

**DISTRICT OF SICAMOUS**  
**BYLAW NO. 1066, 2025**

A Bylaw to improve access and promote civic responsibility concerning public wharves.

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**WHEREAS** pursuant to the *Community Charter*, Council may, by bylaw, regulate, prohibit, and impose requirements concerning public places;

**AND WHEREAS** Council desires to promote the integrity of public spaces within the municipality so that they may be enjoyed by residents and visitors;

**AND WHEREAS** the Council for the District of Sicamous wishes to regulate and provide for the public use of the Wharves on prescribed terms and conditions;

**AND WHEREAS** pursuant to the *Community Charter*, Council may, by bylaw, impose costs and recover costs of taking action in the event of a default by a person who fails to take action as lawfully directed;

**NOW THEREFORE** the Council of the District of Sicamous, in open meeting assembled, **ENACTS AS FOLLOWS:**

**1. Title**

1.1. This Bylaw may be cited as the “**Public Wharf Regulation Bylaw No. 1066, 2025**”

**2. Repeal**

2.1. District of Sicamous Wharf Regulation Bylaw No. 935, 2017 is hereby repealed.

**3. Definitions**

3.1. Unless otherwise defined in this Bylaw, words and phrases will have the meaning established in the *Community Charter*, the *Local Government Act*, and the *Interpretation Act*, as applicable.

3.2. Any reference to a statute or regulation refers to the enactment of British Columbia, and any reference to a bylaw refers to a bylaw of the District of Sicamous, as amended, revised, consolidated, or replaced.

3.3. Headings in this bylaw are for the convenience of reference and do not limit the scope or intent of any provisions herein.

**“Bylaw Administrator”** means:

- a) The Bylaw Officer;
- b) The Chief Administrative Officer;
- c) The Operations Manager;
- d) The Development Services Manager; or
- e) A designate of a person listed above.

**“Bylaw Officer”** means a person appointed by Council to perform the functions and duties, and has the powers, privileges, and responsibilities respecting the enforcement of municipal bylaws.

**“Council”** means the Council of the District of Sicamous.

**“Chattel”** means personal possession(s).

**“District”** means the District of Sicamous.

**“District Contractor”** means any person or organization, that has entered into an agreement or contract with the District to provide towing, impound or storage services, or refuse disposal services.

**“Moor”** means to secure a Vessel by means of lines, cables, anchors, or other similar means.

**“Vessel”** 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, without regard to the method or lack of propulsion.

**“Wharf”** or **“Wharves”** means a landing pier, fixed or removable walkway, boat ramp, dock, floating dock, or float for Vessels that are owned or maintained by the District and includes those listed in Schedules “A,” “B” and “C.”

#### **4. Applicability**

- 4.1. This Bylaw applies to all persons using public Wharves within the boundaries of the District, as listed in Schedule “A,” “B” and “C.”

#### **5. Moorage Regulations**

- 5.1. A person will not:
- a) Carry on any commercial enterprise at or on a Wharf or use a Wharf for any commercial purpose, except as authorized by the District;
  - b) Dive or jump from a Wharf or swim within 15 meters of a Wharf;
  - c) Stand or loiter on a Wharf in such a manner as to obstruct, impede or interfere with the public use of a Wharf;
  - d) Make or cause any loud or objectionable noise on or at a Wharf in such a manner as to disturb the quiet, peace, rest and enjoyment of the public;
  - e) Remove, destroy or damage any Wharf, including any structure or sign attached to a Wharf;
  - f) Deposit or leave any garbage, refuse, empty or broken bottles, cans, paper, animal excrement or other waste material on a Wharf or in a water lot area;
  - g) Moor any Vessel at or adjacent to a Wharf overnight, specifically between the hours of 22:00 to 07:00 (10 p.m. to 7 a.m.);
  - h) Moor any Vessel at or adjacent to the Main Street Landing Wharf (refer to Schedule A) for a period exceeding two (2) hours;
  - i) Moor any Vessel at or adjacent to the Finlayson Street Dock (refer to Schedule B) for a period exceeding fifteen (15) minutes, as this wharf is reserved for active loading or unloading;

