

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

The Corporation of the Town of Wasaga Beach

Applicant

and.

Persons Unknown

Respondents

MOTION UNDER Section 440 of the *Municipal Act*, 2001, S.O. 2001, c. 25, Section 101 of the *Courts of Justice Act*, R.S.O. 1990, C. C.43 and Rules 1.04, 14.05, 38, 40.01 & 40.02 of the *Rules of Civil Procedure*, R.R.O. 1990, reg. 194.

MOTION RECORD

August 28, 2023

BARRISTON LLP

Barristers & Solicitors

151 Ferris Lane, Suite 202

Barrie, Ontario L4M 6C1

Sarah Hahn (LSO 64064L)

shahn@barristonlaw.com

Tel: (705)792-9200

Fax: (705)792-6911

Lawyers for the Applicant

The Corporation of the Town of Wasaga Beach

TO: PERSONS UNKNOWN

Respondent

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

The Corporation of the Town of Wasaga Beach
Applicant/Moving Party
and.

Persons Unknown
Respondents/Responding Party

MOTION UNDER Section 440 of the *Municipal Act*, 2001, S.O. 2001, c. 25, Section 101 of the *Courts of Justice Act*, R.S.O. 1990, C. C.43 and Rules 1.04, 14.05, 38, 40.01 & 40.02 of the *Rules of Civil Procedure*, R.R.O. 1990, reg. 194.

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Court File No.

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Applicant/Moving Party

and

PERSONS UNKNOWN

Respondents/Responding Party

NOTICE OF MOTION

MOTION UNDER Section 440 of the *Municipal Act*, 2001, S.O. 2001, c. 25, Section 101 of the *Courts of Justice Act*, R.S.O. 1990, C. c.43 and Rules 1.04, 14.05, 38, 40.01 & 40.02 of the *Rules of Civil Procedure*, R.R.O. 1990, reg. 194.

The Moving Party will make an EX PARTE Motion to a Judge on Tuesday August 29, 2023 at 9:30 or as soon as can be heard.

PROPOSED METHOD OF HEARING: The Motion is to be heard

By video conference.

at the following location

75 Mulcaster Street Barrie, Ontario L4M 3P2

-2-

MOTION

1. The Moving Party makes a motion for:

- a) an interlocutory injunction pursuant to section 440 of the Municipal Act, 2001, SO 2001, c. 25, restraining the Respondents from violating the Corporation of the Town of Wasaga Beach By-law 2023-74, as amended [the “By-law”] as well as By-law 2018-99, By-law 2019-15, By-law 2023-75, and By-law 2020-77;
- b) *quia timet* injunctive relief preventing anticipated contraventions of the By-law;
- c) relief from service and notice provisions, if required;
- d) an order for substituted service, if required;
- e) if opposed, an order that costs be paid by the Responding Parties on a substantial indemnity basis;
- f) such further and other relief as may be deemed fit by this Honourable Court;

2. The grounds for the Motion are:

- a) The Moving Party, the Corporation of the Town of Wasaga Beach (the “Town”), seeks an Order and interlocutory relief to restrain the Respondents from violating Town by-laws.
- b) An illegal event is being planned in Wasaga Beach for September 1 – 4, 2023 being a car rally that is advertised online as “h2oi Wasaga Beach”.
- c) An unsanctioned and illegal event of the same name has taken place in Wasaga Beach for several years.
- d) In 2022, it resulted in public and private property damage, danger to public safety, and was a nuisance to the public generally.
- e) Numerous entities online are violating the By-law by coordinating, facilitating, advertising, hosting, creating, causing, and permitting an unsanctioned and unapproved car rally.
- f) The By-law provides in section 4.1 that,
“No Person shall, within the boundary of the Municipality, sponsor, collect money for, conduct, coordinate, facilitate, advertise, continue, host, create, cause, permit, participate in, be a Spectator, and/or attend any Car Rally that is unsanctioned and unapproved by the Town of Wasaga Beach.”

