

Summer Village of Larkspur BYLAW

Temporary Seasonal Dock and Lifts on Municipal Reserves

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| Bylaw Name: | Temporary Seasonal Docks and Lifts on Municipal Reserves | | |
| Bylaw number | 23-03 | Date Approved: | Nov 21, 2023 |
| Reviewed By: | | Date Reviewed: | |

1. Purpose

- a. The purpose of this bylaw is to manage the placement of temporary seasonal docks and lifts on municipal reserves either entirely and those extending into the bed and shore of the lake.
- b. Alberta Environment and Parks (AEP) have established a Disturbance Standard under section 3 of the *Public Lands Administration Regulation*. The Disturbance Standard creates a general permission for “waterfront holders”, and “semi-waterfront holders” should they meet the requirements to place temporary seasonal docks, lifts and buoy anchors on the lakebeds and shores without the need for a Temporary Field Authorization from the AEP.
- c. Waterfront and Semi-waterfront holders whose properties adjoin a municipal owned reserve would be allowed to place a temporary seasonal dock and lift, on or across, the municipal reserve subject to the Disturbance Standard and this bylaw.

2. Definitions

- a) All definitions in this bylaw apply as defined in the Public Lands Act, RSA 2000, c P-40 and the Public Lands Administration Regulation except where expressly stated in this bylaw.
- b) “semi-waterfront holder” means the person who is the registered owner of the land directly adjoining a municipal reserve, where the municipal reserve directly adjoins the bank of a water body.
- c) “waterfront holder” means the person who is the registered owner of the land directly adjoining the bank of the water body.
- d) “back lot owner” means the person who is the registered owner of the land that does not share a property boundary with a waterbody or adjoining a waterfront reserve.
- e) “Community Reserve” means the area of municipal reserve where it adjoins multiple semi-waterfront holders.
- f) “Waterfront Reserve” means the area of municipal reserve where it adjoins a single semi-waterfront or waterfront holder
- g) “Municipal Reserve” means the combined publicly accessible area as defined under the Land Use Bylaw and inclusive of both Community and Waterfront Reserve defined in this Bylaw.

- h) "Community Reserve Seasonal Dock Plan" means a plan prepared by the Summer Village and approved by AEP outlining the layout and configuration for how seasonal docks and lifts are permitted within a Community Reserve.
- i) "Community Reserve Captain" includes the person designated to be responsible, acting in the capacity of the Summer Village, for ensuring the Community Reserve Seasonal Dock Plan is being adhered to.

3. General

- a. All seasonal docks and lifts extending into the bed and shore of a water body must conform to the *Disturbance Standard for Temporary Seasonal Docks and other Mooring Structures for Personal Recreational Purposes, April 2021 ("Disturbance Standard")*.
- b. Temporary seasonal docks and lifts are not subject to the Disturbance Standard by AEP if they do not extend into the bed and shore of a water body.
- c. Permanent docks are not permitted either within the community reserve or extending into and beyond on the bed and shore of a water body adjoining municipal reserve.
- d. Only temporary seasonal docks and lifts are permitted to be placed on the bed and shore of a water body subject to the Disturbance Standard or AEP approved plan
- e. Only temporary seasonal docks and lifts are permitted to be placed within a community reserve subject to a Summer Village approved plan.
- f. Only semi-waterfront holders and back lot owners of the Summer Village are permitted to install seasonal docks and lifts within the Community Reserves in which they adjoin.
- g. Only waterfront holders of the Summer Village are permitted to install seasonal docks and lifts within the Waterfront Reserves in which they adjoin.
- h. A waterfront holder or a semi-waterfront holder shall not construct or place more than one temporary seasonal dock within the mooring area as defined by the AEP Disturbance Standard. Any deviations or exceptions from this the Disturbance Standard are the sole responsibility of the waterfront or semi-waterfront holder.
- i. Semi-waterfront holders that adjoin a community reserve share in the responsibility for ensuring that temporary seasonal docks and lifts conform to the Disturbance Standard or an approved Community Reserve plan approved by AEP and the Summer Village. Any deviations are subject to penalties as levied by both Summer Village through its bylaws and policies as well as any penalties levied by AEP against the Summer Village.
- j. Each Community Reserve is responsible to select a Community Reserve Captain for each of the Community Reserves. The Captain will be responsible for working with the adjoining semi-waterfront holders in ensuring the Community Reserve Dock Plan and Disturbance Standard requirements are being met. If more than one individual comes forward, Council will select the Community Reserve Captain. If any compliance concerns are observed, the Community Reserve Captain will report their findings to the CAO for further review and followup by the Summer Village or AEP accordingly.

- k. The summer timelines for which seasonal docks and boat lifts are permitted in accordance with the Community Reserve Plan are between May 15 and September 15 of the calendar year.
- l. The storage of seasonal docks and lifts between September 15 and May 15 within the Community Reserves are subject to “Use of Public Lands” Bylaw
- m. The owner of any seasonal docks and boat lifts located on Municipal Reserve holds all liability with the public or incidental use of this equipment by the public or otherwise.
- n. Waterfront holders and semi-waterfront holders that do not comply with this bylaw shall be liable to a penalty and further actions as outlined in the “Use of Public Lands” bylaw.
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4. Policy

- a. The Council of the Summer Village of Larkspur may publish guidelines and policies to assist in the interpretation of this bylaw.

This bylaw comes into force upon the date of final passing.

Read a first time this 22th day of June, 2023

Read a second time this 21st day of November, 2023

Read a third time and finally passed this 21st day of November, 2023

Mayor

Administrator