

# RESORT VILLAGE OF THODE

## BYLAW # 6/12

### DESIGNATED SWIM AREA

A BYLAW OF THE RESORT VILLAGE OF THODE, IN THE PROVINCE OF SASKATCHEWAN, TO DESIGNATE AN AREA FOR SWIMMING AND PLAYGROUND

WHEREAS Council has defined a portion of Reserve 1 (one) and designated this as a playground and recreational area and that this area has been defined as the area north east 225 feet from the property line of Lot 1, Block 13 in the Resort Village of Thode;

AND WHEREAS an application was submitted to and approval received from the Canadian Coast Guard, Department of Fisheries & Oceans and Ministry of Environment in 2000 to establish a swim area in this same area.

NOW THEREFORE the Council of the Resort Village of Thode designates this above mentioned area as a Dock, Lift and Watercraft Free Zone. No docks, lifts, or any watercraft will be allowed to be installed, beached, stored or operated within the area designated as Playground or Swim Area. Buoys will be placed to mark the entire restricted area. Boats and any other type of watercraft may not be brought on to the shore or anchored in this area, an exemption will be made for boats or watercraft in an emergency or while dealing with a rescue or medical emergency.

1. No person shall install, beach, anchor, store or operate a dock, lift or watercraft within the area designated as the Restricted Swim Area in Angel Park.
2. Any use of any watercraft in the immediate vicinity of the restricted zone that serves to interrupt and prevent the quiet enjoyment of the area that members of the community are entitled to, is considered a violation of this bylaw in that this restriction of public space is intended to enhance the enjoyment and ensure the safety of our public spaces for our families and their children.
3. Where the Bylaw Enforcement Officer believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving same at his last known address and such service shall be adequate for the purpose of this Bylaw.
4. Where the Bylaw Enforcement Officer is not able to ascertain the ownership of any dock, lift or watercraft which is in contravention of this bylaw, he or she may consult with the proper authorities to have the said dock, lift or watercraft removed from the area and held as unclaimed property, which may through due process be disposed of at the discretion of the Municipality.
5. Notice of Violation shall be deemed to have been served:
  - a) on the expiration of twenty-four hours after it is posted, if the notice is mailed;
  - b) on the day of actual delivery, if the notice is served personally; or
  - c) on the business day following the transmission, if given by facsimile or electronic mail

6. A Bylaw Violation Notice shall be in a form approved by Council and shall state the section of the Bylaw, which was contravened, and the amount, which is provided in this Bylaw that will be accepted by the Municipality in lieu of prosecution.
7. Upon production of a Bylaw Violation Notice issued pursuant to this section within fourteen (14) days from the issue thereof, together with the payment of the fee as provided for in this Bylaw to the Administrator of the Municipality, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued.
8. Notwithstanding the provisions of this section, a person to whom a Bylaw Violation Notice has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.
9. Any person who is guilty of a violation of any provision of this bylaw shall be liable on summary conviction to a fine of \$300.00 for the first offense, \$500.00 for the second offense and to a maximum of \$2,000.00 for a third or subsequent violation within six (6) months of previous violations.
10. This bylaw shall come into force and take effect on the day of the final passing thereof.

Read a third time and adopted this  
24 day of May, 2012.

Certified a true copy of Bylaw #6/12

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Mayor Alan H J Thomarat

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Administrator Jessie Williams

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