



— TOWNSHIP OF —
ASHFIELD - COLBORNE - WAWANOSH

THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 39-2021

BEING A BY-LAW to prohibit camping on municipally owned lands within
the Township of Ashfield-Colborne-Wawanosh.

WHEREAS subsection 10(1) of the Municipal Act, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting the health, safety, and well-being of persons;

AND WHEREAS Section 128(1) of the Municipal Act, 2001, R.S.O. 2001, c. 25, as amended, (the Act), provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of the Council, are or could become public nuisances;

AND WHEREAS section 425(1) of the Municipal Act, 2001 provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this act is guilty of an offence;

AND WHEREAS Council deems it appropriate to pass a by-law to control the use of public lands which the Municipality owns;

NOW THEREFORE the Council of the Township of Ashfield-Colborne-Wawanosh, hereby enact as follows:

PART 1 – DEFINITIONS

For the purpose of this by-law:

“Camp or Camping” means the establishment of temporary accommodations for eating and/or sleeping and the presence of food and utensils for cooking, a campfire and/or a tent, trailer or motor home shall be proof of camping and/or camp.

“Municipality” means The Corporation of the Township of Ashfield-Colborne-Wawanosh;

“Officer” means a By-law Enforcement Officer appointed by Council to enforce the provisions of this by-law who shall be, by virtue of his/her office, a Provincial Offences Officer when enforcing the provisions of this by-law.

“Public Nuisance” means an activity that unreasonably interferes with the public’s interest in questions of health and safety, attacking upon the right of public generally to live their lives unaffected by inconvenience, discomfort, or other forms of interference.

PART 2 – CAMPING PROHIBITION

2.1 No person shall camp overnight on land owned or occupied by the Corporation of the Township of Ashfield-Colborne-Wawanosh.

- 2.2 Camping on any municipally owned land is considered a public nuisance as defined herein.

PART 3 – PENALTY AND ENFORCEMENT

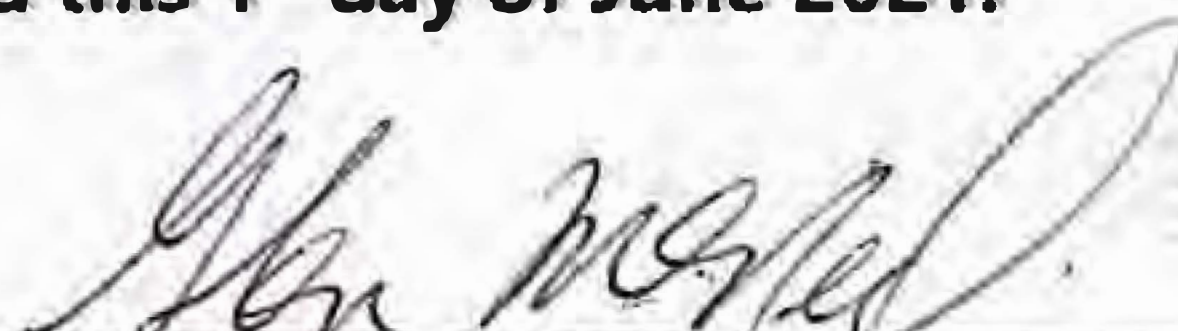
- 3.1 Any person(s) who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty for each offence, exclusive costs and upon conviction is liable to a fine as set out in the Provincial Offences Act, R.S.O., Chapter P. 33.
- 3.2 No person shall willfully obstruct, hinder or otherwise interfere with an Officer in the performance of the Officer's duties, rights, functions, powers or authority under this by-law.
- 3.3 Where an Officer has reasonable grounds to believe that an offence under this by-law has been committed by a person(s), the Office may require the name, address and proof of identity of that person(s), and the persons(s) shall supply the required information.

PART 4 – GENERAL


- 4.1 This by-law shall be known as the "No Camping By-Law".
- 4.2 If, for any reason, any section, clause, or provision of this by-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof other than the part that was declared to be invalid.
- 4.3 This by-law shall come into full force and effect on the final day of passing.

Read a first and second time this 1st day of June 2021.

Read a third time and finally passed this 1st day of June 2021.



Mayor, Glen McNeil



CAO/Deputy-Clerk, Mark Becker

THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 39-2021

PART I PROVINCIAL OFFENCES ACT

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Camping on land owned by municipality	Section 2.1	\$250.00
2	Hinder or obstruct enforcement officer	Section 3.2	\$250.00