launch area

- Keewatin Arena Docks as specified in Keewatin Arena Map
 - * (seasonal docking)
 - * (1hr) maximum mooring time
 - * (15 min) maximum mooring time launch area

- Bay Road Dock as specified Bay Road Dock Map
 - * (15 min) maximum mooring time launch area

- Winnipeg River Boat Launch as specified Winnipeg Boat Launch Map
 - * (15 min) maximum mooring time launch area

SCHEDULE "C"
To By-Law 100-2011

The following Docks require Seasonal Permits

- Keewatin Arena Docks as specified in Keewatin Arena Map
- Keewatin Wharf as specified in Keewatin Wharf Map
- Water Street Docks as specified in Water Street Map
- Harbourfront Dock "A" as specified in Harbourfront Map
- Coney Island North Docks as specified in Coney Island North Map