

THE CORPORATION OF THE TOWNSHIP OF NORTH FRONTENAC

**BY-LAW NO. 10 - 05**

A BY-LAW TO AUTHORIZE CHARGING FEES FOR USE OF ROADS ON CROWN LAND AND REPEAL BY-LAW #14-04

WHEREAS the Ministry of Natural Resources has issued a Land Use Permit to the municipality for certain Crown lands pursuant to the Public Lands Act for use as municipally operated recreational roads that provide access to municipal campgrounds and other recreational amenities;

AND WHEREAS it is a term of the Land Use Permit that the municipality may charge a fee for vehicle use of the roads;

AND WHEREAS Section 391 of the Municipal Act further authorizes Council to pass by-laws imposing fees and charges for the use of any property under the control of the municipality;

AND WHEREAS Council for the Township of North Frontenac passed by-laws and matters of Council to impose fees and charges for the use of any property under the control of the municipality;

AND WHEREAS Council now deems it advisable to pass an amending by-law to reflect revised program policies in accordance with recommendations from the committee.

NOW THEREFORE BE IT ENACTED as follows:

1. In this by-law,

“Task Force” means the Crown Land Stewardship Task Force

“program” means the Crown Land Stewardship Program

“campsite permit” means a permit issued by the municipality for use of a campsite in a campground operated by the municipality.

“recreational road” means a road located on Crown land and operated by the municipality under the terms and conditions of a Land Use Permit.

“recreational road maintenance permit” means a permit issued in accordance with this by-law for use of a vehicle on a recreational road.

“limited maintenance” means that Crown land access roads will be maintained at close to current levels (as set out in section 4.1.13 of the Madawaska Highlands Land Use Plan)

“vehicle” means a ‘motor vehicle’ as defined in the Highway Traffic Act and shall include automobiles, trucks, motor homes, motorcycles, dirt bikes, dune buggies and all terrain vehicles.

“resident” means ratepayer (taxpayer) in the Township of North Frontenac

2. This by-law shall apply to the following recreational roads located within the municipality:

Schooner Lake Road  
Mosque Lake Road  
Canonto Road  
Crotch Lake Road

and more particularly described on Schedule ‘A’ to this by-law.

3. Recreational roads shall be operated and maintained by the municipality in accordance with the terms and conditions of the Land Use Permit issued by the Ministry of Natural Resources, but shall not be public highways.

4. A sign with the following statement visible to users of recreational roads shall be erected and maintained at the entrance to each recreational road:

**“THIS IS NOT A PUBLIC HIGHWAY. A ROAD MAINTENANCE PERMIT TO USE THIS ROAD MUST BE OBTAINED FROM THE MUNICIPALITY. VIOLATORS WILL BE PROSECUTED. USE AT YOUR OWN RISK.”**
5. No person shall park or operate any vehicle as defined in Section 1 on a recreational road unless a valid recreational road maintenance permit has been issued for the vehicle in accordance with this by-law.
6. A recreational road maintenance permit may be issued for daily, weekly and seasonal purposes.
7. A daily permit shall be valid from the time of issue to midnight on the same day.  
A weekly permit shall be valid from the time of issue for seven consecutive days until midnight on the seventh day.  
A seasonal permit shall be valid from the time of issue to midnight on November 30 of the same year.
8. The fees payable for a recreational road maintenance permit shall be as set out in Schedule 'B' to this by-law.
9. The municipality's By-law Enforcement Officer or any person authorized by the municipality to issue recreational road maintenance permits may revoke a permit if the vehicle is operated in an erratic, reckless or hazardous manner or in a manner contrary to any posted traffic control signs or other rules and regulations governing use of the recreational road.
10. Every recreational road maintenance permit shall be displayed on the vehicle's front dashboard or front windshield in such a manner that permits its inspection at any time from outside the vehicle.
11. The driver of every vehicle for which a recreational road maintenance permit has been issued shall produce the permit for inspection on request by the municipality's By-law Enforcement Officer or any other person appointed by the municipality to issue permits.
12. A recreational road maintenance permit is not required in respect of any vehicle owned by or operated on behalf of the following persons in connection with their normal business activities:

The Government of Canada  
The Government of Ontario  
The Corporation of the Township of North Frontenac  
Bell Canada  
Ontario Hydro  
Any company licensed to cut timbers on Crown land in the  
Mazinaw area  
Mazinaw-Lanark Forest Inc.
13. A recreational road maintenance permit is not required for a vehicle if a valid campsite permit has been issued to the owner or driver of the vehicle for a municipally operated campground that is accessed from the recreational road.
14. The driver of a vehicle, not being the owner, is liable to any penalty provided under this by-law, and the owner of the vehicle is also liable to such a penalty unless, at the time the offence was committed, the vehicle was in the possession of a person, other than the owner or a person employed by the owner to drive the vehicle, without the owner's consent.
15. Any person who contravenes this by-law is guilty of an offence and upon conviction is liable to payment of a fine.

16. The Clerk of the municipality shall be responsible for the administration and enforcement of this by-law.
17. Any other by-laws, schedules to by-laws, resolutions or actions of council that are inconsistent with the provisions of this by-law are hereby repealed and rescinded.
18. This by-law shall come into force and take effect on the date it is passed.

