

BY-LAW 28-2026

THE CORPORATION OF THE TOWN OF ST. MARYS

Being a By-law to prohibit and regulate activities at the St. Marys Quarries.

- WHEREAS:** Section 10 of the Municipal Act, 2001, c.25, as amended, provides that a single-tiered municipality may pass by-laws respecting the health, safety and well-being of persons, and the services and things that the municipality is authorized to provide;
- AND WHEREAS:** Section 425 of the Municipal Act, 2001 provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence;
- AND WHEREAS:** Section 55 of the Community Safety and Policing Act, S.O. 2019, c.1, authorizes the municipality may appoint persons to enforce the by-laws of a municipality and that municipal by-law enforcement officers are peace officers for the purpose of enforcing municipal by-laws;
- AND WHEREAS:** The Corporation of the Town of St. Marys is the owner of the lands, water and premises in the Town of St. Marys in the County of Perth and being composed of Lots 14 to 28 both inclusive, Wellington Street west and Water Street east in the said Town of St. Marys and being the land and water area commonly known as the St. Marys Quarries;
- AND WHEREAS:** The St. Marys West Quarry shall be referred to as the "West Quarry" and the St. Marys East Quarry shall be referred to as the "East Quarry";
- AND WHEREAS:** The Council of the Corporation of the Town of St. Marys deems it in the public interest to prohibit and regulate specific activities in the St. Marys Quarries;
- THEREFORE:** The Council of The Corporation of the Town of St. Marys hereby enacts as follows:

1.0. DEFINITIONS

- (1) For the purpose of this By-law:
- a. "West Quarry" means the quarry located on the West side of Water Street South, legally described as Plan 235 All Lots 11 to 15, 16 to 21, PT Lots 22 to 28, W/S/ Water St., as shown on Schedule A;
 - b. "East Quarry" means the quarry located on the East side of Water Street South, legally described as Plan 235 Lots 17 to 28, 50 E/S Water Lots 17 to 28, W/S Wellington St Pt Berlin St, as shown on Schedule A;
 - c. "Human-powered Watercraft" means any craft operated without a motor, designed for navigation in, on, through or immediately above water, included but not limited to paddleboards, canoes, kayaks, surfboards and rowboats;

- d. "Motorized Boat" means a boat, ship or craft designed, used or capable of being used solely or partly for navigation in, on, through or immediately above water, propelled by a motor.

2.0. GENERAL PROVISIONS

- (1) Permitted activities in the East Quarry include swimming and use of approved human-powered watercraft in designated areas solely during the times when municipal life-guards are on duty.
- (2) Permitted activities in the West Quarry include:
 - a. fishing solely between the period of dawn to dusk;
 - b. use of human powered watercraft solely between the period of dawn to dusk.
 - c. Passive use of green space solely between the period of dawn to dusk.

3.0. PROHIBITIONS

- (1) No person shall use the East Quarry contrary to any provision of this by-law.
- (2) No person shall use the West Quarry contrary to any provision of this by-law.
- (3) No person shall use the East or the West Quarry for overnight purposes.
- (4) No person shall use the West Quarry water surface between December 1 and March 30 each year.
- (5) No person shall enter into areas posted to prohibit or restrict admission of the public.

4.0. INJURY AND DAMAGE

- (1) No person shall:
 - a. Climb or descend any structures, including but not limited to pillar structures, rock face, overhang or fencing;
 - b. Break, injure, deface, move or remove the whole of any part of plant material, trees or other vegetation, structures, or fencing;
 - c. In any manner, disturb ground which is under repair, prepared for planting, has been newly seeded or sodded, or is in an area posted to that effect

5.0. PENALTY

- (1) Any person who contravenes any provision of this by-law is guilty of an offence and:
 - a. Upon a first conviction is subject to a maximum fine of five thousand dollars (\$5,000.00);
 - b. Upon a subsequent conviction is subject to a maximum fine of ten thousand dollars (\$10,000.00);
- (2) Despite section 10.1, where the person is convicted is a corporation, the corporation is liable;
 - a. On a first conviction, to a maximum fine of not more than ten thousand dollars (\$10,000.00); and

- b. On any subsequent conviction, to a maximum fine of not more than twenty-five thousand dollars (\$25,000.00).
- (3) Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

6.0. SHORT TITLE

This By-Law may be referred to as the “Quarries By-law”.

7.0. REPEAL

By-law 57-2018 is hereby repealed on the day this by-law comes into force and effect.

8.0. ENACTMENT

This By-Law comes into force and takes effect on June 23, 2026.

Passed in Open Council this 23rd day of June, 2026.

Signed by Mayor
AI Strathdee, Mayor

Signed by Clerk
Jenna McCartney, Clerk

By signing this by-law on June 23 2026, Mayor AI Strathdee will not exercise the power to veto this By-law.