- j) Secure or permit to be secured any Vessel to a Wharf by use of a lock, or otherwise in a manner that prevents a Bylaw Officer or District Contractor from relocating the Vessel;
- k) Repair or maintain any portion of a Vessel, or use paints, solvents or other materials that are toxic to fish or humans on a Wharf; or
- l) Refuel a Vessel, except for the replacement of fuel canisters specifically designed for marine use.

## **6. Exemptions**

6.1. Moorage restrictions in this Bylaw do not apply to:

- a) Emergency response Vessels and equipment proceeding upon or actively engaged in emergency activities;
- b) Employees or contractors of the District engaged in maintenance activities; or
- c) Any other Vessels as authorized by the District.

## **7. Removal, Impoundment & Detainment**

7.1. Where a Vessel, Chattel or object is occupying a Wharf contrary to this Bylaw, the Bylaw Officer may initiate the affixation or removal and impound of said Vessel, Chattel, or object without notice.

7.2. An owner of a Vessel that has been removed, seized, detained or impounded will be responsible for paying for all costs and charges for its removal, care and storage, which will be the cost of the impound and towing plus twenty (20) per cent.

7.3. A Vessel, Chattel, or object removed and impounded under Section 7 of this Bylaw may be recovered by the owner during regular business hours upon:

- a) Presentation of proof of ownership; or
- b) Sufficient evidence to support proof of ownership; and
- c) Payment of all applicable fees, charges and fines.

7.4. A Vessel that, under this Bylaw, is removed to a place owned, held or contracted by the District or the Royal Canadian Mounted Police may be disposed of at any time if:

- a) The Owner has not been identified after reasonable effort;
- b) The items are perishable articles;
- c) The Vessel has no apparent marketable value; or
- d) Custody of the Vessel involves an unreasonable expense or inconvenience to the District.

7.5. In other circumstances, a Vessel may be dealt with following the procedures established in the B.C. Reg. 87/91 Police (Disposal of Property) Regulation.

## **8. Public Auction**

- 8.1. Any Chattel, obstruction or Vessel not claimed by its owner within 90 days of its impoundment or detention may be sold at public auction and the auction will be advertised following public notice requirements within the Community Charter.
- 8.2. The proceeds of the auction sale will be applied first to the cost of the sale and secondly to the fees, costs and expenses of the District or its contractors or authorized agents as set out above. Thirdly, the balance, if any, will be held by the District for six (6) months from the date of the sale for the owner.
- 8.3. If unclaimed at the end of the six (6) months, the sum must be paid into the General Revenues of the District.
- 8.4. Should any Chattel or obstruction not be purchased at public auction then the Chattel or obstruction will be disposed of in a manner approved by the Operations Manager and the expenses incurred to remove or dispose of the Chattel or obstruction, less the proceeds (if any) of disposal, are recoverable as a debt due to the District from the owner.

