

BY-LAW NO. 2386/24
MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER TO ESTABLISH
A BYLAW TO REGULATE AND CHARGE FEES FOR THE USE OF PORRITT LANDING

BEING A BYLAW of the Municipal Corporation of the Town of Hay River in the Northwest Territories to provide for the establishment, levy and collection of fees and charges for services provided by the municipal corporation.

PURSUANT to the Cities, Towns and Villages Act, S.N.W.T., 2003, c 22, in force April 1, 2004, Section 72.

WHEREAS the Municipal Corporation of the Town of Hay River wishes to establish regulations and charge fees for the use of Porritt Landing.

NOW, THEREFORE, THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER, in regular session duly assembled, enacts as follows:

1. That the charges established to recover reasonable costs for the use of the municipal corporation recreational facility known as Porritt Landing are attached as Schedule "A".
2. That the fees and charges set out shall be in force upon third and final reading of the bylaw.
3. The council of the Town of Hay River hereby gives the SAO authority to approve additions or changes to Bylaw 2386 when warranted by new circumstances or needs. Any changes approved by the SAO are to be reviewed and approved by Council at further updates of the Porritt Landing Bylaw.

CITATION

1. This Bylaw may be cited for all purposes as the Town of Hay River Porritt Landing Bylaw No. 2386/24.

DEFINITIONS

In this Bylaw:

"Protective Services Specialist" means a person authorized to provide bylaw enforcement services for the Town.

"Day Use" means mooring of a Watercraft at a designated day use dock or marina area for a period not exceeding One Day.

"Day Use Area" means an area designated for Day Use.

"One Day" means a period commencing after 4:00 a.m. on one day and terminating

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not later than 2:00am of the following day.

“Owner” means any of:

- a) the registered owner of a motor vehicle, as determined by the Department of Motor Vehicles,
- b) a Trailer Owner; or
- a) a Watercraft Owner

“Porritt Landing” means the land within the Municipal boundary of the Town of Hay River described as Lot 2133 Plan 4460, and Lot 651 Group 814 Plan 710 and the water adjoining that land.

“Season” shall be June 1st to September 25th inclusive each year, regardless of whether the water is free of ice for Watercraft use.

“Season Pass” means a pass which entitles the holder to moor one identified Watercraft for a Season in an assigned Watercraft Slip.

“Short Term Docking” means mooring of an identified Watercraft for no more than 7 days in an assigned Short-Term Docking Area.

“Short Term Docking Area” means an area designated for Short-Term Docking.

“Short Term Docking Pass” means a pass which entitles the holder to moor one identified Watercraft for no more than 7 days in an assigned Short-Term Docking Slip.

“Slip” is a designated and permitted space or berth in a marina where a Vessel can be docked or moored safely.”

“Town” means the Town of Hay River.

“Trailer” means a trailer intended for the transport of a Watercraft.

“Trailer Owner” means either of a person in care and control of a Trailer while it is located at Porritt Landing or the person who is the registered owner of the Trailer as determined by the Department of Motor Vehicles.

“Type A Docking Slip”: Assigned mooring location/slip for vessels with a maximum length of 16’ and maximum width of 8.5’.

“Type B Docking Slip”: Assigned mooring location/slip for vessels measuring 16’ to 24’ in length and having a maximum depth of 8.5’.

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“Type C Docking Slip”: Assigned mooring location/slip for vessels measuring more than 24’ in length.

“Vessel” means any Watercraft used or capable of being used as a means of transportation on water.

“Watercraft” means any watercraft (including personal watercraft) designed to float, plane, work or travel on water.

“Watercraft Owner” includes of the legal owner of a Watercraft and any person who is in care and control of a Watercraft.

“Watercraft Slip” means a designated area for mooring of a Watercraft for a Season.

WATERCRAFT SLIP SEASON PASSES

1. A Season Pass entitles the holder to moor one identified Watercraft in an assigned Watercraft Slip for the duration of a Season.
2. Initial Watercraft Season Passes will be issued through a lottery system. Watercraft Slips will be assigned based on order of draw selection. Requests for Watercraft Slip registrations and entry into the lottery will be made public seven working days in advance of the lottery draw date.
3. Season Pass payment must be received within five business days of the draw.
4. Porritt Landing fees are identified in Bylaw 2431 – Fees and Charges Bylaw. Fees and charges can be amended or replaced when warranted by new circumstances or needs. Any changes approved by the SAO are to be reviewed and approved by Council at further updates of the Porritt Landing Bylaw and/or the Fees and Charges Bylaw.
5. A waiting list for Watercraft Slip Season Passes will be maintained by Town Administration. The initial waiting list will be populated in accordance, and in order of draws through the lottery system, and thereafter on a first come first served basis.
6. Watercraft Slip Season Pass holders will be eligible to renew their passes. Renewals will be accepted, and payment must be received yearly by the 2nd Monday of May each year by 3:00pm local time. Failure to meet registration deadline will result in offering of the Watercraft Slip to the next person on the waiting list. A person offered a Watercraft Slip through the waiting list will have five working days to respond to the request and make full payment.

