

The Corporation of the City of Kawartha Lakes

By-Law 2023-

A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes

Recitals

1. The City receives requests, from time to time, for the appointment of citizens as municipal law enforcement officers for limited purposes.
2. The City has received such a request from the Kawartha All-Terrain Vehicle Association (“KATVA”) for contraventions to City of Kawartha Lakes By-Law 2007-107, being the By-Law to Regulate and Govern Trail Uses Along the Victoria Rail Trail Corridor, and City of Kawartha Lakes By-Law 2006-147, being the By-Law to Regulate Public Parks and Facilities, as they relate to the Victoria Rail Trail Corridor (“VRTC”) and portions of connecting parkland that are accessed by members of the public with their off road vehicles.
3. The request from the Kawartha All-Terrain Vehicle Association (“KATVA”) was approved by Council on May 17, 2022 by CR2022-160.
4. Section 15 of the Police Services Act, R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
5. The Manager of Municipal Law Enforcement and Licensing recommends that the person put forward be appointed for limited enforcement purposes.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2023-___.

Section 1.00: Definitions and Interpretation

1.01 **Definitions:** In this by-law,

“**City**”, “**City of Kawartha Lakes**” or “**Kawartha Lakes**” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“**Council**” or “**City Council**” means the municipal council for the City;

“**Manager of Municipal Law Enforcement and Licensing**” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 **Interpretation Rules:**

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Appointments

- 2.01 **Appointment:** Don Chapman is appointed as a Municipal Law Enforcement Officer for the limited purpose of enforcement of the applicable Kawartha Lakes trail use by-laws on the Victoria Rail Trail Corridor (“VRTC”) and connecting park trails.
- 2.02 **Provincial Offences Officer:** Don Chapman is appointed as a Provincial Offences Officer for the limited purpose of enforcement of the applicable Kawartha Lakes trail use by-laws and regulations on the Victoria Rail Trail Corridor (“VRTC”), in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement and Licensing is responsible for the administration of this by-law.
- 3.02 **Effective Date and Expiry:** This By-law shall come into force on the date it is finally passed and shall expire on December 31st, 2023.

By-law read a first, second and third time, and finally passed, this 18th day of April, 2023.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk