

OFFICE CONSOLIDATION

BYLAW NUMBER 9084

Being a Bylaw of the City of Calgary to require the use of Life Jackets or Personal Floatation Devices by persons boating within the boundaries of the City of Calgary.

(Amended by Bylaw Number 17M79)

WHEREAS the Council may pursuant to Section 17 of the Municipal Government Act pass Bylaws which are not contrary to any Statute of the Province of Alberta for the peace, order and good Government of the municipality and for promoting, among other things, the safety and welfare thereof;

AND WHEREAS pursuant to Section 169 of the Municipal Government Act aforesaid which provides that subject to every other Act a Council has control and management of, among other things, rivers, streams, watercourses and other bodies of water within the municipality including the air space above and the ground below;

AND WHEREAS the Small Vessel Regulations, SOR/69-97 established under the Canada Shipping Act, Revised Statutes of Canada, 1970, Chapter S-9 in the provisions of Part II, REQUIREMENTS FOR PLEASURE CRAFT, by Section 16 thereof except craft propelled by oars or paddles from the application of Part II aforesaid;

AND WHEREAS it is expedient to provide for the safety of persons to which the said Regulations do not apply on all natural or man-made rivers, streams, brooks, canals, lakes, reservoirs or other waterways or watercourses which are contained within the boundaries of the City of Calgary;

(B/L 17M79, 1979 May 22)

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the "Water Safety Bylaw".

INTERPRETATION AND DEFINITIONS

2. In this Bylaw:
 - (a) "approved" means approved by either the Department of Transport or by the City or by the Calgary Police Force as the context requires;

- (b) "City" means the City of Calgary, a Municipal Corporation of the Province of Alberta or the area contained within the boundaries of the City as the context requires;
- (c) "Federal Regulations" means any Regulations established by the Government of Canada or a Department thereof under the Canada Shipping Act;
- (d) "vessel" means a device of any kind designed for or used as a means of water transportation, including a raft, boat or canoe to which the Federal Regulations do not apply and including any inflatable rubber or canvas device capable of sustaining a person afloat in the water.

LIFE JACKET REQUIRED

- 3. (1) Unless he is wearing and continues while he is on or in the water an approved Personal Floatation Device or Life Jacket no person shall:
 - (a) Enter or remain in;
 - (b) Get on or remain on;
 - (c) Hold on to;a vessel in or on any portion of the waters of any natural or man-made rivers, streams, brooks, canals, lakes, reservoirs or other waterways or watercourses which are contained within the boundaries of the City.
- (2) The Personal Floatation Device or Life Jacket must be in a condition capable of adequately sustaining the person in the water without effort or motion of any kind of the person wearing it at the time the person is in or on or holding on to a vessel in or on the water described in Section (1).

(B/L 17M79, 1979 May 22)

PENALTY

- 4. A person convicted of a contravention of this Bylaw by a Court of competent jurisdiction is liable to a fine of Five Hundred Dollars (\$500.00) and costs in default of the payment of any fine and costs imposed hereunder to reasonable imprisonment with or without hard labour for a period not exceeding Thirty (30) Days or until the fine and costs including costs of committal are sooner paid.

DONE AND PASSED IN COUNCIL THIS 23RD DAY OF SEPTEMBER, A.D. 1974.

(Sgd.) R. Sykes
MAYOR

(Sgd.) H.S. Sales
CITY CLERK

UNCERTIFIED COPY