

DISTRICT OF LAKELAND

BYLAW NO. 9 – 2022

THE COUNCIL FOR THE DISTRICT OF LAKELAND NO. 521 IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as *The Environmental Stewardship Bylaw*.

Purpose

2. The purpose of this bylaw is to implement better practices within a defined lake impact area to balance public safety, environmental stewardship and public enjoyment of activities affecting the foreshore, shoreland and lakes.

Definitions

3. In this Bylaw:
 - a) “Administrator” shall mean the Administrator of the Municipality.
 - b) “Council” means the Council of the District of Lakeland No 521.
 - c) “Designated Officer” means a person appointed by the Municipality to enforce this bylaw and shall include the Administrator, and a Peace Officer.
 - d) “Hydraulic Jet” means any product, sold, marketed, engineered or intended to be placed in water to aerate, blow, divert, or move water, debris, mud, or sediment away from the area the device is being used. It shall include such products as a Hydro Sweep, Aqua Thruster, Aqua Sweep, and AquaBlaster or any such other similar device able to do the same.
 - e) “Lake impact area” shall mean any land located within 15 meters from the water located in Anglin Lake, Emma Lake, Christopher Lake and McPhee Lake.
 - f) “Municipal Property” shall mean lands that are dedicated as municipal reserves, public reserves, environmental reserve, buffers or any other dedicated lands under *The Planning and Development Act, 2007*, Zoning Bylaw and includes lands that are owned or are controlled or are being maintained by the Municipality, and is to include undeveloped road allowance.
 - g) “Municipality” means the District of Lakeland No. 521;
 - h) “Occupant” and “Owner” means an occupant or owner as defined in *The Municipalities Act*;

- i) “Peace Officer” means a peace officer as defined in *The Summary Offences Procedure Act, 1990*.
- j) “Person” includes an unincorporated association, partnership, or other organization, a municipality, a Crown corporation or an agency of the Crown.
- k) “Fertilizer” means a fertilizer within the meaning of the *Fertilizers Act (Canada)*.
- l) “Property” means land or buildings or both, or any structure;

Responsibility

- 4. Unless otherwise specified, the owner of a property, including land, buildings and structure, shall be responsible for ensuring the compliance with this Bylaw.

Fertilizer

- 5. No person shall discharge, place or use any fertilizer on or within any municipal property.
- 6. No person shall discharge, place or use any fertilizer on or within any lake impact area.

Sewage Holding Tanks

- 7. The Municipality shall only permit the installation of sewage tanks made of concrete in any lake impact area property. No tank manufactured from steel, fibreglass-reinforced plastic, polyvinylchloride (PVC), or polyethylene (PE) shall be permitted to be installed within this area.

Lake Impact Area Activity

- 8. No person shall commence, continue, or cause to be commenced or continued, or permit or allow to be permitted any alteration to any land, whether or not owned or occupied by that person, located within a lake impact area unless the person doing the work, the owner or occupant of the land has first obtained permission from the Municipality for such alteration.
- 9. The municipality shall not permit the placement of any earth, soil, sand, rock or other similar materials within the lake impact area unless the material is placed on private property at a distance of 6 meters from the water with less than a slope of 10% grade toward the water. Where the grade is greater than 10%, reasonable precautions are to be taken, to the satisfaction of a Designated Officer, to ensure no material travels to the water. Any request to place any earth, soil, sand, rock or other similar material within 6 meters from the water shall ensure that there is in place natural vegetation at or along the water edge at a span of not less than 2 meters separating the material and the water, and a barrier is in place to prevent any materials from getting into the water.
- 10. No authorization from the Municipality is required for placement of native trees, shrubs or other natural flora or fauna provided it is on private property, at a distance greater than 6 meters from the water.

11. The Municipality shall be exempt from section 8 if such work and material placement is done within a beach area as defined in Appendix "A", attached to this bylaw.
12. No person shall install, place or use any hydraulic jet within any waters within the Municipality.
13. In addition to the requirements of section 12, no property owner, or dock or lift licensee shall permit the installation or use of a hydraulic jet on any dock, lift or pole.
14. A Designated Officer may exempt any person from complying with any section of this bylaw.

Offences and Penalties

15. No person shall fail to comply with any provision of this Bylaw, nor obstruct, hinder or interfere in any way with any Designated Officer or any other person acting under the authority of this Bylaw;
16. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction, in addition to any surcharge imposed by the Court, to a fine of not less than \$350 and not more than \$10,000;

Severability

17. If a Court of competent jurisdiction should declare any section or part of a section of this bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced the Council to pass the remainder of the bylaw, and it is hereby declared that the remainder of the bylaw shall be valid and shall remain in force and effect.

Coming Into Force

18. This bylaw shall come into force on the day of its final passing.

Read a first time this day of, 2022.

Read a second time this day of, 2022.

Read a third time and adopted by Council this day of, 2022.

(Seal)

Reeve

Administrator

Appendix "A"

Per section 11 – beach areas.

Christopher Lake

Bells Beach being property R1, Surface Parcel 151416129

Lions Park being Parcel A, Surface Parcel 164323313

Emma Lake

McPhail Cove being property R1, Surface Parcel 134927781

Neis Beach being property R3, Surface Parcel 134928007

Sunnyside Beach being the north portion of Surface Parcel 161996901 operated as the public beach area, commonly known as 'Sunnyside Beach'

Sunset Beach being property R1, Surface Parcel 148048780

McPhee Lake

being property located directly east of Woodchuck Road along McPhee Lake.