

## **TOWN OF COMOX**

### **BYLAW NO. 1993**

#### **A BYLAW TO ESTABLISH FEES AND REGULATIONS FOR USING THE COMOX MUNICIPAL MARINA**

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WHEREAS the Community Charter empowers the Town, by bylaw, to set rates and regulations for services that it provides;

AND WHEREAS the Town's cost of providing service in its municipal marina has increased, and in which Council has decided shall be recovered through an increase in the Town's municipal marina fees;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

#### **1. Title**

This bylaw shall be cited as "Comox Municipal Marina Fees and Regulations Bylaw No. 1993, 2021".

#### **2. Interpretation**

The following definitions apply to this Bylaw:

"Boat Launch" means the ramp located in Marina Park, that allows boats to be transferred to or hauled out of the water.

"Bylaw Enforcement Officer" means

- (a) the person appointed by the Town of Comox to enforce bylaws; and
- (b) the Corporate Officer, Deputy Corporate Administrator or Parks Superintendent for the Town of Comox.

"Council" means Council of the Town of Comox.

"Marina Facilities" means the Comox Municipal Marina, the Boat Launch, the Tidal Grid and Marina Park.

"Marina Park" means the grassed area and both the west and east parking areas owned by the Town of Comox.

"Town" means the Town of Comox.

#### **3. Fees**

- (1) The fees payable to the Town for use of its Marina Facilities shall be as listed in SCHEDULE "A", which is attached to and forms part of this Bylaw.

- (2) Fees are payable in full before use of the Marina Facilities, and any amounts not paid in advance shall be subject to a 10% penalty.
- (3) Permanent moorage, hydro, dingy storage, and tidal grid rental fees may be refunded (prorated for the balance of the unused time remaining) net of a charge of \$75 for permanent moorage refunds, and \$15 for the other refunds. Other marina fees are not refundable.

#### **4. Boat Launch Ramp Regulations**

- (1) During the period March 1<sup>st</sup> until October 31<sup>st</sup> of each year, all users of the Boat Launch by vehicle shall obtain a Boat Launch pass before use.
- (2) During the period March 1<sup>st</sup> until October 31<sup>st</sup>, a valid Boat Launch receipt or Boat Launch pass shall be displayed on the vehicle or boat trailer of all users using the Boat Launch by vehicle.
- (3) Daily Boat Launch passes can be used multiple times per day by a single vehicle.
- (4) Boats launched by vehicle on one day and retrieved on another need only one day's Boat Launch pass (for the initial launch) provided that an overnight parking pass was obtained for the intervening nights.
- (5) Use of the Boat Launch without a vehicle is exempted from payment. This applies to small boats carried down the ramp by hand or wheeled down on a dolly.
- (6) Any person using the Boat Launch by vehicle, as part of a commercial business, must purchase a commercial launch pass before use of the Boat Launch.

#### **5. Parking Regulations**

- (1) Vehicles must park only in areas designated for their use.
- (2) The central two lanes of parking in the Marina west parking lot are designated solely for vehicles with trailers (see Schedule "B", attached to and forming part of this bylaw). Parking a vehicle in this area that does not have a trailer or parking a vehicle with a trailer outside this area are both prohibited.
- (3) During the period March 1<sup>st</sup> until October 31<sup>st</sup> of each year, an overnight parking pass for each night parked after 11:00 p.m. shall be obtained for all vehicles parked overnight in the central two lanes of Marina Park.
- (4) During the period March 1<sup>st</sup> until October 31<sup>st</sup> of each year, an overnight parking pass for each night parked after 11:00 p.m. shall be displayed on the vehicle or boat trailer of all users parked overnight.

- (5) Camping is prohibited anywhere in Marina Park

## 6. Offence

- (1) Every person who contravenes any provision of this Bylaw commits an offence and shall, upon summary conviction, be liable to a minimum fine of \$500.00 and a maximum fine of \$10,000.00 together with such other penalties that may be imposed by the court, including payment of the costs of prosecution and compensation for loss or damage suffered by the Town.
- (2) Each day that an offence continues shall constitute a separate offence against this Bylaw.

## 7. Municipal Ticketing

- (1) This Bylaw is designated under the provisions of section 264 of the *Community Charter* as a Bylaw that may be enforced by means of a ticket in the form prescribed, and in accordance with this Bylaw.
- (2) Bylaw Enforcement Officers, members of the Royal Canadian Mounted Police, or other agencies appointed by the Town are persons designated to enforce this Bylaw pursuant to section 264(1)(b) of the *Community Charter*.
- (3) Pursuant to section 264(1)(c) of the *Community Charter*, the words or expressions set forth below in Column 1 designate the offence committed under the Bylaw section numbers appearing in Column 2 opposite the respective words or expressions.
- (4) Pursuant to section 265(1) of the *Community Charter*, the fine amount set forth below in Column 3 is the fine amount for the offence that corresponds to the section number and words or expressions set out in Columns 1 and 2 opposite the fine amount:

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine Amount
Failure to obtain Boat Launch pass	4(1)	\$100.00
Failure to display Boat Launch receipt or pass	4(2)	\$50.00
Failure of commercial business to obtain commercial Boat Launch pass	4(6)	\$300.00
Park in prohibited area	5(2)	\$75.00
Failure to obtain overnight parking pass	5(3)	\$50.00
Failure to display overnight parking pass	5(4)	\$25.00

**8. Repeal**

Bylaw No. 1972 (A BYLAW TO ESTABLISH FEES AND REGULATIONS FOR USING THE COMOX MUNICIPAL MARINA)

**9. Effective**

This bylaw shall be effective starting January 1, 2022.