-3-

- g) The Respondents are persons unknown, including the coordinators, facilitators, organizers, advertisers, hosts, creators, causers, permitters, and participants of the h2oi Wasaga Beach car rally.
 - h) Violating the By-law constitutes a public nuisance and is a threat to public safety.
 - i) The violation of the By-law has caused an interference with the Town's ability to maintain its roads, regulate the flow of traffic and enforce by-laws which will threaten public safety and cause a public nuisance.
 - j) The Persons Unknown continue to make posts online about this event and have indicated that they are in the process of receiving approval and permits from the Town.
 - k) There has been no contact to seek approval or permits for this event. This language has the result of enticing more people to attend this illegal event under the guise that it does not violate the By-law.
 - l) Section 101, of the Courts of Justice Act, R.R.O. 1990, Reg. 194 as amended;
 - m) The Corporation of the Town of Wasaga Beach By-law no. 2018-99, as amended;
 - n) The Corporation of the Town of Wasaga Beach By-law no. 2019-15, as amended;
 - o) The Corporation of the Town of Wasaga Beach By-law no. 2020-77, as amended;
 - p) The Corporation of the Town of Wasaga Beach By-law no. 2023-74, as amended;
 - q) The Corporation of the Town of Wasaga Beach By-law no. 2023-75, as amended;
 - r) Rules 1.04, 1.04 (1.1) and (2), 14.05(3) (d) (g) and (h) 40.01 & 40.02 of the Rules of Civil Procedure.
 - s) Section 440 of the *Municipal Act*.
3. The following documentary evidence will be used at the hearing of the Motion:
- a) the affidavit of Danny Rodgers, to be sworn;
 - b) such further and other documentation as the Applicant shall advise and this Honourable Court permit.

-4-

Issued: August 24, 2023

BARRISTON LLP

Barristers and Solicitors
151 Ferris Lane, Suite 202
Barrie ON L4M 6C1

Sarah Hahn (LSO 64064L)

shahn@barristonlaw.com

Tel: (705) 792-9200

Fax: (705) 792-6911

Lawyers for the Moving Party,
The Corporation of the Town of
Wasaga Beach

To: John Doe

THE CORPORATION OF THE TOWN OF WASAGA BEACH
Moving Party

-and-

PERSONS UNKNOWN
Responding Party

Court File No. CV-23-

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
BARRIE

NOTICE OF MOTION

BARRISTON LLP

Barristers and Solicitors
151 Ferris Lane, Suite 202
Barrie ON L4M 6C1

Sarah Hahn (LSO 64064L)

shahn@barristonlaw.com

Tel: (705) 792-9200

Lawyers for the Moving Party

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

The Corporation of the Town of Wasaga Beach

Applicant

and

Persons Unknown

Respondents

NOTICE OF APPLICATION

APPLICATION UNDER Section 440 of the *Municipal Act*, 2001, S.O. 2001, c. 25, Section 101 of the *Courts of Justice Act*, R.S.O. 1990, C. c.43 and Rules 1.04, 14.05, 38, 40.01 and 40.02 of the *Rules of Civil Procedure*, R.R.O. 1990, reg. 194.

NOTICE OF APPLICATION

TO THE RESPONDENT:

A LEGAL PROCEEDING HAS BEEN COMMENCED by the applicants. The claim made by the applicant appears on the following page.

THIS APPLICATION will come on for a hearing on a date to TBD, at 75 Mulcaster St, Barrie, ON L4M 3P2, or by video conference, or in writing. A motion regarding this matter shall be heard at 9:30am, or soon after, on August 29, 2023 via video conference.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must forthwith prepare a notice of appearance in Form 38A prescribed by the Rules of Civil Procedure, serve it on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the

applicant, and file it, with proof of service, in this court office, and you or your lawyer must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE APPLICATION, you or your lawyer must, in addition to serving your notice of appearance, serve a copy of the evidence on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in the court office where the application is to be heard as soon as possible, but at least four days before the hearing.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO OPPOSE THIS APPLICATION BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

August , 2023

Local Registrar

75 Mulcaster Street
Barrie, Ontario L4M 3P2

TO: **PERSONS UNKNOWN**
Without Notice

APPLICATION

1. The Applicant makes an application for:
 - a) an order compelling the Respondents to permanently cease and refrain from contravening the Corporation of the Town of Wasaga Beach By-law 2023-74, as amended [the “By-law”] as well as By-law 2018-99, By-law 2019-15, By-law 2023-75, and By-law 2020-77;
 - b) an interlocutory injunction pursuant to section 440 of the Municipal Act, 2001, SO 2001, c. 25, restraining the Respondents from violating the By-law;
 - c) *quia timet* injunctive relief preventing anticipated contraventions of the By-law;
 - d) relief from service and notice provisions, if required;
 - e) an order for substituted service, if required;
 - f) damages, to be assessed and provided before a hearing date, resulting from the contravention of the By-law.
 - g) if opposed, an order that costs be paid by the Respondents on a substantial indemnity basis;
 - h) such further and other relief as may be deemed fit by this Honourable Court;

