



THE RURAL MUNICIPALITY OF VICTORIA BEACH

BY-LAW NO. 1569

A By-Law of the Rural Municipality of Victoria Beach to regulate the use of public property in the Municipality.

WHEREAS Subsection 232(1) of The Municipal Act provides, in part, as follows:

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centers, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation;
- (o) the enforcement of by-laws;

AND WHEREAS Subsection 236(1) of The Municipal Act provides, in part, as follows:

236(1) Without limiting the generality of clause 232(1)(o) (enforcement of by-laws), a by-law passed under that clause may include provisions

- (c) remedying contraventions of by-laws, including
 - (i) creating offences,
 - (ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the by-law,

AND WHEREAS the Council of the Rural Municipality of Victoria Beach deems it necessary to pass a by-law to regulate the use of public property;

NOW THEREFORE the Council of the Rural Municipality of Victoria Beach, in council duly assembled, enacts as follows:

- (1) That the disposal of glass containers of any type, on public property including any beach within the Municipality, shall be prohibited;
- (2) That the disposal of any type of container, paper, household garbage, leaves, brush, appliances, furniture and any other refuse on public property, including any beach within the Municipality, shall be prohibited;
- (3) That notwithstanding Clause (2) above, the disposal of brush from deadfall and leaves (placed in large plastic garbage bags) shall be permitted on municipal road allowances from May 1st to the date established by Council annually, and from September 8th to the date established by Council annually. The depositing of any refuse on municipal land shall be prohibited at all other times. Said brush and leaves pick-up service shall be provided for the limited

use of municipal taxpayers and only to remove deadfall from their own private land. Property owners must place brush, deadfall and leaves on the municipal road allowance in front of their own property. No multi-household brush piles allowed. The disposal of any type of refuse on municipal land by private contractors shall be prohibited at all times;

- (4) That the disposal of any refuse in municipal garbage enclosures, other than bagged household garbage, shall be prohibited;
- (5) That the disposal of any refuse in municipal garbage enclosures by any person other than a resident or taxpayer of the Municipality shall be prohibited;
- (6) That the use and/or installation of tents or other temporary or permanent shelters, including camping activities, on public property and/or any beach within the Municipality shall be prohibited;
- (7) That open fires on public property, including any beach within the Municipality, shall be prohibited. Council may issue a fire permit for special occasions, at its sole discretion;
- (8) That any person guilty of a breach of any of the provisions of this By-law shall, upon summary conviction, be liable to a fine not exceeding One Thousand Dollars (\$1,000.00) and the costs of prosecution or in default of payment to imprisonment for a period not exceeding thirty (30) days and the provisions of The Manitoba Summary Convictions Act shall apply to any prosecution hereunder. Where a contravention continues for more than one day, the person is guilty of a separate offence for each day it continues.
- (9) That By-Law No. 1509 be and is hereby repealed.

DONE AND PASSED in Council assembled, in the City of Winnipeg, in the Province of Manitoba, this 16th day of May, A.D. 2017.

Brian Hodgson – Reeve

Lynne Kimelman – Acting CAO

Read a first time this 8th day of May A.D. 2017.

Read a second time this 16th day of May A. D. 2017.

Read a third time this 16th day of May A.D. 2017.