

- By-law 244-01
- By-law 244-02

CANADA
PROVINCE OF QUEBEC
COUNTY OF ARGENTEUIL
MUNICIPALITY OF THE TOWNSHIP OF GORE

BY-LAW 244

GOVERNING ACCESS TO LAKE BARRON
AND THE BOAT LAUNCH OF THE
MUNICIPALITY OF THE TOWNSHIP OF
GORE

WHEREAS every municipality may adopt regulations pertaining to the environment and nuisance;

WHEREAS Council wishes to ensure and maintain the quality of water within its territory;

WHEREAS Lake Barron is a headwater lake and the quality of its water has a direct impact on other downstream lakes;

WHEREAS the Municipality of the Township of Gore owns a vacant lot located on Lake Barron, bearing lot number 5 081 973 of the Quebec cadastre;

WHEREAS Council wishes to reinforce the protection of its shorelines and of Lake Barron's shore by increasing control over water craft access to Lake Barron in order to prevent the spread of exotic invasive species;

WHEREAS zebra mussels, milfoil, cercariae and other exotic invasive species can cause considerable damage to flora, fauna, water quality, docks and buoys which can lead to serious safety and public health issues;

WHEREAS zebra mussels, milfoil, cercariae and other exotic invasive species can spread from one lake to another through boat hulls and engines, ballast systems, trailers or live bait used for sport fishing;

WHEREAS preventive measures must be implemented in order to control infiltration and the spreading of these species in inland lakes;

WHEREAS the intensive use of lakes has a negative impact on water quality and banks integrity making the Municipality want to develop various means to protect the lakes;

WHEREAS the Municipality wishes to implement effective means to fight against the possible introduction of exotic invasive species in its waters, which would potentially have major impacts on tourism and waterfront properties;

WHEREAS articles 244.1 onward of the *Act respecting municipal taxation* gives municipalities the authority to finance, by the application of tariffs, all or part of its property, services and activities;

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- **By-law 244-01**
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WHEREAS a notice of motion and the presentation of the present by-law were given by Councillor Alain Giroux at the special meeting of May 26, 2021;

WHEREAS a copy of the by-law was given to the members of Council 72 hours prior to the meeting where this by-law is presented for adoption;

WHEREAS copies of the by-law were made available to the public before the present meeting;

WHEREAS the Mayor presented the by-law to the people in attendance.

CONSEQUENTLY,

IT IS **MOVED** BY: Councillor Anik Korosec

SECONDED BY: Councillor Anselmo Marandola

AND **RESOLVED** unanimously by Councillors (6):

THAT the present by-law is adopted as follows:

ARTICLE 1 PREAMBLE

The preamble form an integral part of this by-law.

ARTICLE 2 OBJECTIVES

This By-law aims to:

1. Prevent the invasion of exotic species such as zebra mussels, milfoil and cercariae into the bodies of water in order to ensure the public health and safety and the maintenance of water quality;
2. Regulate access to Lake Barron depending on the types of boats in order to reduce negative impacts on water quality and shoreline protection.

ARTICLE 3 DEFINITIONS

Wake Boats: all motorized craft equipped or designed, in whole or in part, to produce sufficiently large waves or wakes to allow wakeboarding / surfing activities or any other water activity requiring the amplification of normally produced waves by the vessel itself;

Municipal launch: construction or structure belonging to the municipality, situated on the shores of Lake Barron to allow motorized boats to be put in the water;

Motorboat: any device, assembly and buoyant construction meant for moving on the water, moved by an electric or internal combustion engine, whose displacement is provided either by a propeller, a jet of water or other mechanical process. Is also perceived as a motorboat, any other craft not fitted with a motor at the time of its launch, but installed with an engine after it was put in the water. This definition also includes devices like "Flyboard" or "water jetpack".

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Non-motorized craft: any device, structure and buoyant structure intended for movement on water, without a motor.

Utility boats: motorboats used by a competent authority for monitoring or as part of environmental studies;

Personal watercrafts: rimless boats, propelled by the jet of water from a turbine engine and can contain one or more places (often called "seadoo" or "jet ski");

Municipality: means the Municipality of the Township of Gore;

Access permit: annual and compulsory sticker issued by the Municipality during the licensing and permit identification of users authorized to use the municipal launch;

Owner: any person who owns a building in the Municipality or is permanently domiciled or is a tenant of a house in the Municipality with a lease for a minimum period of one (1) month during the summer season , between June and October;

Waterfront property owner:

- a) Any person or entity owning and / or living at a property neighboring Lake Barron;
- b) The owners who are beneficiaries of a real servitude to Lake Barron duly registered in the land registry, excluding the beneficiaries of a right of way by foot only.

