

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2003 - 53

**BEING THE CANAL LANDS SAFETY BY-LAW, A BY-LAW
TO REGULATE AND PROTECT THE PUBLIC'S USE OF
THE WELLAND RECREATIONAL CANAL LANDS**

WHEREAS the Board of Directors of the Welland Recreational Canal Corporation has laboured long and hard to draft this by-law for Council's consideration;

AND WHEREAS Council, concurring with this endeavour of the Board of Directors, deems it necessary and advisable to enact this By-law;

AND WHEREAS the subject of this by-law generally, but not exclusively, is concerned with Policies and Enforcement issues respecting WRCC lands, as distinct from the WRCC canal or waterway issues, this by-law should be read together with its counterpart by-law respecting the WRCC Canal Water Safety.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

PART "A" - DEFINITIONS

1. In this By-law the following definitions do apply:
 - (a) "**WRCC lands**" means all of the lands and premises more particularly described in the deeds of transfer from Her Majesty the Queen in Right of Canada, as represented by the Minister of Public Works and Government Services, to The Corporation of the City of Welland, registered in the Land Registry Office for the Registry Division of Niagara South (No. 59) on the 31st day of March, 1991, as Instrument No. RO760745 and registered in the Land Titles Division of Niagara South as Instrument No. LT133437, save and except the waterway, know as the Welland Recreational Canal, described therein.
 - (b) "**WRCC**" means the Welland Recreational Canal Corporation which manages and operates the Welland Recreational Canal lands under a Licence from The Corporation of the City of Welland.

PART "B" - POLICIES REGARDING THE USE OF WRCC LANDS

2. The policies for the use of WRCC lands, respecting the uses designated hereinafter, are hereby adopted and approved.

Rollerbladers

- (a) Rollerbladers are asked to follow these guidelines:
- (i) Always skate on the right side of the trail.
 - (ii) Give an audible warning before you pass other pathway users.
 - (iii) Safety equipment (helmets, knee pads and elbow pads) are recommended.
 - (iv) All trail users are asked not to block the trail.
 - (v) All trail users are to be courteous to others.
 - (vi) If you wear a headset, keep the volume at a low level so you can hear other trail users as they approach.

Bicyclists

- (b) Bicyclists are asked to follow these guidelines:
- (i) Follow the general rules of the road.
 - (ii) Ride on the right side of the trail.
 - (iii) Give an audible warning when passing other trail users.
 - (iv) Strongly recommended that all bicyclists wear CSA approved helmets.
 - (v) Children must adhere to the Provincial Bicycle Operation Regulations and wear a CSA approved bike helmet.
 - (vi) All trail users are asked not to block the trail.
 - (vii) All trail users are asked to be courteous to others.
 - (viii) If you wear a headset, keep the volume at a low level so you can hear other trail users as they approach.

“Not to Leave a Trace Program”

- (c) All persons using the WRCC lands are asked to follow the “Not to Leave a Trace Program”. This program has the following guidelines:
- (i) Littering on the WRCC lands is prohibited.
 - (ii) Smokers must not throw their cigarette butts on the ground.
 - (iii) If you carry it in, carry it out (i.e.) take your waste with you.
 - (iv) Stay on trails, do not create new trails.
 - (v) Avoid muddy parts of any trail, as using muddy trails will widen trails and accelerate erosion.

Natural Fauna

(d) The WRCC respects the natural habitat and presence of animals and expects people and their pets not to harass, chase or corner any such animal.

Courtesy and Respect

(e) Be courteous and show respect to people and to our natural environment.

PART "C" - ENFORCEMENT

3. No person shall enter upon any area of WRCC lands which are posted with a Notice warning that such lands are dangerous to persons trespassing thereon.
4. No person shall enter upon any area of WRCC lands which are posted with a Notice warning that such lands are environmentally sensitive.
5. No person shall cause, permit or use a fire anywhere within WRCC lands, except in an authorized barbeque pit provided for the purposes, which is tended by an adult person.
6. No family, religious, or other group shall use any Merritt Island picnic pavilion, without providing to the WRCC information of the event, its purpose and contact person and obtaining a user permit therefore from the WRCC.
7. No person shall cause or permit any digging, damage or disturbance of ground, rocks, trees, shrubs, bushes, flowers, walls, trails, barriers, signs, monuments, markers, benches, tables, barbeques, fixtures or things within the WRCC lands, except as permitted by regulation or permit authorized by or on behalf of the WRCC.
8. Every owner of a dog within the WRCC lands shall keep said dog under control at all times and when leashed, said lease shall not exceed 2.5 metres (8 feet) in length, unless prior consent is given by the WRCC.

9. Every person who owns, controls or harbours a dog, shall remove forthwith any and all excrement left by the dog on all lands of the WRCC.

10. Any person who contravenes any provision of this By-law is guilty of an offence and upon conviction therefore is liable to a fine not exceeding \$5,000.00 for each offence.

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

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY
COUNCIL THIS 15th DAY OF **April, 2003.**

Cindy Furt MAYOR

Barbara Gallaccio DEPUTY,
CLERK