THE CORPORATION OF THE TOWNSHIP OF CARLING

BY-LAW 2016-44

Being a By-law to Regulate Public Parks and Public Water Access Facilities in the Township of Carling

WHEREAS the Municipal Act, 2001, S.O. 2001, Chapter 25 as amended provides that a single-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction of highways, including parking and traffic on highways, transportation systems other than highways, culture, parks, recreation and heritage and parking, except on highways;

AND WHEREAS the Council of the Corporation of the Township of Carling deems it necessary and expedient to pass a by-law to regulate the use of Public Parks and Public Water Access Facilities;

NOW THEREFORE the Council of the Corporation of the Township of Carling enacts as a By-law of the Corporation as follows:

1) DEFINITIONS

a) "Public Parks" for the purpose of this by-law includes all such facilities as arenas, ice rinks, land, buildings, beach and waterfront areas, docks, wharves, and equipment owned, leased or operated under the auspices of the Township of Carling.

b) "Township" means the Corporation of the Township of Carling.

c) "Resident" means any person who resides in or owns property in the Township.

d) "Water Access Facility" means an area designated by Carling Township where access to a body of water is provided and maintained by the Township and at which a limited number of parking spaces are available on a first come first served basis.

e) "Designated Areas" are those that are to be used for a given activity indicated by both permissive and restrictive signage.

f) "Float Plane" means any aircraft equipped for take off and landing on water.

g) "Guest" means a person who is temporarily residing at the dwelling of a resident of the Township.

h) "Municipal Permit" means a card issued to a resident by the Township to authorize the use of Public Water Access Facilities and the use of Township of Carling Waste Facilities.

i) "Tenant" means a person to whom a landlord grants temporary and exclusive use of a dwelling in exchange for rent. For this purpose of this by-law "tenant" does not include a person who rents a dwelling for 30 days or less for vacation or similar purposes.

j) "Trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.

2) ALCOHOL

a) No person shall consume or sell alcohol in a Public Park or Water Access Facility except under the authority of a Special Occasion Permit with the event deemed a municipal significant event by either the clerk of the municipality or council resolution.

3) ANIMALS

a) Any person within a Public Park or Water Access Facility who owns, harbours, possesses, or who has the care and control of an animal, shall keep the said animal appropriately tethered and shall prevent the animal from defecating in a Public Park or Water Access Facility, or shall clean up such defecation.

4) FIRE

a) No person shall light or maintain a fire in a Public Park or Water Access Facility without written permission from the Township.

b) No person shall conduct a fireworks demonstration at a Public Park or Water Access Facility without obtaining prior written consent from the Township.

5) ICE RINKS

a) No person shall place or throw upon any ice rink in a Public Park, any object which is likely to cause injury to a user thereof or damage to the ice rink or which could in any manner interfere with the use of said rink.

6) BOATS AND PERSONAL WATERCRAFT

a) No person shall operate any boat or personal watercraft within 20 metres of a shoreline that abuts a swimming area in a Public Park or Water Access Facility except for temporarily pulling up on shore while using the facility.

b) No person shall dock any boat at a Public Park or Water Access Facility except in accordance with the regulations set out in this By-law.

c) No person shall use the Township docks at the Water Access Facilities for the stopping, standing or parking of float planes including the loading or unloading of cargo or persons.

7) GAMES

a) No person within a Public Park or Water Access Facility shall engage in any game or activity that is dangerous, or is likely to cause injury or damage to persons or property, including but not limited to, activities where a hard object, such as a dart, stone, golf ball, puck, missile, or shot is projected through the air, save and except as permitted herein.

8) VEHICLES

a) No person shall park any vehicle, trailer, boat, or otherwise, in any Public Park or Water Access Facility, except in accordance with this By-law.

b) No person shall operate any motorized vehicle, whether licensed or unlicensed in a Public Park or Water Access Facility, save and except in designated areas.

c) No person shall park a vehicle such that their vehicle reduces the flow of traffic to a width less than 20 feet.

d) No person shall park any vehicle at a Public Park or Water Access Facility except in accordance with the regulations set out in this By-law.