Are also treated as waterfront property owners, tenants holding a signed lease in their name for a minimum period of three (3) months to a neighboring residence at Lake Barron, during the summer season from June to October.

Weighting system: any equipment mounted on a motorized boat whose use allows wave amplification normally produced by the boat itself (wake boats in particular are equipped as such);

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ARTICLE 3.1 GENERAL RULES

Anyone using the premises must:

- a) Be considerate to others;
- b) Respect the peace, order, well-being and tranquility of others;
- c) Respect the limits of the park and not encroach on neighboring property;
- d) Respect the signage.

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ARTICLE 3.2 PROHIBITIONS

It is prohibited for anyone using the premises to:

- a) To use the premises for any purpose other than a boat launch;
- b) Move, modify, remove or add to the signs installed by the municipality;
- c) Consume alcoholic beverages;
- d) Smoke or have in their possession tobacco that is burning;
- e) Vape, use e-cigarette or any type of apparatus resembling a cigarette

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- f) Have in their possession or be smoking, inhaling or consuming drugs or cannabis in any form;
- g) Swim or wade in the water;
- h) Play music using a speaker or amplifying device;
- i) Litter or leave garbage, except in the baskets or bins provided for this purpose.

ARTICLE 4 PROHIBITED USE

Are prohibited on all waterfront land bordering Lake Barron, boat launch or decent services or usages. Are also prohibited, the installation, construction or improvement of launching ramps.

The prohibitions in the preceding paragraph do not apply to Lake Barron property owners who use their property, or that have rented a property in the case of tenants, for the purposes described in the first paragraph of this article, for their own use and personal enjoyment provided that all boats placed in the water from their property have an access permit issued by the Municipality.

ARTICLE 5 FEES

No one may access to the municipal boat launch for a motorized or non-motorized boat unless they have obtained an access permit or day pass and affix said permit or pass on their boat at the specified location.

A limit of two (2) annual access permits are permitted for motorized boats of the same street address. There are no limits for non-motorized boats.

The annual fees for an access permit and for a day pass at the municipal launch are established annually within a by-law adopted by Council. Fees may vary depending on the type of user and type of vessel, namely:

User type:

- Lake Barron waterfront owners or holders of a notarized servitude;
- Gore residents;
- All other users.

Type of craft:

- Non-motorized watercrafts;
- Watercrafts 10hp or less;
- Watercrafts over 10hp and less than 75hp;
- Watercrafts of 75hp and up;
- Wake boats and personal watercrafts.

This section does not apply to the utility boat for which a special permit may be issued by the Municipality.

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ARTICLE 6 CONDITIONS FOR THE ISSUANCE OF AN ACCESS PERMIT

To obtain an annual access permit under this by-law, the applicant must meet the following conditions:

- Be a waterfront property owner or be the spouse of such an owner;
- Complete and sign all forms and documents required by the Municipality;
- For motorboats, provide proof of federal registration, except for motorboats having a motor of less than 10 hp for which a “proof of purchase” of the boat or its engine is sufficient;
- For Wake Boats, provide proof of insurance issued in the name of the property owner or the owner’s spouse.;
- Pay the applicable permit fee, as set out in the by-law in force;
- Affix the sticker issued by the Municipality, which confirms the issuance of the access permit, to the starboard side of the boat, in a visible location.

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ARTICLE 6.1 SPECIFIC CONDITIONS BY TYPE OF BOAT

Notwithstanding the definition of Waterfront Property Owner, only a Waterfront Property Owner who is an individual or a legal entity and who is either the owner or full-time resident of a property adjacent to Lake Barron may be granted an access permit to Lake Barron for the use of the following watercraft and nautical devices:

- Wake boats or boats equipped with a ballast or weighting system;
- Flyboard or Water Jet Pack–type nautical devices.

Despite any other provision, an access permit for the watercraft or nautical devices referred to in this article shall not be issued to:

- Owners who are beneficiaries of a real servitude or right of way providing access to Lake Barron, even if such servitude is duly registered in the Land Register;
- Beneficiaries of a real servitude of passage by foot only;
- To any tenant who is not a full-time resident of a property adjacent to Lake Barron.

