

TOWN OF WATSON LAKE
BYLAW 2025-08

A bylaw to provide and clarify powers of investigation and enforcement for employees of
the Town charged with enforcing its bylaws

WHEREAS section 265 of the Municipal Act (R.S.Y. 2002) provides that Council may pass bylaws for municipal purposes respecting the enforcement of bylaws; and

WHEREAS section 338 of the Municipal Act provides that a municipality may enforce its bylaws and other Acts under which the municipality or its officers are given powers of enforcement; and

WHEREAS section 339 of the Municipal Act provides that Council may, by bylaw, provide for the appointment of enforcement officers for the enforcement of bylaws and other Acts under which the municipality or its officers are given powers of enforcement, and may define their duties and responsibilities;

NOW THEREFORE the Council of the municipality of the Town of Watson Lake ENACTS AS FOLLOWS:

1.0 SHORT TITLE

This bylaw may be cited as the “Bylaw Enforcement Bylaw.”

2.0 DEFINITIONS

In this bylaw,

“ENFORCEMENT OFFICER” means an employee of the Town appointed as an enforcement officer pursuant to the *Municipal Act*

"TOWN" means the municipal corporation of the Town of Watson Lake.

"COUNCIL" means the elected Council of the Town of Watson Lake.

3.0 APPOINTMENT OF AN ENFORCEMENT OFFICER

3.1 An Enforcement Officer shall be sworn as an enforcement officer within the meaning of the *Municipal Act*, for all purposes within the legislative competence of the Council of the Town of Watson Lake.

3.2 An Enforcement Officer shall swear an oath as set out in Appendix "A" to this bylaw.

- 3.3 An Enforcement Officer shall have the power to enforce the provisions of bylaws enacted by the Council of the Town, and the provisions of other territorial statutes as authorized by law.

4.0 JURISDICTION

- 4.1 The territorial jurisdiction of an Enforcement Officer shall extend throughout the area within the municipal boundaries of the Town of Watson Lake.

5.0 POWERS

- 5.1 For greater certainty, an Enforcement Officer is a “peace officer” as defined by the Criminal Code of Canada, as amended from time to time.
- 5.2 An Enforcement Officer may, enter upon any land or structure in any area of the Town without warrant, except a dwelling house, if the Officer has reasonable and probable grounds to believe that such entry is reasonably necessary for any of the following purposes:
- a. To prevent the continuation of an offence under any bylaw;
 - b. To obtain particulars of ownership of anything involved in an offence committed under any bylaw;
 - c. To determine the identity of any person or animal involved in an offence committed under any bylaw;
 - d. To search for, seize, and/or preserve evidence of an offence committed under any bylaw; or
 - e. Any other law enforcement purpose relating to the enforcement of any bylaw
- 5.3 Pursuant to the provisions of the *Criminal Code of Canada*, a justice may at any time issue a warrant authorizing an Enforcement Officer who is named in the warrant to apply the search and seizure provisions of the *Criminal Code of Canada* in respect of any violation of any bylaw of the Town of Watson Lake, with any such modifications as the circumstances require.
- 5.4 For the purposes of ensuring compliance with any bylaw or to enforce the provisions of any bylaw, an Enforcement Officer may signal or otherwise direct a person operating a motor vehicle to stop, or move to a place and then stop, and the person shall immediately comply with the Enforcement Officer’s signal or direction and shall not proceed for the time that is reasonably necessary to enable the Enforcement Officer to conduct any lawful inquiries.
- 5.5 Every Enforcement Officer has the powers of a peace officer under any of sections of the *Motor Vehicles Act* as amended from time to time, with such modifications as

are necessary, while engaged in the lawful execution of their duties, including sections:

- a. 36 - Production of license
- b. 50 - Production of certificate of registration
- c. 86 - Production of financial responsibility card
- d. 106 - Stopping for peace officers
- e. 114 - Forcible entry of vehicle
- f. 130 - Maintenance of equipment
- g. 133 - Radar detectors
- h. 134 and 135 - Peace officer directing traffic
- i. 136 - Driving/parking contrary to rules
- j. 181 - Parking restrictions
- k. 203 - Use vehicle without consent
- l. 217 - Required equipment for cycles
- m. 230 - Peace officer directing traffic
- n. 232 - Request by peace officer for ID

5.6 An Officer may seize and impound any personal property they believe is related to the commission of an offence contrary to any Bylaw until:

- a. the completion of legal proceedings relating to such property; or,
- b. 30 days from the date of seizure have elapsed and no such legal proceedings have commenced.

6.0 PROTECTION FROM PERSONAL LIABILITY

6.1 An Enforcement Officer is not liable for any loss or damage caused by anything said or done or omitted to be done lawfully, in good faith in the performance or intended performance of their functions, duties, or powers under this bylaw.

7.0 GENERAL INTERPRETATIONS

7.1 Nothing in this bylaw detracts from any other powers conferred on an Enforcement Officer:

- a. in any other bylaw of the Town;
- b. in any other Act of the Yukon Legislative Assembly; or
- c. or at common law.

8. OFFENCE

8.1 Any person who violates any provision of this Bylaw is guilty of an offence and subject to a maximum fine of five hundred dollars (500.00) or 30 days imprisonment, unless a specific provision of any other Bylaw applies.

9.0 COMING INTO FORCE

This Bylaw shall come into full force and effect upon the final passing thereof.

Read a First time this ____ day of _____, 2025

Read a Second time this ____ day of _____, 2025

Read a Third time and Finally Passed this ____ day of _____, 2025

Lauren Hanchar – Mayor

Tiffany Lund – Municipal Clerk

APPENDIX "A"

**OATH OF APPOINTMENT
DESIGNATED MUNICIPAL OFFICER**

I, _____, of the Town of Watson Lake in the Yukon Territory,

DO SOLEMNLY PROMISE AND DECLARE THAT:

That I will well and truly serve His Majesty King Charles, as a Designated Municipal Officer in the position of _____ for the Town of Watson Lake, without favour or affection, malice or ill will;

That I will honour and respect the mission, goals, purpose, and policies of the Town of Watson Lake; and

That while I continue to hold the said position of _____, I will, to the best of my skill and knowledge, discharge all the duties and responsibilities thereof, faithfully, and according to law.

Signature of Declarant

Declared before me at Watson Lake in the Yukon Territory

this ____ day of _____, 20____

A Notary Public or Designated Municipal Officer

in and for the Yukon Territory.