



**THE CORPORATION OF THE TOWNSHIP OF ST. CLAIR  
BY-LAW NUMBER 45 of 2018**

**Being a By-law to Regulate use of the St. Clair River Trail**

**WHEREAS** Section 11 of the Municipal Act, 2001, provides that a local municipality may pass bylaws respecting the health, safety and well-being of persons; and the protection of persons and property;

**AND WHEREAS** Section 11 of the Municipal Act, 2001, provides that a local municipality may pass bylaws with respect to culture and parks, and over municipal transportation systems;

**AND WHEREAS** the Council for the Township of St. Clair deems it necessary to close the St. Clair River Trail during the months prone to winter weather to protect its citizens;

**NOW THEREFORE** Council for the Township of St. Clair enacts as follows:

**1. Definitions**

For the purposes of this bylaw, the following terms carry the attached meaning:

**“Pedestrians”** includes anyone walking, jogging, running or otherwise using their own muscular power for transportation and includes those using bicycles and tandem bikes, and includes those using mobilization scooters;

**“St. Clair River Trail”** means the recreational trail, identified by St. Clair River Trail signs, extending from the Township’s northern boundary along St. Clair Parkway extending the entire length of the municipality on both the east and west sides terminating at the southern limit of the municipality, including parts of the trail making up the shoulder of the road, and the parts detached from the road;

**“Township”** means the Corporation of the Township of St. Clair;

**“Motor Vehicle”** includes an automobile, motorcycle, motor scooter, mini-bike, motorized snow vehicle, or any other type of vehicle drawn, propelled, or driven by any kind of power, excluding muscular power;

**2. Application**

This bylaw shall apply to all sections of the St. Clair River Trail.

**3. Prohibitions**

No person shall:

- (a) Operate or use a motor vehicle of any type on any portion of the St. Clair River Trail
- (b) Destroy, cut, mark, break, tear up or in any way damage, injure, or deface any portion of the St. Clair River Trail, including benches and any other trail furniture;
- (c) Park any motor vehicle on the St. Clair River Trail;
- (d) Walk a dog who is not on a leash, or allow any dog to defecate or befoul the St. Clair River Trail;
- (e) Post, nail, attach or otherwise fasten any poster, sign, notice, placard, advertisement, or paper along the St. Clair River Trail without written consent of the Township;

#### **4. Seasonal Closure**

No person shall use the St. Clair River Trail in any capacity between November 30 through and including April 15 including pedestrians and those using motor vehicles.

#### **5. Set Fines**

Set Fines are attached as 'Schedule A' to this Bylaw.

#### **6. Enforcement**

This Bylaw can be enforced by any officer of the Township and by the Ontario Provincial Police.

No person shall fail to comply with regulations as set out in this by-law and any person who contravenes this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act. Any person who contravenes any provision of this by-law is guilty of an offence and shall be liable, on conviction, to a penalty not exceeding \$5000 (five thousand dollars).


#### **7. Severability**

Each of the foregoing provisions of this Bylaw is severable and if any provisions of this Bylaw should be declared invalid by any court, for any reason, it is the intention and desire of this Council that each and every one of the remaining provisions shall remain in full force and effect.

#### **8. Effective Date**

The Bylaw comes into force and effect on this the 16<sup>th</sup> day of July, 2018.

This Bylaw was **READ** a **FIRST, SECOND, THIRD** time and **FINALLY PASSED** this 16<sup>th</sup> day of **July**, 2018.



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Steve Arnold  
Mayor



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Jeff Baranek  
Clerk





**SCHEDULE "A"  
TO BYLAW 45 OF 2018**

**Being a Bylaw to Regulate the Use of the St. Clair River Trail**

**PART 1 – PROVINCIAL OFFENCES ACT**

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Provision Creating Offence</b>	<b>COLUMN 3 Set Fine</b>
1	Operating a motor vehicle on the St. Clair River Trail	Section 3(a)	\$200.00
2	Causing or allowing to be caused, damage to the St. Clair River Trail	Section 3(b)	\$200.00
3	Walk dog without leash; allowing a dog to defecate on the St. Clair River Trail	Section 3(d)	\$50.00
4	Posting a sign or note on the St. Clair River Trail without Township authorization	Section 3(e)	\$50.00
5	Using the St. Clair River Trail between November 30 and April 15	Section (4)	\$50.00

The general penalty for the offences listed above is Section 6 of By-Law 45 of 2018, a certified copy of which has been filed.

Every 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 in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.



**SCHEDULE "A"  
TO BYLAW 45 OF 2018**

**Being a Bylaw to Regulate the Use of the St. Clair River Trail**

**PART 2 – PROVINCIAL OFFENCES ACT**

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Provision Creating or Defining Offence</b>	<b>COLUMN 3 Early Voluntary Payment (Payable within 7 days)</b>	<b>COLUMN 4 SET Fine</b>
1	Parking a motor vehicle on the St. Clair River Trail	3(c)	\$35	\$50

Note: The general penalty provision for the offences listed above is Section 6 of Bylaw 45 of 2018, a certified copy of which has been filed.