

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2023-071

By-law to amend By-law 2004-89 (King's Navy Yard Regulations)

**WHEREAS** Section 129 of the Municipal Act, 2001, as amended, provides that the councils of local municipalities may pass by-laws for regulating or prohibiting with respect to noise;

**NOW THEREFORE** THE COUNCIL OF THE CORPORATION OF THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS;

1. That Section 5 of By-law 2004-89 is hereby added;  
"5. Exemptions: Notwithstanding any other provisions of this by-law or by-law 2002-72, as amended, this by-law and by-law 2002-72, as amended does not apply to an event being put on by the Town of Amherstburg in King's Navy Yard Park. Added B/L 2023-071, May 23, 2023"

2. That all over provisions of By-law 2004-89 remain in fully force and effect.

Read three times and finally passed this 23<sup>rd</sup> day of May, 2023.

  
MAYOR – MICHAEL PRUE

  
CLERK – KEVIN FOX

**CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2004-89**

Being a By-law to regulate the use of the King's Navy Yard Park

**WHEREAS** the Municipal Act 2001 S.O. c25 Section 11 (5) authorizes a municipality to pass by-laws respecting matters relating to culture, parks, recreation and heritage; and

**WHEREAS** the Council of the Town of Amherstburg passed By-law 2002-72 being a by-law to regulate the use of parks; and

**WHEREAS** the King's Navy Yard Park was created in two phases from input received at public meetings; and

**WHEREAS** Grant money was given to the Town by federal and provincial agencies under the conditions that local committees be formed to define the nature and uses of the park; and

**WHEREAS** the consensus was that the park would be a well designed, landscaped and passive waterfront park; and

**WHEREAS** the Council of the Town of Amherstburg considers it appropriate and necessary to pass a by-law to further regulate the use of the King's Navy Yard Park due to the Town's original and continuing intention to develop and maintain the area as a passive, well designed, delicately landscaped, waterfront park.

**NOW THEREFORE THE COUNCIL OF THE TOWN  
OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:**

The following rules and regulations are specific to the King's Navy Yard Park and are in addition to regulations specified in By-law 2002-72.

1. In order to protect the turf, sprinkler system and gardens, no vehicular traffic of any kind will be allowed except for public works and handicap vehicles. Bicycling, rollerblading, skateboarding, in-line skating or the like will not be allowed for the same reasons and for the safety of pedestrians.
2. The park shall not be used for commercial purposes.
3. Public, private and non-profit functions will be allowed by permit. This will protect the grounds, the gardens, sprinkler system and facilities and at the same time simplify the scheduling of such events. Council retains final discretion in the awarding of permits.
4. Additionally:
  - a) All dogs will be leashed and owners are responsible for cleanup.
  - b) Fishing will be allowed at the designated fishing area in the south end of the park.
  - c) There will be a curfew from 12:00 a.m. to 6:00 a.m. for all unauthorized persons.

Every person shall obey any temporary or permanent exclusion order or direction of any police officer, caretaker, or other person authorized by Council.

**BY-LAW 2004-89**

Any person violating any of the provisions of this by-law shall be liable upon conviction thereof to a penalty not exceeding (\$2,000.00) two thousand dollars, exclusive of costs and the same shall be recoverable under the provisions of the Provincial Offences Act.

This by-law shall come into force and take effect on the final passage thereof.

  
MAYOR

  
CLERK

1<sup>st</sup> Reading - November 8, 2004  
2<sup>nd</sup> Reading - November 8, 2004  
3<sup>rd</sup> Reading - November 8, 2004