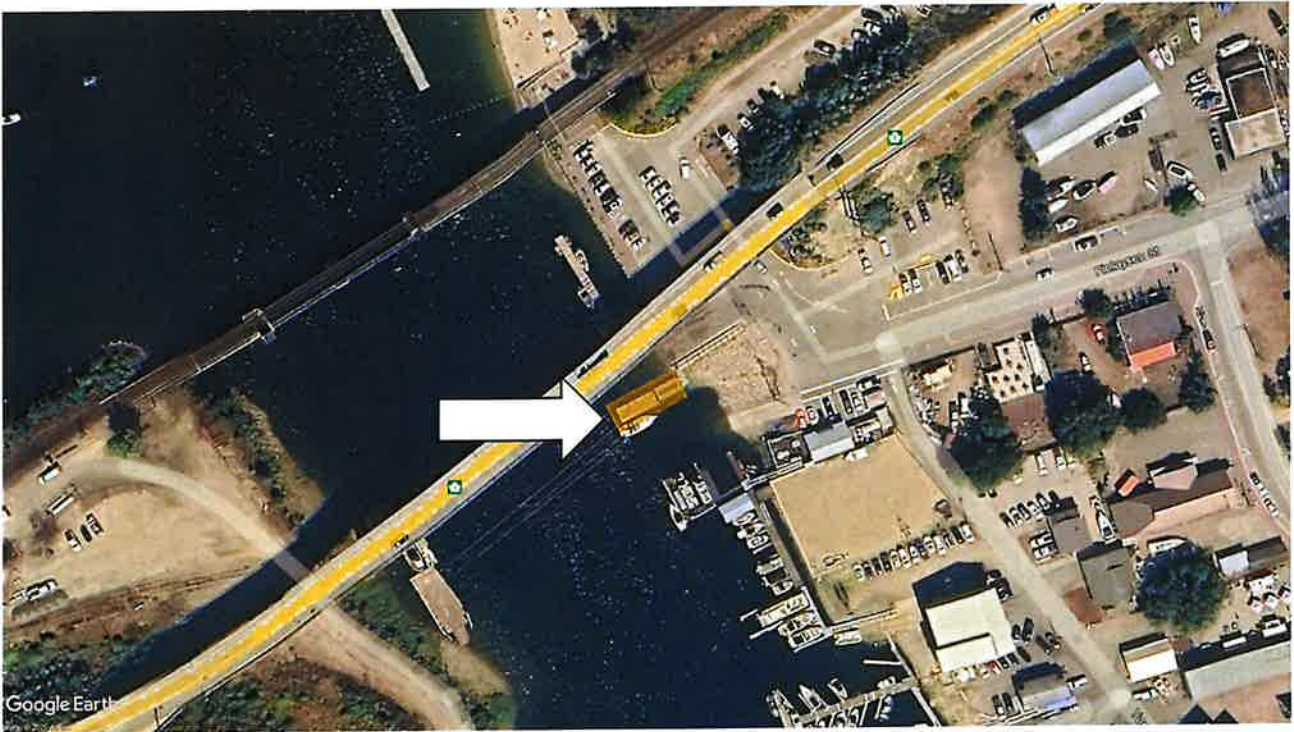
## **9. Administration**

- 9.1. The Corporate Officer may enter into an agreement for the use of public Wharves by authorized contractors providing services to the District.
- 9.2. A Bylaw Administrator may exempt Vessels from sections of this Bylaw during states of emergency or natural disasters.
- 9.3. Vessels exempt under Section 9.2 must register with a Bylaw Administrator to receive exempt status.
- 9.4. Subject to the provisions of the Community Charter, a Bylaw Administrator may enter on or into any real property or premise to ascertain compliance with the provisions of this Bylaw.
- 9.5. A person must not obstruct or interfere with a Bylaw Administrator lawfully exercising the authority authorized under this bylaw.