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7. Only one identified Watercraft is to be moored in the identified slip at any given time. Season Pass owners can purchase up to 2 additional Season Pass decals. Appropriate proof of ownership is required for the purchase of additional Season Pass decals.
8. A Season Pass may not be transferred to another Watercraft or Watercraft Owner without the consent of the Town.
9. If the holder of a Season Pass sells or otherwise transfers ownership of the Watercraft, the Season Pass shall not be transferred to the new owner of the Watercraft.
10. Season Pass holders who sell their Watercraft must advise the Town in writing of the date of sale and may retain their Watercraft Slip for the remainder of the Season. Failure to register a new Watercraft before the renewal deadline for the following Season will result in loss of the Watercraft Slip.
11. Season Pass holders wishing to surrender their Watercraft Slip during the Season shall notify the Town in writing of the effective date of the surrender. The Town shall provide a pro-rated refund based on the number of days left in the Season calculated from the latter of the effective date specified in the notice of surrender or the date the notice is received by the Town.
12. Season Passes shall be clearly displayed on the Watercraft in a manner that is clearly visible to Town staff inspecting from shore.
13. A Watercraft assigned a Season Pass shall not exceed the length or width as per the slip classifications identified in Schedule B – Porritt Landing Slip Locations Map.
14. Previous bylaw conditions remain in effect with the original date of purchase of a season slip pass. Season passes that are non-compliant with type A, B and C classifications (created in 2024) may be renewed, if the vessel and Season Pass Holder remain the same and if the pass is renewed annually.
15. No person shall dock a Watercraft in a Watercraft Slip unless that person holds a Season Pass for that Watercraft Slip.
16. All Watercraft must be removed from Porritt Landing on or before September 30th of each year.

WATERCRAFT SHORT TERM DOCKING PASSES

17. A Short-Term Docking Pass entitles the holder to moor one identified Watercraft in

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an assigned Short Term Docking Slip.

18. Short Term Docking fees are identified in Bylaw 2431 – Fees and Charges Bylaw. Fees and charges can be amended or replaced when warranted by new circumstances or needs. Any changes approved by the SAO are to be reviewed and approved by Council at further updates of the Porritt Landing Bylaw and/or the Fees and Charges Bylaw.
19. A Short-Term Docking Pass may not be transferred to another Watercraft without the consent of the Town.
20. If the holder of a Short-Term Docking Pass sells or otherwise transfers ownership of the Watercraft, the Season Pass shall not be transferred to the new owner of the Watercraft.
21. A Watercraft assigned a Short-Term Docking Pass shall not exceed the length or width identified in the Watercraft Slip permit.
22. Attachments to a Watercraft shall not extend into the walkway when the Watercraft is moored in such a manner as to interfere with foot traffic.
23. No person shall dock a Watercraft in a Short-Term Docking Slip unless that person holds a Short-Term Docking Pass for that Watercraft Slip.
24. All Watercraft must be removed from Porritt Landing on or before September 30th of each year.

DAY USE MOORING

25. No fees or charges apply to Watercraft moored in the Day Use Area.
26. No person shall permit a Watercraft to be moored at Porritt Landing Marina for more than One Day within the Day Use Area, without the purchase of a Short-Term Docking Pass.

PARKING

27. No person shall park a vehicle or a Trailer other than in a designated parking area.
28. No person shall park a vehicle or Trailer for more than One Day.

WAIVER OF LIABILITY

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29. The Town shall not be liable for damage to vehicles, Trailers, Watercraft or people using Porritt Landing Marina.

GENERAL

30. All persons using Porritt Landing Marina shall do so at their own risk.
31. The Town shall not be responsible for any damage or injury sustained to any Watercraft, vehicle or person in the area known as Porritt Landing Marina.
32. All dogs shall be kept on a leash while at Porritt Landing Marina unless they are contained in a vehicle or Watercraft.
33. A person must comply with all applicable bylaws, Territorial and Federal statutes and regulations when using or occupying Porritt Landing.
34. A Watercraft Owner shall ensure the safe mooring of their Watercraft.
35. A Watercraft Owner shall furnish and maintain their own lines and chaffing gear. Chaffing gear shall be attached to the Watercraft or tied to the floats; no other type of fastening is permitted.
36. No person shall moor a Watercraft other than in an area identified for mooring.
37. No person shall moor a Watercraft in a manner that interferes unreasonably with the mooring or access of another Watercraft.
38. No person shall fuel a Watercraft while it is moored.
39. No person shall place or store flammable liquids, oily rags, or other debris, on floats or municipal property, and any costs associated with the cleanup will be charged to the Watercraft owner responsible.
40. No person shall store supplies, materials, accessories, articles, or debris anywhere on Porritt Landing Marina other than a refuse container.
41. No person shall construct any lockers, chests, cabinets, or other structures, or otherwise modify docks in any way.
42. No person shall conduct on-site repairs or maintenance of a Watercraft without the prior written consent of the Director of Recreation and Community Services.
43. Walkways and fingers must be kept free of tenders, dinghies, materials, debris, always carpeting and equipment.