9) CAMPING

a) No person shall camp in any Public Park or Water Access Facility.

10) HOURS OF OPERATION

a) Except as otherwise noted in any schedule to this By-law the hours of operation for Public Parks shall be 8:00 a.m. to 10:00 p.m.

11) PROTECTION OF PROPERTY

No person within a Public Park or Water Access Facility shall:

a) Climb, break, injure, deface, or remove any structure, equipment, tree, plant, or building. Climbing is permissible only on equipment designated and constructed for that purpose.

b) Disturb, molest, attempt to kill, or kill any bird or animal, or remove or injure any bird's or reptiles nest or eggs.

c) Enter any place where a sign prohibiting admittance or trespassing is displayed.

d) Indulge in any riotous, boisterous, threatening or indecent conduct, or any abusive, threatening or profane language.

e) Create a nuisance by loitering, spying, accosting, frightening, annoying, or in any way interfering with any other person.

f) Drop or leave at any place in any Public Park, any refuse, paper, bottles, cans, or rubbish of any nature or kind, except in receptacles provided for that purpose.

g) Throw into the water within or abutting a Public Park, any foreign object that is likely to injure any person or pollute the water.

12) OTHER

a) Council may from time to time enact such site specific regulations as may be required and said regulations shall be attached as a Schedule to this By-law.

b) Nothing in this By-law shall be interpreted so as to prevent any person from docking a boat in the event of an emergency.

13) SITE SPECIFIC REGULATIONS

a) Council hereby adopts regulations for the use of Public Parks and Water Access Facilities and ancillary facilities attached hereto as:

i) Schedule C Dillon Dock
ii) Schedule D Snug Harbour
iii) Schedule E Fitzgerald Bay
iv) Schedule F Pengally Bay
v) Schedule G Blind Bay
vi) Schedule H Sawdust Bay
vii) Schedule I Shebeshekong Lake Beach

14) USE RESTRICTION

a) Restrictions to use of a Public Park or Water Access Facility may be created through specific site regulation.

b) Where the use of a Water Access Facility is restricted, users of the Facility must display a valid Municipal Permit on the rear-view mirror of their vehicle in such a way that the Permit is clearly visible.

c) The policy for issuance of Municipal Permits shall be as set out in Schedule "A" to this By-law.

15) PENALTY

a) Every person who contravenes any of the provisions of this By-law is guilty of an offence, and on conviction, is liable to a fine not exceeding the maximum provided under the Provincial Offences Act, exclusive of costs, and every such fine shall be recoverable under the Provincial Offences Act.

b) Contravention of this By-law may result in removal of the vehicle, boat or float plane to a safe location by persons designated by the Municipality. The costs of removal are the responsibility of the vehicle or boat owner.

c) In addition to the foregoing penalties, any boat or personal watercraft docked or parked at a Water Access Facility in contravention of this By-law may be restrained and immobilized by an employee or agent of the Township until such time as the owner

or operator of the boat, personal watercraft or float plane identifies himself/herself to the employee or agent of the Township.

d) Any costs and expenses for services provided by or on behalf of the Municipality, or for which the Municipality is liable in endeavoring to remove a vehicle or boat to a safe location or in restraining or immobilizing a vehicle, boat or float plane, caused by or resulting from a person contravening or failing to comply with any provision of this By-law shall be a service charge pursuant to Section 390(1) of the Municipal Act and shall constitute a debt of such person to the municipality. Service charges pursuant to this By-law shall be as set out in Schedule "B" to this By-law.

e) Any service charge imposed pursuant to this By-law shall be payable within fifteen (15) days after the Municipality has delivered or sent by prepaid registered post an invoice to the person responsible, and interest shall accrue and be added to the amount at the rate established in Schedule "B" to this By-law, commencing on the 16th day following the delivery or sending of the invoice.