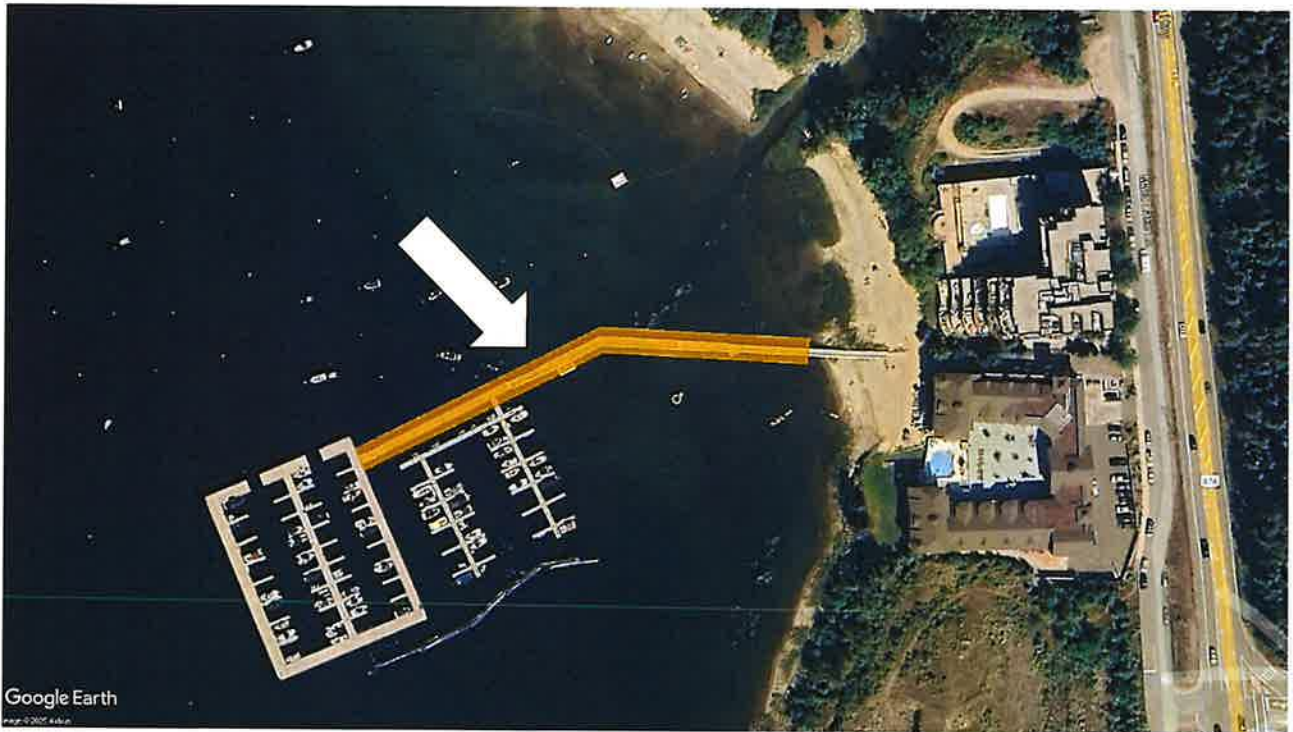
## **10. Enforcement, Contraventions, and Penalties**

- 10.1. This Bylaw may be enforced by a Bylaw Administrator.
- 10.2. The issuance of a ticket, bylaw notice or proceeding under the Offence Act does not preclude the District from enforcement and remedy by other proceedings available to it by law.
- 10.3. A person commits contravention and an offence if that person:
  - a) Contravenes or violates any of the provisions of this Bylaw;
  - b) Causes, permits, suffers, or allows any act or thing to be done in contravention or violation of any of the provisions of this Bylaw; or

