



NEWS FROM COUNCIL

JUNE AND JULY 2018

This edition of News from Council is dedicated to the issue of public access to Pleasant View Beach Park.

The issue of public access to Pleasant View Beach Park, outside of beach operating hours, has raised numerous concerns among citizens and over the past few months, the members of Council and the administration have been working diligently in order to find a solution that will ensure both public access outside of beach operating hours, and a secure environment at the municipality's one and only designated swimming area. Over the past few weeks, many citizens have spoken or written to us with genuine concerns and helpful suggestions and Council would like to thank those individuals for their constructive input. After reading and listening to all of your concerns and suggestions, the members of Council have agreed to put a system in place which will address both security at the beach and public accessibility when the beach is not in operation.

As the owner of a waterfront property which is designated as a public swimming area, our municipality must follow a number of mandatory rules that apply solely to this property and not to any of the other waterfront properties that it owns. One of these rules is the presence of lifeguards when the beach is accessible to the public for swimming. This and other rules that govern designated public swimming areas can be found at: <https://www.rbq.gouv.qc.ca/domaines-d'intervention/lieux-de-baignade/les-responsabilites-du-propretaire-et-de-lexploitant/regles-de-securite.html>

All public beaches in Québec are subject to these rules and municipalities in this province use a variety of methods to render their beaches « inaccessible » when there are no lifeguards present, including the passing of municipal bylaws prohibiting swimming when the beach is closed, signage informing the public that swimming is prohibited and even the installation of temporary netting along the shoreline to signal that the public may not enter the water. North Hatley's public beach has two particular features that are of special concern : 1. the beach property contains a playground and exists within a residential area with young children ; and 2. the property is enclosed by a frost fence with a lockable gate. In an effort to maximize safety by rendering the beach inaccessible when lifeguards are not present, while at the same time improving lake access for bathers during the summer months, the municipality extended its operating hours of the beach until 9 pm (weather and visibility permitting) but locks the gate when the beach is not in operation. This attempt at balancing safety with accessibility has nevertheless raised concerns that recreational enjoyment of this public park has been seriously curtailed and is now dictated solely by the operation of the beach and lifeguard availability.

After consulting with legal counsel regarding a number of options (the legal opinion on these options has been made available to the public and may be consulted here : <http://www.northhatley.org/wp-content/uploads/2018/07/2018-06-21-A-Legal-opinion-plage-Pleasant-View.pdf>), Council decided to take more time to think about how best to balance the need for safety and security at the beach after hours with the need for access to the park for other recreational uses. This brings us to a solution which Council feels will maximize both park access and beach security, while at the same time ensuring that the municipality adheres to the provincial rule of law regarding its designated swimming area.

Although Pleasant View Beach Park will continue to be locked when the beach is closed, the property will now be made accessible to the public via personalized electronic key cards. Those who wish to have access to the park when the beach is closed, may purchase (for a nominal fee) an electronic key card which will allow them to enter the park. Individuals who wish to avail themselves of this service will also be required to sign a letter of agreement. The system will be installed during the month of August and will be available for use by the beginning of September at the latest. Users of the system will be required to pay both an initial refundable deposit for the key card and an annual fee which will be used to pay for the cost of the system (the cost of the system is estimated at a few thousand dollars). Those who do not wish to access the park outside of beach operating hours are not obliged to buy a key card and may simply continue to access the park when it is open for swimming.

Council is of the opinion that this is the best way to balance beach safety and security with freedom of access to the park outside of beach operating hours. More details regarding key cards and the date this service will be available will follow shortly. For any further information, please do not hesitate to get in touch with us or the administration.

This completes the June & July edition of *News from Council*. Remember to send any questions and concerns to communication@northhatley.org or by mail to The Municipal Council, Village of North Hatley, 3125 chemin Capelton, North Hatley, Québec, J0B 2C0.

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