16) BY-LAWS REPEALED

a) That By-laws 2013-21, 2014-13, 2014-34, 2015-40, 2016-21 being By-laws to Regulate Public Parks and Public Water Access Facilities in the Township of Carling are hereby repealed.

READ and FINALLY PASSED IN OPEN COUNCIL this 8th day of November, 2016.

The CORPORATION OF THE TOWNSHIP OF CARLING

Mike Konoval, Mayor

Kevin McLlwain, CAO/Clerk/Treasurer

SCHEDULE "A" – By-law 2016 - 44

Regulates Public Parks and Water Access Facilities

ISSUANCE OF PERMIT POLICY

The policy for distribution of Permits for water access facilities will be as follows:

1. Number of Permits to be Issued

   a) Municipal Permits will be issued to residents as follows:
      - Two Permits per dwelling unit. Where more than one legal dwelling exists on a property, two additional permits may be issued for each additional legal dwelling.
      - One Permit for use of a Guest per property.
      - No Permit will be issued for sleeping cabins.

   b) Temporary Contractor Municipal Permits may be issued to contractors performing work on water access only properties
      - One permit per contractor per water access only property.

   c) Temporary Municipal Permits may be issued to residents of water access only properties and are restricted to the designated area at the lot on the west side Remy Bay Rd., north of Snug Harbour Rd. and south of West Wind Trail as follows:
      - Residents can request a maximum of 2 Temporary Municipal Permits per property at any one time.
      - Residents can request a maximum of 5 Temporary Permits per property per calendar year.

2. Time and Date Validation

   a) Municipal Permits will be numbered, will be valid for a period of one year from the date of issue, and will be stamped with an expiry date.

   b) Temporary Contractor Municipal Permits will be numbered, will be valid for a maximum period of 30 days, and will be stamped with an expiry date.

   c) Temporary Municipal Permits will be numbered, will be valid for a maximum period of 7 days, and will be stamped with an expiry date.

3. Voiding of Permits

   a) Where a Municipal Permit is voided, a record of the number of the voided pass will be forwarded to the By-law Enforcement Department.

   b) Municipal Permits will be voided in the following circumstances:
      - When a Permit is lost or forgotten.
      - When the ownership of a property changes.
      - When the Township is notified that a tenant no longer occupies a dwelling.

4. Person to Whom the Permit is issued

   a) Municipal Permits will be issued to:
      - A resident of the Township.
      - A tenant of a dwelling, where the tenant provides confirmation from the owner of the dwelling that the person is a tenant of the property. It is the responsibility of the landlord to notify the Township when the tenant no longer occupies the dwelling.

b) Temporary Contractor Municipal Permits will be issued to:

- A resident of Water Access Only properties, to be used by their contractor for use at the Public Water Access Facilities. The special permit will be valid from 7:00 am until 9:00 pm, Monday to Friday. The permit will not be valid outside of these times or on weekends or holidays.

c) Temporary Municipal Permits will be issued to:

- A resident of Water Access Only properties.
- Permit applications will be open the Tuesday two weeks prior to the desired weekend on a first come first serve basis.

5. Displaying of Municipal Permits

a) Municipal Permits must be displayed on the rear-view mirror in such a way that the permit is clearly visible from outside the vehicle.

b)

In cases where no rear-view mirror is installed, the Municipal Permit shall be displayed on the driver's side in such a way that the permit is clearly visible from outside the vehicle.

SCHEDULE "B" – By-law 2016-44
Regulates Public Parks and Water Access Facilities

1. Service Charge

Pursuant to By-law 2015-42 schedule (k), Service Charges shall be as follows:

$150.00 for each person attending to remove a vehicle or boat to a safe location or in restraining or immobilizing a vehicle or boat, for the first hour or part thereof.

$75.00 for each person attending to remove a vehicle or boat to a safe location or in restraining or immobilizing a vehicle or boat, for every additional half hour or part thereof.

2. Rate of Interest

Pursuant to Section 15 (e) of this By-law, the rate of 1.25% per month shall be used to calculate interest on unpaid service charges.

