

THE CORPORATION OF THE TOWN OF GRAVENHURST BY-LAW NO. 2024-90

Being a By-law to Regulate the Use of Public Docks and Launches
within the Town of Gravenhurst

WHEREAS pursuant to Sections 8 and 10 of the Municipal Act 2001, the Town of Gravenhurst may pass by-laws regulating the use of public lands owned or under the control of the Town;

AND WHEREAS access to public docks and launches owned by the Town is provided to the public at large, and this access has been interfered with by person leaving boats and materials at public docks in a manner which obstructs the public use;

AND WHEREAS the Town of Gravenhurst intends to control that interference with public privileges pursuant to Section 128 of the Municipal Act 2001;

AND WHEREAS it is desirable to regulate the use of the Town owned Public Docks, Launching Ramps and the Town owned lands adjacent to a Public Dock or a Town owned park;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GRAVENHURST ENACTS AS FOLLOWS:

1. DEFINITIONS

- 1.1 **Anchor or Anchoring** means the dropping a large heavy object that is attached to a boat into the water, therefore latching the boat to the bed of the water with hooks and suction to keep the boat in place;
- 1.2 **Barge** means any vessel, usually flat-bottomed and with or without its own power used for transporting freight;
- 1.3 **Boat** means any vessel which floats on the surface of the water and is capable of carrying people or materials whether motorized or not and includes but is not limited to pleasure crafts, scows, personal watercraft, canoes, kayaks, paddle boards, row boats, pontoon boats, float planes when on water or land, and boats used in commercial operation;
- 1.4 **Commercial Boat** means any vessel which is used to generate revenue by charging a fee for the transportation of goods, the transportation of people, the sale of goods from the boat or any other service provided by the boat;
- 1.5 **Docking or Dock** means the securing of a boat in any way to a public dock whether it is attended by person or not and shall include removing a boat wholly or partially from the water and placing it on land owned by the Town, whether stored directly on land, or a rack, trailer or other storage apparatus, and also includes storage of materials;
- 1.6 **Lease Agreement** means municipally owned land leased to a lessee through a land lease agreement.
- 1.7 **Marina Facility** means an accessory building or structure that is used to take a boat into or out of a waterbody, to moor, to berth or to store a boat;

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- 1.8 **Moor or Mooring** means lassoing, tethering, tying, or otherwise securing a boat to a fixed object, such as a mooring buoy, dock, quay, wharf, jetty, or pier;
- 1.9 **Nuisance** means the parking, placing, storing or abandoning of boats or materials in contravention of this by-law in a location or manner which interferes with use of a public dock or public launching ramp;
- 1.10 **Officer** means a municipal law enforcement officer as appointed by Council;
- 1.11 **Owner** means an individual or corporation who owns a boat or the person operating or have care and control of a boat at any particular time;
- 1.12 **Order to Remove** means an Order to Remove such boat from a public dock or launch facility and relocate to an alternative location;
- 1.13 **Overnight means** the time between 11:00 p.m. of one day and 7:00 a.m. of the next day;
- 1.14 **Permit** means a permit for the docking of or storage of a boat at the public dock and or Town property issued under this by-law and granted by the Manager of By-law Services or their delegate, or the Director of Infrastructure Services or their delegate;
- 1.15 **Person** means any individual, corporation, partnership, association, firm, trust, or other entity and includes anyone acting on behalf of or under the authority of such entity;
- 1.16 **Public Dock** means any structure located on lands owned by the Town, municipal including land lease agreements and municipal land use permits, and used as a dock, wharf, pier, boat launch or recovery area together with all adjacent and underlying lands related thereto;
- 1.17 **Public Landing** means a place where a boat takes on or unloads materials or passengers;
- 1.18 **Public Launching Ramp** means an area adjacent to or used in connection with a public dock, which is not a structure, and which serves as an area to launch or recover boats from the water, and which is owned by, or leased to, the Town of Gravenhurst;
- 1.19 **Storage** means leaving a boat wholly or partially out of the water at a public dock, whether stored directly on land, or on a rack, trailer or other storage apparatus, and includes storage of materials;
- 1.20 **Swim/Swimming** means to intentionally play, bathe, submerge or propel oneself in water;
- 1.21 **Town** means the Corporation of the Town of Gravenhurst.

2. GENERAL PROHIBITIONS

- 2.1** Unless otherwise permitted in this By-law, no person shall use a public dock, a public launch ramp, a public landing, or Town owned lands:
- (a) for any other purpose other than the loading and unloading of people and materials;
 - (b) for the purpose of swimming;
 - (c) to dock, moor or anchor a boat in excess of 6 hrs. without a valid permit;
 - (d) to dock, moor or anchor a boat overnight without a valid permit issued by the Town;
 - (e) to store material(s); or
 - (f) to store a boat.
- 2.2** Where required by Town policy or By-law, no person shall fail to obtain a valid permit.
- 2.3** No person shall service or wash a boat at a public dock or a public launch area, unless deemed necessary by the Manager of By-law Services or their delegate, or the Director of Infrastructure Services or their delegate.
- 2.4** No person shall leave a boat unattended in a location which would impede or interfere with the use of a dock or launch ramp.
- 2.5** No person shall fail to comply with an Order to Remove issued by a Municipal Law Enforcement Officer.

