

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2005 - 92

**A BY-LAW TO ADOPT A 'GO QUIET' POLICY AND
'URBAN FISHING INITIATIVE' RESPECTING THE USE
OF THE WELLAND RECREATIONAL CANAL WATERWAY;
AND TO REPEAL BY-LAW 2003-77**

WHEREAS the Board of Directors of the Welland Recreational Canal Corporation has recommended to Council the replacement of Waterway Use and Safety Policies established by By-law 2003-77, with a new 'Go Quiet' Policy and 'Urban Fishing Initiative';

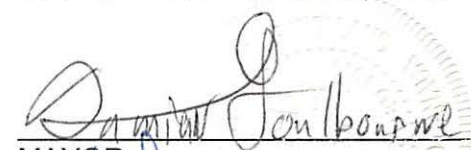
AND WHEREAS Council accepts the recommendation and therefore deems it necessary and advisable to enact this by-law.

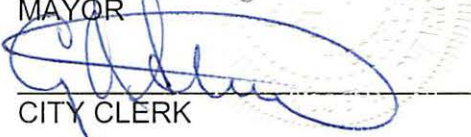
NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

1. In this By-law the following definitions do apply:
 - (a) **"WRCC Canal"** means the waterway, known as the Welland Recreational Canal, and 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 lands and premises 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.
2. The recommended 'Go Quiet' Policy and 'Urban Fishing Initiative' of the WRCC shall be and the same is hereby adopted.
3. No person shall operate or use any motorized watercraft upon the WRCC Canal, except with the express written permission of the Welland Recreational Canal Corporation issued in accordance with the said Policy.

- 4. Any person who contravenes any provision of this By-law is guilty of an offence and upon conviction, is liable to a fine not exceeding \$5,000.00 for each such offence.
- 5. This By-law shall come into force and take effect upon the date of its passage.

READ A FIRST TIME BY COUNCIL THIS 21st DAY OF June, 2005.

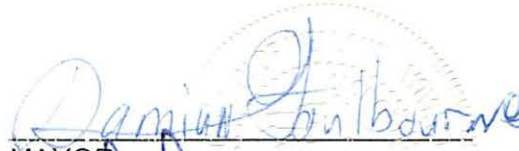


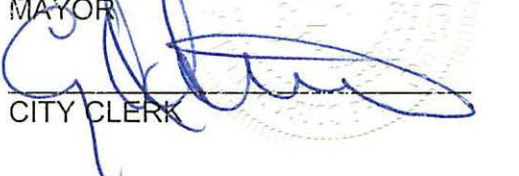
 MAYOR


 CITY CLERK

READ A SECOND AND THIRD TIME AND FINALLY PASSED BY COUNCIL THIS 19th DAY OF July, 2005.

20th
CJ



 MAYOR


 CITY CLERK

Welland Recreational Canal Corporation (WRCC) Policy

<i>Policy Title:</i>	Welland Recreational Waterway ~ Go Quiet Policy	<i>Policy No:</i>	99-POL-01
<i>Date of Approval:</i>	July 20, 2005		
<i>Lead Role:</i>	Welland Recreational Canal Corporation	<i>Support Role:</i>	City of Welland By-Law Enforcement
<i>Reference:</i>	P&R-2005-07	<i>Review Date:</i>	November 2010

Policy Statement:

The Welland Recreational Canal Corporation (a.k.a. WRCC Canal, Old Canal, Welland Recreational Waterway) is to be used by non-motorized watercraft only, unless an organization, association or corporation is otherwise granted permission by the WRCC.

Purpose:

To reduce the negative impacts on public safety, noise pollution, bank erosion, bank stability, insurance costs and risk management of motorized watercraft use on the Recreational Waterway and increase the potential for multi-use quiet enjoyment and flatwater sport event attraction by restricting the use of motorized watercraft to those persons granted permission to use said watercraft as part of an association, club, or corporation, making application to the WRCC.

Scope:

This policy shall apply to the waterway under the administrative control of the WRCC, by way of by-law passed by Council of the City of Welland.

Procedure:

Motorized watercrafts are hereby prohibited from using the Welland Recreational Canal. Applications for 'permissive use' may be made to the WRCC Board of Directors in writing. Applicants must be an association, organization or corporation meeting common objectives of the WRCC, with adequate insurance coverage naming the City of Welland and the Welland Recreational Canal Corporation as 'Additional Insured'.

Compliance:

By-law 2005-92, being a by-law to establish and regulate the 'Go Quiet' Policy for the canal, must be complied with by all members of the public and enforcement is to be carried out by By-law Enforcement staff, duly authorized to do so.