



P.O. Box 1749
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Item No. 1
Harbour East-Marine Drive Community Council
June 7, 2018

TO: Chair and Members of Harbour East-Marine Drive Community Council

SUBMITTED BY: Original Signed

Brad Anguish, Director, Parks and Recreation
Original Signed

Jacques Dubé, Chief Administrative Officer

DATE: May 9, 2018

SUBJECT: Safe Boating on Lake Charles and Lake Micmac

INFORMATION REPORT

ORIGIN

October 5, 2017 Motion of Harbour East-Marine Drive Community Council:

That Harbour East-Marine Drive Community Council request a staff report on preparing and installing NO WAKE ZONE/ SAFE BOATING signage on Lake Charles and Lake Micmac, and monitoring of these lakes to enforce the speed limits and safe boating practices to ensure public safety.

LEGISLATIVE AUTHORITY

Vessel Operation Restriction Regulations, SOR/2008-120

By-law P-601, Respecting Municipal Parks

BACKGROUND

The current state of speed restrictions on HRM lakes is detailed below through the *Vessel Operation Restriction Regulations*.

Safe Boating Regulations

As part of the Transport Canada Safety and Security *Vessel Operation Restriction Regulations*, the following provides a list (section 16) of all the persons who are appointed as enforcement officers under the regulations. They include “A member of any provincial, county or municipal police force” – therefore allowing Halifax Regional Police (HRP) officers to act as enforcement officers under the regulations.

Additionally, section 17 allows an enforcement officer to:

- (a) prohibit the movement of any vessel or direct it to move as specified by the enforcement officer;
- (b) stop and board any vessel at any reasonable time, and
 - (i) direct any person to put into operation or cease operating any equipment on board the vessel,
 - (ii) ask any pertinent questions of, and demand all reasonable assistance from, any person on board the vessel, and
 - (iii) require that any person on board the vessel provide to the enforcement officer, for examination, any document or information that is in the person’s possession.

The offences under these regulations have also been designated “contraventions” under the federal Contraventions Act and Regulations, meaning that a ticket can be issued. Again, HRP officers are authorized to issue these tickets as the Contraventions Act includes any police officer or constable, including a special or auxiliary constable, as an enforcement authority, and the Contraventions Regulations provide that the Nova Scotia Summary Proceedings Act applies as long as the offence occurred in Nova Scotia.

Speed and speed restrictions are noted offences under s. 2(7) of the Regulations. It is prohibited to operate a power-driven vessel at a speed in excess of 10km/h within 30m of the shore of any river or lake in Nova Scotia. There are exceptions to this for towing people on water skis or other recreational equipment, so long as the vessel follows a course away from and perpendicular to the shore therefore eliminating wakes in these zones.

DISCUSSION

Lake Micmac

There is a public boat launch that provides access to Lake Micmac in Red Bridge Pond Park (see Attachment A). This site does not yet have Park Identification or Public Boat Launch rules signage. Signage will be erected at this location in the late spring of 2018 as part of HRM Parks signage renewal program and create a consistent approach throughout HRM (see Attachment B: Lake Charlotte Public Boat Launch Rules Sign). Public boat launch rules signs and park ID signs (additional or renewal) will follow at other locations throughout HRM as Parks continues with the program. Speed limitations, as per s.2(7) of the Transport Canada Safety and Security *Vessel Operation Restriction Regulations*, will also be placed on Public Boat Launch Rules Signs on a go forward basis.

Lake Charles

Lake Charles does not have public boat launch access. Boating on this lake is primarily accessed by way of private launches and or docks. This makes the posting of signage difficult on and around this lake.

There has been one call regarding boating safety on these two lakes over the past two years. Staff would contribute this to the current patrols on Lake Micmac and the high rate of private user access to Lake Charles as indicated below in the enforcement section of this report.

Enforcement

HRP currently has a contract with MFR Rescue Limited to provide waterside patrol services. Although the contract provides for use of this resource to be deployed as directed by the Chief of Police, it is understood the primary role of the service is for patrol on the waters of Lake Micmac and Lake Banook. Although the contractor takes an approach centered around investigation, education and reporting, they are generally responsible for ensuring that federal regulations are followed. This includes, but is not limited to, controlling the speed of vessels, maintenance of safety for all users of the waters, and aid to persons and vessels in distress. The location of the patrol shall be specified from time to time by the Chief of Police or delegate to the patrol contractor. Hours of patrol operation are from 9:00 a.m. to 9:00 p.m. daily from June 29th to the Tuesday following Labour Day. The contractor is also available outside of these hours if the need arises.

HRP also operates patrol vessel(s) in the Halifax Harbour supported through a contract with the Halifax Port Authority. The Garrett Cotter remains in the Harbour permanently creating a waterside platform for patrol as required, but the primary function of the contracted unit is to provide waterside and landside policing to Halifax Port Authority Property. These assets cannot be redeployed to other areas of the Region.

MFR Rescue Limited also has permission from private dock/launch owners to launch from Lake Charles if active patrols are required or for emergency purposes. Parks also allows MFR Rescue Limited to launch from the Shubie Park beach near the campground (see attachment C). The use of this site is highly coordinated with HRM staff as it is a supervised beach.

