



Staff Report

Report Title: Beach Management By-Law Short Form Wording and Set Fines

Prepared By: Emily Dance, Clerk

Department: Clerks

Date: Apr. 19, 2021

**Report Number: CLK-2021-04-40
Mgmt By-Law**

File Number: C11 – Beach

Attachments: Schedule 'A' Proposed Set Fines

Recommendation:

THAT the Township of Huron-Kinloss Council hereby approves Report No. CLK-2021-04-40 prepared by Emily Dance, Clerk AND authorize the short form wording and set fines of \$250 for infractions be forwarded to the Ontario Court of Justice for approval.

Background:

As reported at the April 7, 2021 Committee of the Whole meeting in Report [CS-2021-04-23](#) The Township of Huron-Kinloss has maintained a beach management agreement with the Ministry of Natural Resources (MNR) since 2009-2019.

As the agreement is no longer required, the Committee of the Whole approved the Draft Beach Management By-Law that consolidates the individual regulations and MNR Agreement into one By-law.

The former By-Law permitted set fines of \$100 for infractions to the By-law and authorized the By-Law Enforcement Officer to lay a certificate of offence (ticket).

Discussion:

The Draft By-Law provides enforcement by the Township's By-Law Enforcement Officer.

Staff is recommending that we apply to the Ontario Court of Justice to approve set fines for infractions to the Beach Management By-Law of \$250 for each individual infraction as contained in the attached Schedule 'A'.

This fine would be consistent with:

Open-Air Burning By-Law for Operating an open air fire without a permit - \$250,

Off Road Vehicle By-law for operating an ORV on Township property without permission - \$250

All infractions under the Public Nuisance By-Law of \$250

Following passing of the By-Law any charges would be under a Part III until approval for set fines under Part I are approved.

Financial Impacts:

Legal fees associated with the preparation of submission of set fines.

Strategic Alignment / Link:

We are an environmentally conscious community that are good stewards of our natural environment by protecting our natural assets, by using our resources wisely, by being aware and taking responsibility.

Respectfully Submitted By:

Emily Dance, Clerk

Approved By:

Mary Rose Walden, Chief Administrative Officer