SCHEDULE "C" – By-law 2016-44

Regulates Public Parks and Water Access Facilities

REGULATIONS

DILLON DOCK WATER ACCESS FACILITY

Dillon Dock Water Access Facility - 259 Dillon Road

- **Docking**
    - Maximum one half hour tie-up in designated area as marked on the dock.
    - Extended docking between the hours of 7:00 am - 10:00 pm in designated area as marked on the dock.
    - Canoe and kayaks shall dock in designated area only as marked by signage.
- **Parking**
    - Parking and Facility usage is restricted to residents and property owners of Carling Township and must display a valid Carling Township Municipal Permit on the rear-view mirror in such a way that the Permit is clearly visible from outside the vehicle.
    - Parking in designated areas only.
    - Parking of detached trailers is prohibited.

SCHEDULE "D" – By-law 2016-44
Regulates Public Parks and Water Access Facilities
REGULATIONS
SNUG HARBOUR WATER ACCESS FACILITY

Snug Harbour Water Access Facility - 142 Snug Harbour Road

- **Docking**
    - Maximum one half hour tie-up in designated area as marked on dock.
    - Extended docking between the hours of 7:00 am - 10:00 pm in designated area as marked on the dock.
- **Parking**
    - Parking and Facility usage is restricted to residents and property owners of Carling Township and must display a valid Carling Township Municipal Permit on the rear-view mirror in such a way that the Permit is clearly visible from outside the vehicle.
    - Parking in designated areas only.
    - Temporary Permit holders must use Remy Bay Rd parking site.
    - Parking of detached trailers is prohibited.

SCHEDULE "E" – By-law 2016-44
Regulates Public Parks and Water Access Facilities
REGULATIONS
FITZGERALD BAY BEACH

Fitzgerald Bay Beach – 31 Fitzgerald Bay Road

Hours of operation 8:00 am - 10:00 pm

- **Docking**
  - launching of motorized or non-motorized vessels/boats is prohibited.
- **Parking**
  - Parking and Facility usage is restricted to residents and property owners of Carling Township and must display a valid Carling Township Municipal Permit on the rear-view mirror in such a way that the Permit is clearly visible from outside the vehicle.
  - Parking allowed in designated areas only.

SCHEDULE "F" – By-law 2016-44
Regulates Public Parks and Water Access Facilities
REGULATIONS
PENGALLY BAY WATER ACCESS FACILITY

Pengally Bay Water Access - 10 Wm McKenzie Drive

- **Docking**
  - Maximum one half hour tie-up in designated area as marked on the dock.
  - Extended docking between the hours of 7:00 am - 10:00 pm in designated area as marked on the dock.
  - Tying of boats on adjacent shoreline prohibited.
- **Parking**
  - Parking and facility use is restricted to residents and property owners of Carling Township and must display a valid Carling Township Municipal Permit on the rear-view mirror of their vehicle in such a way that the Permit is clearly visible from outside the vehicle.
  - Parking allowed in designated areas only.
  - Parking of detached trailers is prohibited.
  - Designated parking area along south side of William McKenzie Drive from Conservation Drive ending at Partridge Bay Drive is restricted to vehicles without trailers.

SCHEDULE "G" – By-law 2016-44
Regulates Public Parks and Water Access
REGULATIONS
BLIND BAY WATER ACCESS FACILITY

Blind Bay Water Access Facility - 57 Blind Bay Road

- **Docking**
    - Maximum one half hour tie-up on dock.
    - Tying up of boats is permitted in the designated area being 100 ft. of shoreline on either side of dock/launch area.
- **Parking**
    - Parking and facility use is restricted to residents and property owners of Carling Township and must display a valid Carling Township Municipal Permit on the rear-view mirror of their vehicle in such a way that the Permit is clearly visible from outside the vehicle.
    - Parking allowed in designated areas only.
    - Parking of detached trailers is prohibited.