2. The grounds for the Application are:
 - a) The Applicant, the Corporation of the Town of Wasaga Beach (the “Town”), seeks an Order and interlocutory relief to retrain the Respondents from violating Town by-laws.
 - b) An illegal event is being planned in Wasaga Beach for September 1 – 4, 2023 being a car rally that is advertised online as “h2oi Wasaga Beach”.
 - c) An unsanctioned and illegal event of the same name has taken place in Wasaga Beach for several years. In past years, it has resulted in public and private property damage, danger to public safety, and was a nuisance to the public generally.
 - d) Numerous entities online are violating the By-law by coordinating, facilitating, advertising, hosting, creating, causing, and permitting an unsanctioned and unapproved car rally.
 - e) The By-law provides in section 4.1 that,
“No Person shall, within the boundary of the Municipality, sponsor, collect money for, conduct, coordinate, facilitate, advertise, continue, host, create, cause, permit, participate in, be a Spectator, and/or attend any Car Rally that is unsanctioned and unapproved by the Town of Wasaga Beach.”

- f) The Respondents are persons unknown, including the coordinators, facilitators, organizers, advertisers, hosts, creators, causers, permitters, and participants of the h2oi Wasaga Beach car rally.
- g) Violating the By-law constitutes a public nuisance and is a threat to public safety.
- h) The violation of the By-law has caused an interference with the Town's ability to maintain its roads, regulate the flow of traffic and enforce by-laws which will threaten public safety and cause a public nuisance.
- i) The Persons Unknown continue to make posts online about this event and have indicated that they are in the process of receiving approval and permits from the Town and have already received some approvals.
- j) There has been no contact to seek approval or permits for this event. This language has the result of enticing more people to attend this illegal event under the guise that it does not violate the By-law.
- k) Section 101, of the Courts of Justice Act, R.R.O. 1990, Reg. 194 as amended;
- l) The Corporation of the Town of Wasaga Beach By-law no. 2018-99, as amended;
- m) The Corporation of the Town of Wasaga Beach By-law no. 2019-15, as amended;
- n) The Corporation of the Town of Wasaga Beach By-law no. 2020-77, as amended;
- o) The Corporation of the Town of Wasaga Beach By-law no. 2023-74, as amended;
- p) The Corporation of the Town of Wasaga Beach By-law no. 2023-75, as amended;
- q) The Corporation of the Town of Wasaga Beach By-law no. 2023-89;
- r) Rule 14.05(3) (d) (g) and (h) of the Rules of Civil Procedure;
- s) Rule 1.04, 1.04 (1.1) and (2) of the Rules of Civil Procedure.
- t) Section 440 of the *Municipal Act*.

3. The following documentary evidence will be used at the hearing of the application:

- a) the affidavit of Danny Rodgers, to be sworn;
- b) such further and other documentation as the Applicant shall advise and this Honourable Court permit.

Issued:

BARRISTON LLP

Barristers and Solicitors
151 Ferris Lane, Suite 202
Barrie ON L4M 6C1

Sarah Hahn (LSO 64064L)

shahn@barristonlaw.com

Tel: (705) 792-9200

Fax: (705) 792-6911

Lawyer for the Applicant,
The Corporation of the Town of
Wasaga Beach

To: **PERSONS UNKNOWN**
Without Notice

THE CORPORATION OF THE TOWN OF WASAGA BEACH
Applicant

-and- PERSONS UNKNOWN
Respondents

Court File No. CV-23-1434

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT
BARRIE

NOTICE OF APPLICATION

BARRISTON LLP

Barristers & Solicitors
151 Ferris Lane
Barrie ON L4M 6C1

Sarah Hahn (LSO 64064L)

shahn@barristonlaw.com

Tel: (705) 792-6910

Fax: (705) 792-6911

Lawyers for the Applicant

The Corporation of the Town of Wasaga Beach

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

The Corporation of the Town of Wasaga Beach

Applicant/Moving Party

and

Persons Unknown

Respondents/Responding Parties

AFFIDAVIT OF DANNY RODGERS
(Sworn August 28, 2023)

I, **DANNY RODGERS**, of the City of Barrie in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am the General Manager of Development Services and the Chief Building Official for the Corporation of the Town of Wasaga Beach (the "**Town**"). As such, I have personal knowledge of the matters hereinafter deposed to. Where I specify that my knowledge is based on the information of others, I verily believe this information to be true.
2. Wasaga Beach is a town in Simcoe County boasting the longest freshwater beach in the world. Attached as **Exhibit "A"** is a page from the Wasaga Beach website.
3. The Town's population was reported as 24,862 as of the 2021 census and it is a tourism destination and has approximately 2 million visitors each year. See Exhibit "A" and attached as **Exhibit "B"** is the Statistic Canada 2021 Census Information.
4. In 2017, the Town passed its Downtown Development Master Plan which is a 20-year strategy for significant redevelopment of the tourist area and adding a downtown to the business area. Attached as **Exhibit "C"** is an excerpt from the Town's Master Plan.
5. The full 182-page report can be found on the Town's website at the following link:

<https://www.wasagabeach.com/en/resources/Documents/-%20Projects/Build%20Wasaga/Wasaga%20Beach%20Downtown%20Development%20Master%20Plan.pdf>

6. It is noted in the Executive Summary at Exhibit “C” that,

Rebranding Wasaga Beach to shake the “party-town” image and replacing the brand with a more sophisticated, diversified and inclusive approach is important to the future economic success of the town.

