



The Municipal Corporation of the Town of Fort Erie

By-law No. 63-2020

Being a By-law to Amend Parks & Beaches By-law No. 119-03, as amended (Closed Parks)

Whereas By-law No. 119-03, as amended, was passed by the Municipal Council of the Town of Fort Erie on May 26, 2003, to regulate the use of parks and beaches in the Town of Fort Erie; and

Whereas By-law No. 119-03, as amended, prohibits any person or motor vehicle entering or being found in any park between the hours of 11:00 p.m. and 6:00 a.m., including an administrative penalty of \$100; and

Whereas on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act* to slow the spread of COVID-19 amidst a global pandemic outbreak; and

Whereas on April 3, 2020 Mayor Redekop declared that a Municipal Emergency exists within the boundaries of the Town of Fort Erie; and

Whereas as a result of the Declarations of Emergency, the Town of Fort Erie closed its beaches (defined as parks under By-law No. 119-03) to the public in order to protect the health, safety and welfare of the inhabitants of the Town of Fort Erie; and

Whereas individuals continued to enter and gather on the beaches notwithstanding the closures; and

Whereas it has become evident by these recent events that prohibitions for persons and motor vehicles, and associated Administrative Penalties are needed for any time when any park is closed for public safety reasons, including but not limited to in and during an emergency, or during construction or repair; and

Whereas it is deemed necessary to further amend Parks & Beaches By-law No. 119-03, as amended, to implement the prohibitions and associated Administrative Penalties;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** Parks & Beaches By-law No. 119-03, as amended, is further amended by inserting the following Subsection immediately following prohibition Subsection 3 (n) and re-lettering the remaining Subsections:
 - “(o) notwithstanding Subsection 3 (n) above, no person shall enter or be found in any part or all of a park which has been closed for public safety reasons, including but not limited to during in an emergency, or during construction or repair.”

2. **That** Parks & Beaches By-law No. 119-03, as amended, is further amended by inserting the following Subsection immediately following Parking and Motor Vehicle Regulations Subsection 7 (b) and re-lettering the remaining Subsections:

“(c) Notwithstanding Subsection 7 (b) above, no person shall park a motor vehicle in any part or all of a park which has been closed for public safety reasons, including but not limited to in an emergency, or during construction or repair.”

3. **That** Schedule “B” to Parks & Beaches By-law No. 119-03, is further amended by adding the following Administrative Penalty:

	COLUMN 1	COLUMN 2	COLUMN 3
<u>Item</u>	Short Form Wording	Provision Creating or Defining Offence	Administrative Penalty
20.	Person found in park when park is closed.	Subsection 3 (o)	\$300.00
21.	Motor vehicle found in park when park is closed	Subsection 7 (c)	\$300.00

4. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 20th day of July, 2020.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 63-2020 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20 .