SCHEDULE "H" – By-law 2016-44
Regulates Public Parks and Water Access Facilities
REGULATIONS
SAWDUST BAY BOAT LAUNCH

Sawdust Bay Boat Launch – 911 not issued

- **Docking**
    - Maximum one half hour tie-up on dock in designated area as marked on dock.
    - Extended docking between hours of 7:00 am - 10:00 pm in designated area only.
- **Parking**
    - Parking and facility use is restricted to residents and property owners of Carling Township and must display a valid Carling Township Municipal Permit on the rear-view mirror of their vehicle in such a way that the Permit is clearly visible from outside the vehicle.
    - Parking allowed in designated areas only.
    - Parking of detached trailers is prohibited.

SCHEDULE "I" – By-law 2016-44
Regulates Public Parks and Water Access Facilities
REGULATIONS
SHEBESHEKONG LAKE BEACH

Shebeshekong Beach - 58 Shebeshekong Est. Road

- **Parking**
    - Public parking permitted in designated public parking area only.
    - Carling residents and property owners must display a valid Carling Township Municipal Permit on the rear-view mirror of their vehicle in such a way as to be clearly visible from outside the vehicle while parking in the Resident only parking area.

      Parking of detached trailers is prohibited.
- **Boat Launch**
    - Boat unloading and loading permitted in designated area only.

THE CORPORATION OF THE TOWNSHIP OF THE CARLING

BY-LAW NO. 2026- 21

A By-law to Amend By-law 2016-44 being a By-law to Regulate Public Parks and Water Access Facilities

WHEREAS section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on the municipality to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

AND WHEREAS the Council for the Corporation of the Township of Carling has determined that it is desirable to make amendments to By-law 2016-44;

THEREFORE BE IT RESOLVED that Council of the Corporation of the Township of Carling hereby enacts as follows:

1. That By-law 2016-44 be amended by deleting Section 15(a)

   a) Every person who contravenes any of the provisions of this By-law is guilty of an offence and is liable to a fine not exceeding the maximum provided under the Municipal AMPS By-law, exclusive of costs.2.

2. That By-law 2016-44 be amended by delete section 15 (e)

3. That By-law 2016-44 be amended by adding Schedule "J" Regulations Carling Bay Beach and Schedule "K" Regulations Raby Lake Park and Schedule "L" Regulations Snug Harbour Lighthouse and Schedule "M" Regulations Carling Bay Emergency Services Access Point.

READ and **FINALLY PASSED** in **OPEN COUNCIL** this **12th** day of **May, 2026.**

THE CORPORATION OF THE TOWNSHIP OF CARLING

Susan Murphy, Mayor

Kevin McLlwain, CAO/Clerk

SCHEDULE "K" – By-law 2016-44
Regulates Public Parks and Water Access Facilities
REGULATIONS
RABIE LAKE PARK

Raby Lake Park – 328 Hwy 559

Hours of operation: Sunrise to Sunset

- **Docking**
  - launching of motorized vessels/boats is prohibited.
- **Parking**
  - Parking allowed during designated Hours of Operations.
- **Camping**
  - Camping is not permitted.

SCHEDULE "L" – By-law 2016-44
Regulates Public Parks and Water Access Facilities
REGULATIONS
SNUG HARBOUR LIGHTHOUSE

Snug Harbour Lighthouse – 10 Island 257C

Hours of operation: Sunrise to Sunset

- **Docking**
  - Docking permitted during hours of operation only.
- **Camping**
  - Camping is not permitted.

SCHEDULE "M" – By-law 2016-44
Regulates Public Parks and Water Access Facilities
REGULATIONS
CARLING BAY EMERGENCY SERVICES ACCESS POINT

Carling Bay Emergency Services Access Point – 18 Bayview Drive

Hours of operation: All Times

- **Docking**
  - Authorized Vessels only.
  - Launching of motorized or non-motorized vessels/boats is prohibited.
- **Parking**
  - Emergency Vehicles and Carling Firefighter private vehicles only.
- **Camping**
  - Camping is not permitted.