

CORPORATION OF THE  
CITY OF QUINTE WEST

BY-LAW NUMBER 06-11

BEING A BY-LAW REGARDING THE USE OF THE FORMER  
CANADIAN NATIONAL RAILWAY LINE

**WHEREAS** Section 11 (1) 5 of the Municipal Act, 2001 provides that a single tier municipality may pass by-laws respecting matters within the culture, parks, recreation and heritage sphere of jurisdiction;

**AND WHEREAS** the City of Quinte West has acquired portions of the former Canadian National Railway line;

**AND WHEREAS** the City has determined that the said land shall be utilized for non-motorized recreational purposes;

**NOW THEREFORE BE IT ENACTED BY THE COUNCIL FOR THE CORPORATION OF THE CITY OF QUINTE WEST AS FOLLOWS:**

1. That this By-law may be cited as the ***“Former CNR Trail By-law”***.
2. Definitions:
  - (i) ***property*** means the property described in Schedule “A” and Appendix 1 attached hereto and forming part of this by-law
  - (ii) ***prohibited use*** means any use except use for non-motorized vehicles or use by pedestrians
  - (iii) ***official sign*** includes any sign, rules, directions or guidelines that have been authorized and posted by the City of Quinte West on the property
  - (iv) ***camp*** includes the placement of a tent or trailer at any time on the property or the lodging or staying over night on the property
  - (v) ***firearm*** includes any bow, sling shot, air or gas operated firearm or pellet gun or any such thing
  - (vi) ***litter*** includes the throwing, dumping, placing, depositing of any debris
  - (vii) ***debris*** includes anything that is not natural to the property
  - (viii) ***day*** means a calendar day
3. No person shall
  - (i) use the property for a prohibited use or cause the property to be used for a prohibited use
  - (ii) disobey an official sign or cause any person to disobey an official sign
  - (iii) camp on the property or cause any person to camp on the property
  - (iv) hunt on the property or cause any person to hunt on the property
  - (v) discharge or operate any weapon or firearm on the property or cause any person to discharge or operate any weapon or firearm on the property
  - (vi) litter the property or cause any person to litter the property
4. This by-law does not apply to vehicles or persons
  - (i) of authorized law enforcement, fire fighting, emergency medical, or other emergency personnel when carrying out authorized duties, or
  - (ii) actually engaged in work on or along the trail, when necessary, in order to do authorized work undertaken for or on behalf of the City of Quinte West.
5. Each day an offence occurs is a separate offence.
6. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to a fine exclusive of costs, and all such penalties shall be recoverable pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c.33, as amended.
7. Should any clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof other than the part so declared to be invalid.
8. This By-law shall come into force and effect upon the date of final passage thereof.

**READ A FIRST SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 16<sup>th</sup> DAY OF JANUARY, 2006.**

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Robert J. Campney, Mayor

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Christine Stewart, Deputy Clerk

**Schedule "A"**  
**By-law 06-11**

Former Canadian National Railway Line Property

Part Number(s)	Plan Number	Additional Information
Part 1 to and including Part 11	39R-8364	
Part 1 to and including Part 29	39R-8365	
Part 3	39R3293	
Part 2	39R-7330	
Part 4	38R-5744	
Parts 1,2 and 3	21R-18173	Part of Lots 1,2,3,4,5,6,7,8,9,10,11,12,13 and 14, east of Dufferin Street, and Part of Blocks H and I Registered Plan 164, save and except Part 10, Plan 21R19408
<i>Refer to Appendix 1</i>	<i>Refer to Appendix 1</i>	Part of Lots 2,3,4,5,6,7 and 8, Part of Canal Reserve, Township of Murray, now in the City of Quinte West and more particularly described in Instrument Number 0340271
Part 1	21R-16740	Part of Lots 9 and 10, Concession 8, Township of Sidney, now in the City of Quinte West