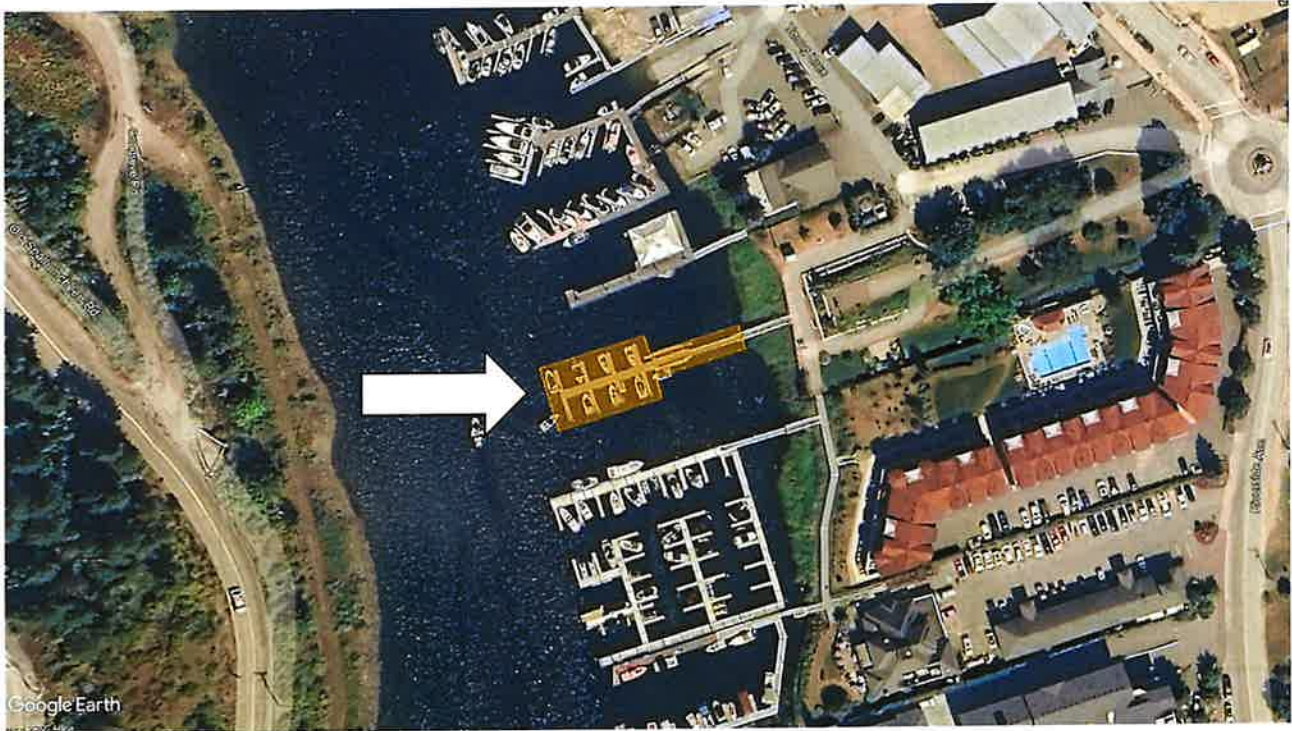
**Schedule B**  
**Finlayson Street Dock**  
**(110 Finlayson Street)**



**Schedule C**  
Legacy Public Wharf  
(326 Mara Lake Lane)



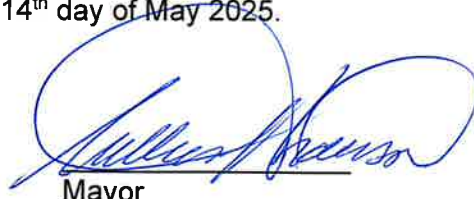
**Schedule A**  
Main Street Landing Wharf  
(West End of Main Street)



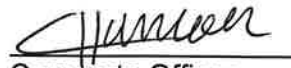
- c) Neglects or fails to do anything required to be done by any of the provisions of this Bylaw.
- 10.4. A person who violates any provision of this bylaw commits an offence and is liable on conviction, to a fine of not less than one hundred (\$100.00) or more than two thousand dollars (\$2,000.00). Specified fines per contravention of this bylaw are outlined in the District of Sicamous Ticketing Information Utilization Bylaw, as may be amended or replaced from time to time.
- 10.5. Each day during which any violation of a provision of this Bylaw is continued will constitute a new and separate offence.
- 10.6. Compliance with this Bylaw does not excuse a person from the requirement to comply with all other municipal bylaws, statutes, regulations, codes and laws.

**READ A FIRST, SECOND AND THIRD TIME** this 14<sup>th</sup> day of May 2025.

**ADOPTED** this 28<sup>th</sup> day of May 2025.



Mayor



Corporate Officer