

The Corporation of The Village of Sundridge

By-Law 2019 – 059

Being a By-law for the Removal of Ice Fishing Huts from Municipal Property within the Corporation of the Village of Sundridge.

WHEREAS Section 128 (1) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25 permits a local municipality to prohibit and regulate with respect to public nuisances including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS the Ice Fishing Hut Removal Date for Lake Bernard, Zone 15, is March 31st in each and every year;

Now Therefore the Council of The Corporation of The Village of Sundridge Enacts As Follows:

1. DEFINITIONS

- 1.1 “**Authorized Staff**” means an employee of The Corporation of the Village of Sundridge who carry out any action under this By-law;
- 1.2 “**By-Law Enforcement Officer**” means the person appointed by the Village of Sundridge to enforce the municipal by-laws;
- 1.3 “**Ice Fishing Hut**” means a building or structure designed for the purpose of ice fishing;
- 1.4 “**Village**” means The Corporation of the Village of Sundridge;
- 1.5 “**Owner**” means any person who, is identified as the registered owner, person using the ice hut, or person in possession of the ice hut;
- 1.6 “**Parking**” means the standing of an ice hut on Municipal Property, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading.
- 1.7 “**Person**” includes a corporation.

2. ADMINISTRATION

- 2.1 No person shall park an Ice Fishing Hut on municipal property.

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3. SALE AND DISPOSITION

- 3.1 The By-Law Enforcement Officer for the Village of Sundridge shall have any ice fishing hut in violation of this By-law removed from the regulated area, and the cost of removal will be recovered from the owner upon claiming of said ice fishing hut.
- 3.2 Ice Huts not claimed within 30 days of impoundment by the Village, shall be deemed to be Municipal property and will be disposed of or sold as surplus goods.
- 3.3 Prior to the sale and disposition of an Ice Hut, the Village shall post a notice of the intention to sell or dispose of the Ice Hut in the Almaguin News.
- 3.4 The notice referred to in Section 3.3 shall be posted in the Almaguin News no less than seven (7) days prior to the sale or disposal of the Ice Hut and shall contain a description of the Ice Hut, the name and contact information of the authorized staff to contact to retrieve the Ice Hut and that the cost of removal must be paid prior to retrieval of the Ice Hut.

4. OFFENCES AND ENFORCEMENT

- 4.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for under the Provincial Offences Act, R.S.O. 1990 c. 35 amended or any successor thereof.

5. CONFLICTS

- 5.1 If a provision of this by-law conflicts with an Act or Regulation or another by-law, the provision that is the most restrictive shall prevail.

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6. SEVERABILITY

If any section or sections of the by-law or parts thereof, are found in any court of law to be illegal or beyond the power of the Municipality to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of the by-law shall be deemed to be separate and independent thereof and have been enacted as such.

7. SHORT TITLE

This By-law may be cited as the “Ice Hut Removal By-law”

8. EFFECTIVE DATE

This By-law shall come into force and take effect upon the date of passing.

PASSED THIS 23th DAY of OCTOBER 2019

Lyle Hall, Mayor

Christine Hickey, Deputy Clerk