FINANCIAL IMPLICATIONS

None

COMMUNITY ENGAGEMENT

None

ATTACHMENTS

Attachment A: Red Bridge Pond Park Boat Launch
Attachment B: Lake Charlotte Public Boat Launch Rules Sign
Attachment C: Shubie Park Beach Emergency Launch Site

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Ray Walsh, Parks Manager 902.490.6591

Attachment A



177

171

169

172

180

192

Red Bridge Pond

BRAEMAR DR

WAVERLEY RD

UNDER REVIEW 261 UN

Lake Charlotte Boat Launch

11465 Highway #7, Lake Charlotte

USE AT OWN RISK

- Be respectful and mindful that this is a public boat launch and dock
- Park in designated areas only
- Please take all trash with you for proper disposal
- Limit "TIE-UP" at dock to 30 minutes - be respectful of others waiting to use dock facilities
- Use of choc blocks is recommended
- Refueling of watercraft is prohibited on water, on launch, or in parking area
- Shallow water area. Do not start motor until watercraft is on the water
- Is your drain plug in?

TO ALL USERS OF THIS PARK:

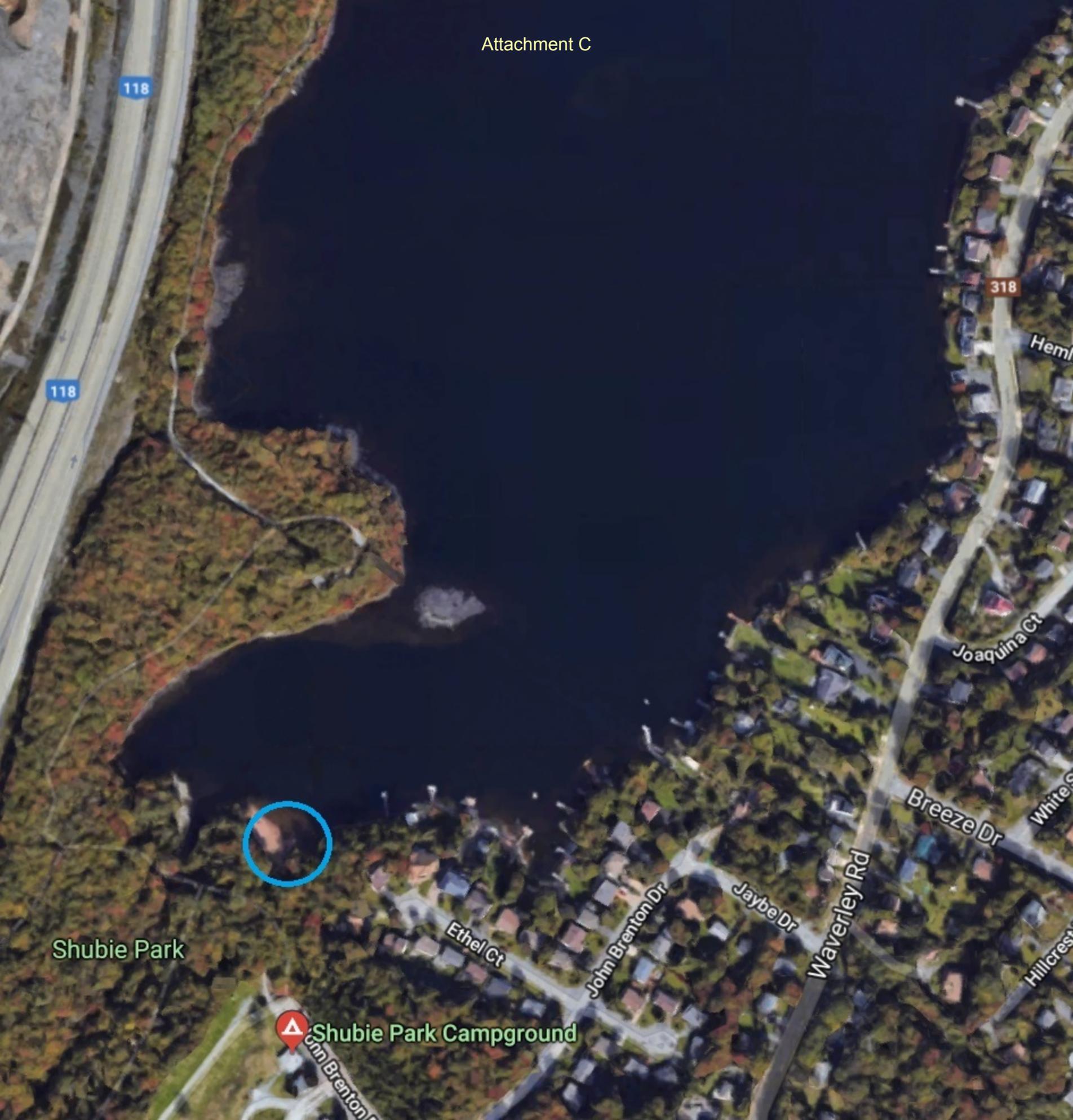
Halifax Regional Municipality is not responsible nor liable for any incident, accident or loss associated with the use of this launch

Report any issues to Halifax Regional Municipality by calling 311

HALIFAX



Attachment C



118

118

318

Hemlock

Joaquina Ct

Breeze Dr

Whites

Shubie Park

Shubie Park Campground

Ethel Ct

John Brenton Dr

Jaybe Dr

Waverley Rd

Hillcrest