3. EXEMPTIONS

- 3.1** This By-law shall not apply to:
- a) Employees or agents of the government, ambulance, police and fire services acting in the scope of their duties to provide emergency services or enforcement activities;
 - b) The corporation, its vehicles, and its employees or agents acting within the scope of their duties as employees or agents of the Corporation;
 - c) Docks or ramps located on private property or provincial or federally owned land, or
 - d) Properties subject to municipal, provincial or federal agreements or permits.
- 3.2** Notwithstanding anything contained in this By-law, any person may make application within a minimum of five business days prior to the date(s) requiring an exemption, to the Manager of By-law Services or their delegate or the Director of Infrastructure

Services or their delegate of the Town to be granted an exemption from any of the provisions of this by-law.

4. PERMITS

4.1 The Manager of By-law Services or their delegate, or the Director of Infrastructure Services or their delegate may issue permits and may negotiate conditions or terms as deemed appropriate and in accordance with the fees set out in the Town Service Fees and Charges By-law (as amended). If said conditions or terms are not adhered to the permit may be revoked.

4.2 Any boat, commercial boat or barge docked or stored in accordance with the terms and conditions of its permit shall display that permit in a visible location.

5. ENFORCEMENT

5.1 A Municipal Law Enforcement Officer or their delegate is hereby authorized to enforce this By-law.

5.2 The owner of a boat, or the person operating or having care and control of a boat, is responsible for compliance within the provisions of this By-law.

6. OBSTRUCTION

6.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer exercising a power or performing their duties under this By-law.

7. PENALTY

7.1 Any person who contravenes any provision of this By-law, is guilty of an offence and is responsible for any fines and fees imposed under the Administrative Monetary Penalty System By-law.

7.2 Contravention of this By-law may result in:

- a) the removal of materials, the boat, or trailer to a safe location at the direction of the Manager of By-law Services, the Director of Infrastructure or their designate(s) with the associated costs of the removal being the responsibility of the owner; and/or
- b) an Officer issuing an administrative monetary penalty to the owner or person found in contravention of any provision of this By-law.

7.3 In addition, any boat docked at a public dock in contravention of this By-law may be restrained and immobilized at the direction of the Manager of By-law Services or their delegate, or the Director of Infrastructure Services or their delegate until such time as the owner or operator of the boat identifies themselves with photo identification and a boat operator's license. Any costs and expenses for restraining and immobilizing are the responsibility of the boat owner and are subject to such fees as set out in the Towns Fees and Charges By-law, as amended.

7.4 Without limiting the generality of the foregoing, all costs and charges for the removing, care and storage thereof are a lien upon the property and may be enforced in the manner provided by the Repair and Storage Liens Act.

8. LIABILITY

10.1 The Town or an Officer shall not be held responsible or liable for any damage sustained to the property of the owner, while carrying out the duties under this By-law.

9. VALIDITY AND SEVERABILITY

9.1 Should any section, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the part which was declared to be invalid.

10. SHORT TITLE

10.1 This By-law shall be known as the "Public Dock Control By-law".

11. FORCE, EFFECT

11.1 This By-law shall come into effect on September 17th, 2024.

12. REPEAL

13.1 Upon the passing of this By-law, By-law No. 2008-084 shall be repealed.

13. SCHEDULES

13.1 The schedule attached to this By-law form part of this By-law:

- a) Schedule 'A' Town of Gravenhurst Public Docks and Launches

READ AND PASSED this 17th day of September, 2024.

Mayor 

Clerk  

SCHEDULE 'A'

Public Boat Launches, Municipal Lease Agreements and Land Use Permit By-law No. 2024-90

No.	Lake/River	MUNICIPALLY OWNED DOCK/LANDING/LAUNCH	Location
1.	Gull Lake	Moody Drive Launch/Church St. Parkette	380 Moody Dr.
2.	Gull Lake	Hewitt Street Landing (temporarily excluded)	1101-A Hewitt St.
3.	Sparrow Lake	Franklin Park Launch	1615 Kilworthy Rd.
4.	Loon Lake/Turtle Lake	Loon and Turtle Lake Landing	83 Loon Lake Rd.
5.	Kahshe Lake	N. Kahshe Lake Landing (Kluey's Bay)	1290 N. Kahshe Lake Rd.
6.	Kahshe Lake	S. Kahshe Lake Landing (Sopher's Landing – Land Lease Agreement By-law No. 93-55)	1117-A S. Kahshe Lake Rd.
7.	Kahshe Lake	Nagaya Wharf	1186-A N. Kahshe Lake Rd.
8.	Kahshe Lake	Denne's Marina – Wharf Agent Agreement – By-law No. 2012-097	1186- UA N. Kahshe Lake Rd.
9.	Lake Muskoka	Glen Echo Landing	1020 Glen Echo Rd.
10.	Lake Muskoka	Henry Island Landing	880 Henry Island Rd.
11.	Morrison Lake	North Morrison Lake Landing	1179 N. Morrison Lake Rd.
12.	Morrison Lake	Morrison Creek Landing	1320 S. Morrison Lake Rd.
13.	Muldrew Lake	Indian Landing	1030 Indian Landing Rd.
14.	Severn River	Severn River Public Dock	1018 E. Severn River Rd.
15.	Severn River	Nesbitt Launch	1030 Nesbitt Rd.
16.	Sunny Lake	Sunny Lake Launch	1128 Tomingas Rd.
17.	Three Mile Lake	Three Mile Lake Access	Sam Cook Rd.
18.	Loon & Turtle Lakes	Loon & Turtle Creek Launch	Pinetree Rd.
19.	Gull Lake	Gull Lake Public Dock	485 Brock St.
20.	Riley Lake	Riley Lake Landing (MoA and MNR Land Use Permit)	1178 Riley Lake Rd.