



THE RURAL MUNICIPALITY OF VICTORIA BEACH

BY-LAW NO. 1609

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,
 - (iii) providing that an amount owing under subclause (ii) may be collected in any manner in which a tax may be collected or enforced under this Act,

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) The disposal of any type of container, paper, household garbage, brush, appliance, furniture and any other refuse on public property, including any beach within the Municipality, shall be prohibited;
- (2) Notwithstanding Clause (1) above, the disposal of brush from deadfall and leaves placed in large clear compostable bags or paper bags shall be

permitted on municipal road allowances during the dates established by Council annually. 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.

- (3) The disposal of any type of refuse on municipal land by private contractors shall be prohibited at all times;
- (4) The disposal of any refuse in municipal garbage enclosures, other than bagged household garbage, shall be prohibited;
- (5) 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) The use and/or installation of tents or other temporary or permanent shelters, including camping activities, on public property including on any beach within the Municipality shall be prohibited;
- (7) The use of barbecues and any other cooking apparatus on public property including on any beach within the Municipality shall be prohibited;
- (8) 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;
- (9) Any person guilty of a breach of any of the provisions of this By-law shall be liable to a fine not exceeding One Thousand Dollars (\$1,000.00). Where a contravention continues for more than one day, the person is guilty of a separate offence for each day it continues;
- (10) Any applicable fines, costs and charges remaining outstanding after the expiration of thirty (30) days from the date of issue of the offence notice shall be added to the owner's property tax account to be collected in the same manner as a tax may be collected under The Municipal Act;
- (11) That By-Law No. 1599 be and the same is hereby repealed.

DONE AND PASSED in Council assembled, in the City of Winnipeg, in the Province of Manitoba, this 4th day of August, A.D. 2020.

Penny McMorris – Reeve

Raymond Moreau - CAO

Read a first time this 16th day of July A.D. 2020.

Read a second time this 4th day of August A. D. 2020.

Read a third time this 4th day of August A.D. 2020.