**10. Adoption**

(1) READ A FIRST, SECOND AND THIRD  
time this

17<sup>th</sup> day of November, 2021

(2) ADOPTED this

1<sup>st</sup> day of December, 2021



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MAYOR



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CORPORATE OFFICER

**SCHEDULE "A" – BYLAW 1993**      *Effective: January 1, 2022*

**SCHEDULE "A" BYLAW 1993**

		Annual (April 1 - March 31) rates starting April 1, 2022			
<b>Permanent Moorage:</b> <i>Charged on the length of the vessel or the slip (whichever is greater)</i>		<b>Per foot per month</b>	<b>Per foot per year</b>	<b>Total Annual</b>	<b>With 5% GST</b>
20'		\$ 6.34	\$ 76.08	\$ 1,521.60	\$ 1,597.68
24'		\$ 6.34	\$ 76.08	\$ 1,825.92	\$ 1,917.22
25'		\$ 6.80	\$ 81.60	\$ 2,040.00	\$ 2,142.00
26'		\$ 6.80	\$ 81.60	\$ 2,121.60	\$ 2,227.68
27'		\$ 7.10	\$ 85.20	\$ 2,300.40	\$ 2,415.42
28'		\$ 7.10	\$ 85.20	\$ 2,385.60	\$ 2,504.88
29'		\$ 7.10	\$ 85.20	\$ 2,470.80	\$ 2,594.34
30'		\$ 7.59	\$ 91.08	\$ 2,732.40	\$ 2,869.02
31'		\$ 7.59	\$ 91.08	\$ 2,823.48	\$ 2,964.65
32'		\$ 7.59	\$ 91.08	\$ 2,914.56	\$ 3,060.29
33'		\$ 7.59	\$ 91.08	\$ 3,005.64	\$ 3,155.92
34'		\$ 7.59	\$ 91.08	\$ 3,096.72	\$ 3,251.56
35'		\$ 7.75	\$ 93.00	\$ 3,255.00	\$ 3,417.75
36'		\$ 7.75	\$ 93.00	\$ 3,348.00	\$ 3,515.40
37'		\$ 8.05	\$ 96.60	\$ 3,574.20	\$ 3,752.91
38'		\$ 8.05	\$ 96.60	\$ 3,670.80	\$ 3,854.34
39'		\$ 8.38	\$ 100.56	\$ 3,921.84	\$ 4,117.93
40'		\$ 8.38	\$ 100.56	\$ 4,022.40	\$ 4,223.52
41'		\$ 8.38	\$ 100.56	\$ 4,122.96	\$ 4,329.11
<b>Temporary Moorage:</b> <i>Charged on the length of the vessel or the slip (whichever is greater)</i>		<b>(including sub-lets)</b>			
For 1 to 13 continuous nights		<b>per foot per night</b>			
		\$ 1.35		\$ 1.42	
For 14 to 29 continuous nights		\$ 0.90		\$ 0.95	
For 30 or more continuous nights		\$ 0.45		\$ 0.47	
<b>Use of Marina Hydro:</b>		<b>per vessel</b>			
Per Day		\$ 7.07 per day		\$ 7.42	
Per Month		\$ 60.76 per month		\$ 63.80	
Per Annum		\$ 388.15 per year		\$ 407.56	
<b>Tidal Grid Rental:</b>		<b>per grid use</b>			
For a recreational vessel		\$ 80.95		\$ 85.00	
For a commercial vessel		\$ 161.90		\$ 170.00	
<b>Boat Launch Use:</b>					
Daily - personal use		\$ 13.33 per day		\$ 14.00	
plus overnight personal parking (vehicle & trailer)		\$ 2.86 per night		\$ 3.00	
Daily - commercial use		\$ 80.95 per day		\$ 85.00	
Annual - personal use		\$ 200.00 per year		\$ 210.00	
Annual - commercial use		\$ 400.00 per year		\$ 420.00	
<b>Dinghy Storage:</b>		<b>per dinghy per year</b>			
In Dinghy Compound		\$ 200.00		\$ 210.00	
On Pull-up Floats		\$ 325.00		\$ 341.25	

**Note 1:** All fees shown above are before applicable GST.

**Note 2:** All fees are payable in full before use of facilities.

**Note 3:** Any amounts not paid in advance shall be subject to a 10% penalty.

**Note 4:** Permanent Moorage, Hydro, Dinghy Storage & Tidal Grid Rental fees may be refunded (prorated for the balance of the unused time remaining) net of a charge of \$75 for permanent moorage refunds and \$15 for the other refunds. Other marina fees are not refundable.

**SCHEDULE "B" – BYLAW 1993**

*Effective: January 1, 2022*