ARTICLE 7 APPLICATION FORM

All application requests to obtain an access permit must contain the following information:

- The name and address of the applicant;
- A proof of land ownership of the applicant or lease;
- The name of the spouse, if the spouse is an owner;
- The brand, model, serial number and the length of the boat;
- The brand, serial number and the horsepower of the engine.

ARTICLE 8 DAY PASSES

In the case of a person who is not a waterfront property owner of the Municipality within the meaning of this by-law, a daily access pass for the launch will be issued upon payment of the cost of access determined in Article 5 . Wake boats, personal

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watercrafts, any other watercraft equipped with a weight system and devices like “Flyboard” ou “Water jet pack” are prohibited.

Daily passes are only valid on Friday, Saturday or Sunday and during the following holidays:

- National Patriots Day;
- Labor Day;
- Thanksgiving.

Boat dealerships, repairers and anyone wanting to perform motorized boat testing from outside the area are not permitted, unless they are delivering or responding to a service call for a watercraft already registered in the municipality, and hold a written confirmation from the concerned owner.

ARTICLE 9 MANDATORY DISPLAY OF THE ACCESS PERMIT

No one can place a watercraft into the water or use a motorboat on Lake Barron if the access permit is not affixed on said watercraft of boat.

ARTICLE 10 WASHING OF BOATS

Any vessel using the municipal boat launch is subject to an internal and external visual inspection by the designated officer duly authorized for that purpose before entering the water. This official has the authority to deny access to any watercraft that shows signs of contamination or otherwise contravenes the provisions of this by-law.

In the case where signs of contamination are noted, the watercraft must be washed in a washing station recognized by the Municipality prior to launching.

Any holder of an access permit who has a washing certificate issued by a washing station recognized by the Municipality within a 24 hours period of the launch, will be granted access.

ARTICLE 11 USING THE MUNICIPAL WARF

It is forbidden for any boat, aircraft or any other vehicle to be moored or otherwise attached to the municipal wharf for a period exceeding 15 minutes.

ARTICLE 12 DUMPING OF EXOTIC SPECIES

It is forbidden to dump or allow to dump, in any way, any exotic or invasive species such as zebra mussels, milfoil and cercariae in Lake Barron.

ARTICLE 13 LIVE BAIT

It is forbidden to transport live fish bait in a container with water from another lake other than Lake Barron. The designated official may check the containers, prohibit their use and confiscate them.

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ARTICLE 14 EMPTYING

It is forbidden to drain the water from the engine's cooling system or the ballasting system in Lake Barron.

ARTICLE 15 POWERS

The Municipality may by resolution appoint any person to implement the provisions of this by-law. The Municipality may also conclude a special agreement with any person for the purposes of this by-law, to grant access rights and to collect charges on behalf of the Municipality.

This person also has the power to prohibit access to the water any vessel not having an access permit.

ARTICLE 16 PENALTIES

Any person who contravenes any provision of this regulation commits an offense and is liable to a \$ 1,000 fine for a first offense and a \$ 2,000 fine for a subsequent offense and this, in addition to the fee they failed to pay for their access permit. In all cases, the costs of prosecution are extra.

The deadlines for the payment of fines and costs imposed under this Article and the consequences of failure to pay those fines and fees on time, are established in accordance with the Criminal Procedure Code (RSQ c. C-25.1).

If an infraction lasts more than one day, the offense committed each day constitutes a separate offense and the penalties imposed for each offense may be levied for each day, according to this article.

ARTICLE 17 REPEALING AND REPLACING

This by-law repeals and replaces by-laws 195 and 195-1.

ARTICLE 18 COMING INTO EFFECT

This by-law comes into effect in accordance with the Law.

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NOTICE OF MOTION:	2021-05-26
PRESENTATION OF DRAFT BY-LAW	2021-05-26
ADOPTION OF BY-LAW:	2021-06-07
PUBLICATION NOTICE:	2021-06-10
EFFECTIVE DATE:	2021-06-10

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NOTICE OF MOTION:	2022-08-01
PRESENTATION OF DRAFT BY-LAW	2022-08-01
ADOPTION OF BY-LAW:	2022-09-06
PUBLICATION NOTICE:	2022-09-12
EFFECTIVE DATE:	2022-09-12

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NOTICE OF MOTION:	2026-04-04
PRESENTATION OF DRAFT BY-LAW	2026-04-04
ADOPTION OF BY-LAW:	2026-05-04
PUBLICATION NOTICE:	2026-05-11
EFFECTIVE DATE:	2026-05-11