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44. Attachments to a Watercraft shall not extend into the walkway when the Watercraft is moored in such a manner as to interfere with foot traffic.
45. Children under the age of 12 must be always under the supervision of a person 12 years or age or older.
46. No person shall dispose of fish or fish parts in any waste container other than one identified for that purpose.

ENFORCEMENT

47. Any Bylaw Enforcement Officer may enforce this bylaw in the course of their duties.
48. Any Bylaw Enforcement Officer may order a person who does anything contrary to this bylaw to leave the Porritt Landing area immediately, or within a period specified by the Bylaw Enforcement Officer, and every person so ordered shall comply with the order and leave the Porritt Landing area immediately or within the specified time period.
49. Tickets issued for parking offences shall be issued to the motor vehicle's owner, unless otherwise indicated in this by-law.
50. No person shall hinder, oppose, molest, or obstruct a Bylaw Enforcement Officer in the discharge of their duties.
51. Any Bylaw Enforcement Officer, Peace Officer, or emergency personnel, while acting in the course of their duties, are exempt from the provisions of this bylaw.
52. The Town may remove any vehicles, Watercraft Trailers or Watercraft that are parked or moored in violation of this bylaw at the Owner's expense and risk and the cost thereof shall be a debt due from the Owner to the Town.

PENALTIES

53. A person who violates this bylaw is subject to a fine of \$250 unless an alternate amount is identified in Schedule "A".
54. The Town reserves the right to cancel the Season Pass of any Season Pass holder who is in violation of this bylaw.

AMEND

55. That Bylaw No. 2386 is hereby amended.

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READINGS AND ADOPTION

THIS BY-LAW READ A FIRST TIME this 18th day of March, 2024 A.D.



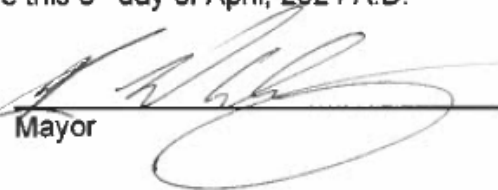
Mayor

THIS BY-LAW READ A SECOND TIME this 18th day of March, 2024 A.D.



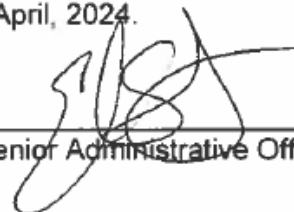
Mayor

THIS BY-LAW READ a Third and Final Time this 8th day of April, 2024 A.D.



Mayor

CERTIFIED that this bylaw has been made in accordance with the requirements of the
Cities, Towns and Villages Act, S.N.W.T., 2003, and the bylaws of the Municipal Corpo-
ration of the Town of Hay River this 8th day of April, 2024.



Senior Administrative Officer

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SCHEDULE "A"
Schedule of Charges and Penalties

<u>OFFENSE</u>	<u>FINE</u>
Additional Season Pass decals (max 2 additional passes)	\$50/boat/yr
Short Term Docking Pass	\$30/day
Parking a Watercraft without an appropriate pass	\$300
Parking a vehicle or Watercraft Trailer in a no parking area	\$ 300
Parking a vehicle or Watercraft Trailer in excess of the One Day time limit	\$300
Mooring a Watercraft in excess of the One Day time limit in the Day Use Area	\$ 300
Failure to properly display registration decals	\$ 100
Failure to remove moored Watercraft by September 30 th	\$ 300
Fueling a Watercraft while moored	\$300
Failure to keep a dog on a leash	\$75





All fines paid and received at the Town of Hay River (Town Hall) before the court date indicated on the ticket, shall be reduced by fifty (50%) percent off the total fine amount indicated on the ticket. This shall only apply for offences indicated in this bylaw.

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SCHEDULE "B"
Porritt Landing Slip Locations Map



	<u>Slip Classification</u>	<u>Annual Fee</u>	<u>Vessel Length</u>	<u>Vessel Width</u>	<u>Vessel Depth</u>
	Type B (slips # 1 to 14)	\$470/season	16' to 24'	8.5' max width	tbd
	Type C (slips 15 to 22)	\$500/season	24' and longer	n/a	tbd
	Type A (slips # 23 to 27)	\$550/season	16' max length	8.5' max width	tbd
	Day use & short-term docking	\$30/day	16' for #28 & 29 and 25' for #30	8.5' max width	tbd