



## Council Report

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<b>Report Number:</b>	<b>ML2022-003</b>
<b>Meeting Date:</b>	May 17, 2022
<b>Title:</b>	<b>Kawartha ATV Association Trail Warden Authority</b>
<b>Description:</b>	Delegation of limited authority to the KATVA Trail Wardens to Provide Enforcement of the VRTC by-law on the Kawartha Lakes Trail system.
<b>Author and Title:</b>	Aaron Sloan, Manager, Municipal Law Enforcement and Licensing

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### Recommendation(s):

**That** Report ML2022-003, Kawartha ATV Association Trail Warden Authority, be received;

**That** the request to appoint KATVA Trail Wardens, to provide enforcement of the VRTC and Parks Use By-Laws on the Kawartha Lakes Trail system be approved; and

**That** the necessary by-laws be brought forward for adoption.

**Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

In May 2020, the President of the Kawartha ATV Association (KATVA) contacted the Manager in the Municipal Law Enforcement and Licensing Division to discuss enforcement services on the Victoria Rail Trail Corridor (VRTC) and portions of the connecting park land (Pinery) that are accessed by the public with their off road vehicles.

The KATVA has a working agreement with the municipality and they actively patrol the trails, provide signage, education to users, sell permits and regularly clean and maintain the trail areas. The KATVA are strong supporters of proper and safe use of the municipal trail systems.

Currently, enforcement of the City of Kawartha Lakes By-laws along the Victoria Rail Trail Corridor is a function of Municipal Law Enforcement. The bylaws enforced by the MLE Officers are (attached as Appendix A):

- By-Law 2007-107 as amended, Being A By-Law to Regulate and Govern Trail Uses Along the Victoria Rail Trail Corridor; and
- By-Law 2006-147 as amended, Being A By-Law to Regulate Public Parks and Facilities.

The Police services will also patrol and enforce provincial legislation and the Criminal Code.

## **Rationale:**

Over the trail use season, MLE Officers will patrol the trail intermittently (voluntary overtime) and in response to complaints. These patrols will often be accompanied by OPP, Kawartha Lakes Police and KATVA Trail Wardens. This cooperative approach has been very successful and has served to strengthen the municipal working relationships with these groups.

During the recent pandemic, trail patrols have been greatly reduced as staff pivoted to address other by-law issues and provincial regulations. Recognizing that a service need exists both on the trail and generally relating to all by-law enforcement issues, KATVA and staff collaborated to discuss service options.

Council is requested to consider the proposed KATVA request to enhance service which will utilize and appoint KATVA Trail Wardens as Municipal Law Enforcement Officers, with very restricted authority for permit enforcement on the trail system (appointing By-laws attached as Appendix B). The purpose of the appointments will be to enhance regulatory patrols, provide public education, staff collaboration and issue tickets on the

trails in response to violations encountered. Enforcement issues encountered by the Trail Wardens will be reported to MLEL for tracking purposes.

Council should note that sharing services is a great benefit to MLEL staff resources and comes at no financial cost. Council has endorsed appointing by-laws for members of external businesses in the past.

**Trail Master Plan (TMP)** – Staff considered that the TMP is close to being finalized. The TMP may make recommendations regarding trail use, maintenance and enforcement of municipal by-laws. The future TMP when approved and adopted by Council, will be reviewed and any changes to the MLEL working arrangement with KATVA will be updated with the intention to align with the TMP.

### **Other Alternatives Considered:**

N/A.

### **Alignment to Strategic Priorities**

For reference the four strategic priorities within the 2020-2023 Kawartha Lakes Strategic Plan are:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

This Council request aligns with the Guiding Principles fundamental to the 2020-2023 Kawartha Lakes Strategic Plan, which are to foster and strengthen Partnerships and Collaboration with the external organizations on projects and services.

### **Financial/Operation Impacts:**

This report and attached appointment by-laws will have no direct financial impact on MLEL services. However, any enforcement fines collected will be paid to the municipality.

Operationally, staff do not consider this request to directly impact existing MLEL staff resources. MLEL staff will continue to have the ability to patrol and provide enforcement services on the VRTC in response to complaints. Consideration of this request, will reduce patrol pressure on MLEL staff, which will allow the utilization of staff resources to concentrate on other enforcement operations and complex occurrences.

## **Consultations:**

Parks and Recreation

Clerks

Carolyn Richards, Kawartha ATV Association

## **Attachments:**

### **Appendix A –**

2007-107 VRTC Trail use by-law



2007-107  
Consolidated Trails I

2006-147 Parks Use By-law



2006-147  
Consolidated Regul

### **Appendix B –**



2022-XXX Appoint  
Municipal Law Enforce



2022-XXX Appoint  
Municipal Law Enforce

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**Department Head: Cathie Richie**