



THE RURAL MUNICIPALITY OF VICTORIA BEACH

BY-LAW NO. 1595

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

- (b) 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, to protect the environment and the stability of the banks within the Municipality;

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

- 1) THAT unless the context otherwise requires, where used in this By-law:

“Sand Banks” means cliffs, hills, sandbags and inclines located along the shorelines of the Municipality but not including level sand covered areas designated for public use;

“Long Term Storage” means storage of any items for a period of longer than one day (24 hours);

“Lakeshore” means the area of land that is located directly at the most current water line of Lake Winnipeg;

“Face” or **“Slope”** means the front of an elevated area (hill, sand bank or cliff) of land that has a natural or man-made incline

- 2) That any activity causing damage to public sand banks or municipally approved sand bag dikes is prohibited;
- 3) THAT the long term storage of boats, equipment, metals, and any other items on municipal property, including the face or slope of sandbanks and on the lakeshore, is prohibited without written permission of Council;
- 4) THAT 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.
- 5) 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, if applicable, to be collected in the same manner as a tax may be collected under The Municipal Act;
- 6) That By-Law No. 1539 be and the same is hereby repealed.

DONE AND PASSED in Council assembled, in the Rural Municipality of Victoria Beach, in the Province of Manitoba, this 19th day of November, A.D. 2019.

Penny McMorris - Reeve

Raymond Moreau - CAO

Read a first time this 15th day of October A.D. 2019.

Read a second time this 19th day of November A. D. 2019.

Read a third time this 19th day of November A.D. 2019.

Clause 1) **“Sand Banks”** amended to include “sandbags” on 2nd reading.

Clause 2) amended on 2nd reading.