READ A FIRST AND SECOND TIME this 10<sup>th</sup> day of March, 2005.

READ A THIRD TIME, SEALED, SIGNED AND FINALLY PASSED this 10<sup>th</sup> day of March, 2005.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## SCHEDULE 'A'

All those parcels or tracts of land in the Townships of MILLER, CLARENDON, SOUTH CANONTO, NORTH CANONTO and PALMERSTON, now in the Municipality of North Frontenac, in the County of Frontenac and Province of Ontario, more particularly described as follows:

### **PARCEL ONE (Schooner Lakes Road)**

#### **FIRSTLY:**

That part of the said Township of Miller composed of all Crown land within 33 feet of the centerline of the existing road known as the SCHOONER LAKES FOREST ACCESS ROAD within Lots 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, Concession VIII; Lots 28 and 29, Concession IX; Lots 28 and 29, Concession X; and Lots 28, 29 and 30, Concession XI.

#### **SECONDLY:**

That part of the said township of MILLER composed of all Crown land within 33 Feet of the centerline of the existing road known as the MACKIE LAKE ROAD within lots 21 and 22, Concession X; and Lots 22 and 23, Concession XI.

### **PARCEL TWO (Mosque Lake Road)**

#### **FIRSTLY:**

That part of the said Township of CLARENDON composed of all Crown land within 33 feet of the centerline of the existing road known as the MOSQUE LAKE FOREST ACCESS ROAD within Lot 45, Concession I and Lots 44 and 45, Concession II.

#### **SECONDLY:**

That part of the said Township of MILLER composed of all Crown land within 33 feet of the centerline of the existing road known as the MOSQUE LAKE FOREST ACCESS ROAD within Lots 1 and 2, Concession XIV

#### **THIRDLY:**

That part of the said Township of SOUTH CANONTO composed of all Crown land within 33 feet of the centerline of the existing road known as the MOSQUE LAKE FOREST ACCESS ROAD within Lots 2 and 3, Concession I; Lots 3, 4, 5, 6, 7 and 8, Concession II; Lots 8 and 9, Concession III; Lots 9,10,11, 12 and 13, Concession IV; Lots 13 and 14, Concession V; and Lots 14, 15, 16, 17 and 18, Concession VI.

### **PARCEL THREE (Canonto Road)**

#### **FIRSTLY:**

That part of the said Township of SOUTH CANONTO composed of all Crown land within 33 feet of the centerline of the existing road known as the CANONTO FOREST ACCESS ROAD 'A' within Lots 21, 22 and 23, Concession III; Lots 22 and 23, Concession IV; Lots 20, 21, 22 and 23, Concession V; Lots 18, 19 and 20, Concession VI; Lots 18 and 19, Concession VII; Lots 19, 20, 21, 22 and 23, Concession VIII; Lots 23, 24 and 25, Concession IX; and Lots 25, 26, 27 and 28, Concession X.

#### **SECONDLY:**

That part of the said Township of NORTH CANONTO composed of all Crown land within 33 feet of the centerline of the existing road known as the CANONTO FOREST ACCESS ROAD 'A' within 33 feet of the

centerline of the existing road known as the CANONTO FOREST ACCESS ROAD 'A' within Lots 28, 29, 30, 31 and 32, Concession I; and within the unsubdivided portion of the said Township commencing at the road's intersection with the north limit of Lot 32, Concession I, thence in a northerly direction to its intersection with the west limit of the allowance for road between North Canonto and Blythfield Townships.

**THIRDLY:**

That part of the said Township of SOUTH CANONTO composed of all Crown land within 33 feet of the centerline of the existing road known as the CANONTO FOREST ACCESS ROAD 'B' within Lots 17, 18, 19 and 21, Concession VIII; Lots 17 and 18, Concession IX; and Lots 13, 14, 15, 16 and 17, Concession X.

**FOURTHLY:**

That part of the said Township of NORTH CANONTO composed of all Crown land within 33 feet of the centerline of the existing road known as the CANONTO FOREST ACCESS ROAD 'B' within Lots 13, 14 and 15, Concession I; Lots 15, 16 and 17, Concession II; Lots 16 and 17, Concession III; and Lots 17 and 18, Concession IV.

**FIFTHLY:**

That part of the said Township of SOUTH CANONTO composed of all Crown land within 33 feet of the centerline of the existing road known as the CANONTO FOREST ACCESS ROAD 'C' (Redhorse Lake) within Lots 20, 21 and 22, Concession VI.

**PARCEL FOUR (Crotch Lake Road)**

That part of the said Township of PALMERSTON composed of all Crown land within 33 feet of the centerline of the existing road known as the CROTCH LAKE FOREST ACCESS ROAD within Lots 19 and 20, Concession III.

**SCHEDULE 'B'**

**RECREATIONAL ROAD PERMIT FEE SCHEDULE**

NON-RESIDENT FEE<sup>1</sup>

Daily Permit	\$	8.00
Weekly Permit	\$	20.00
Seasonal Permit	\$	40.00

RESIDENT FEE<sup>2</sup>

Daily Permit	\$	4.00
Seasonal Permit	\$	20.00

---

<sup>1</sup> Available from any authorized permit issuer

<sup>2</sup> Available only from the Township of North Frontenac Office