



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 063-2021

A BY-LAW TO AMEND BY-LAW NUMBER 022-2022, BEING A BY-LAW TO REGULATE, MANAGE, PROTECT, CONTROL AND GOVERN THE USE AND MAINTENANCE OF ALL PUBLIC PARKS, PUBLIC OPEN SPACES, INCLUDING THE HARBOUR, TRAILS AND OTHER PUBLIC FACILITIES IN THE TOWN OF COBOURG

WHEREAS Section 9 of the *Municipal Act, 2001*, states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11(3) the *Municipal Act, 2001*, as amended, provides that the council of a local municipality may pass by-laws respecting matters within the sphere of jurisdiction of culture, parks, recreation and heritage;

AND WHEREAS Section 128 of the *Municipal Act, 2001*, states that a municipality may prohibit and regulate with respect to public nuisance, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS the Council of the Town of Cobourg deems it expedient to regulate, manage, protect, control and govern all public parks, open spaces, including the harbour, trails and other public and heritage facilities in the Town of Cobourg.

AND WHEREAS pursuant to the provisions of the *Municipal Act, 2001*, the Municipal Council of the Corporation of the Town of Cobourg enacted By-law No. 022-2016 on the 11th day of April, 2016 being a By-law to enact the Parks and Facilities Regulations" By-law;

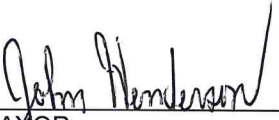
AND WHEREAS it is deemed advisable to amend By-law No. 022-2022;

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT Section 40.0 – **GENERAL REGULATIONS** be amended to read as follows:
 - 40.7 No person shall fish, swim, snorkel, or scuba dive, kiteboard, or hoverboard in the waters included within the Cobourg Harbour, without the authorization of the Director.
 - 40.9 No person shall swim within the West Headland Beach Limits attached as Schedule "E" to this By-law.
2. THAT Section 53.0 – **EXCLUSIONS AND EXEMPTIONS** be amended to include the following wording:
 - 53.2 All no swimming prohibitions are exempt from an offence and citation under this by-law in all life safety situations in which a person or persons are in danger of an immediate threat of injury or death.

3. **THAT** this by-law shall come into full force on the day it is passed.

Read and finally passed in Open Council on this 26th day of July 2021.



MAYOR



MUNICIPAL CLERK

Amendment Schedule "C"
Corporation of The Town of Cobourg
By-law #022-2016

By-Law to Regulate, Protect and Govern the use of Parks, Public Open Spaces in the
Town of Cobourg.

Part I Provincial Offences Act

| ITEM | COLUMN 1 Short Form Wording | COMUMN 2 Provision creating or defining offence | COLUMN 3 Set Fines |
|-------------|--|--|------------------------------|
| 98. | Swim in prohibited area of the west headland beach limits | Section 40.9 | \$105.00 |

NOTE: The general penalty provision for the offences listed above is Section 55.1 of By-law #022-2016, a certified copy of which has been filed.

Amendment Schedule "E"
Corporation of The Town of Cobourg
By-law #022-2016