History of Unsanctioned Car Rallies in the Town

2020

7. An “H2Oi” branded car rally has been coming to Wasaga Beach without permits or authorization since the year 2020.

8. According to a news article,

H2Oi made its first appearance in Wasaga Beach in September 2020, when vehicle owners descended on the community rather than make the traditional trip to Ocean City, Md., as the border was closed due to the pandemic.

Attached as **Exhibit “D”** is an article from 2023 entitled, “‘We want you to respect our municipality’: Wasaga Beach targets ‘unauthorized’ car rallies with new bylaw”.

9. The H2Oi event in 2020 required Ontario Provincial Police “**OPP**” officers to break up large crowds and resulted in the police having to stop non-residents from entering the Town on Saturday September 26, 2020. Attached as **Exhibit “E”** is an article from 2020 entitled, “Police close off Wasaga Beach, Ont. to non-residents after car rally”.
10. There were an estimated 500 – 800 cars in attendance at the 2020 event with 172 charges, 44 vehicles towed and 10 people charged for violating COVID restrictions. Attached as **Exhibit “F”** is a November 18, 2021 staff report on the H2Oi Unsanctioned Car Rally Costs and Policing Impacts.

2021

11. H2Oi returned to Wasaga Beach the weekend of September 24 – 26, 2021 where approximately 1,000 vehicles attended resulting in 380 charges and 70 vehicles being pulled off the road for street racing or for being unfit for the road. Attached as **Exhibit “G”** is an article from 2021 entitled, “‘This costs the province, every taxpayer’: Here is what the H2Oi car event cost Wasaga Beach”.

12. The response required to address the unsanctioned event was hundreds of thousands of dollars, including more than \$46,000 in Town resources. These expenses are paid for by the residents of Ontario and through Wasaga Beach property taxes. Attached as **Exhibit “H”** is an article from 2021 entitled, “Wasaga Beach unsanctioned car rally 'cost the province, every taxpayer”.
13. The Town is unable to recoup these expenses from the organizers and attendees of the events. Even with charges being laid and fines paid, the costs to prevent, enforce, police, and prosecute this illegal event far exceeds the amount the Town would ever receive from charges.
14. The costs to taxpayers from these events is exorbitant, as noted in Exhibit “G”.

2022

15. The H2Oi events in 2022 were especially egregious and problematic for the Town. I recall that there were incidents of crowds swarming OPP officers, as well as around Town equipment being used for road blockage. Additionally, firetrucks were swarmed and firefighting equipment was removed and taken from these vehicles.
16. The first 2022 H2Oi event took place the weekend of August 26 – 28, 2022 and resulted in 191 charges being laid. 154 were Highway Traffic Act-related, including 37 for speeding, 18 for an improper or no muffler and six for unnecessary noise. Three motorists were charged with impaired driving. Two OPP vehicles parked at Beck and Main streets had their windows smashed out; officers, and a police dog, were in the vehicles at the time. Attached as **Exhibit “I”** is an article from 2022 outlining this event.
17. That same article notes that the Town tried to work with organizers to have them hold a legal event:

Bifulchi said town officials had made efforts to reach out to the purported organizers in the past to urge them to go through the town’s special events process, but had not received a response. “I call on the car rally community to consider working with us. An organized and safe gathering is possible here,” she said.
18. Soon after the first event ended, an additional 20 individuals were charged with 37 Criminal Code of Canada and Highway Traffic Act offences stemming from the rally. Attached as **Exhibit “J”** is an article from 2022 entitled, “OPP charge 20 in connection with unsanctioned car rally in Wasaga Beach ahead of another H2Oi event this weekend”
19. The second event of 2022 took place the weekend of September 23 – 25, 2022.

20. By early Saturday night on September 24, 2022, police reported that 136 provincial offences notices had been issued for Highway Traffic Act violations and a driver was caught travelling 131km/h in an 80 km/h zone. Attached as **Exhibit “K”** is an article from 2022 entitled, “Ontario Provincial Police out in full force to address car rally in Wasaga Beach”.
21. There were two incidents in 2022 where H2Oi attendee damaged a police car, one of which had officers and a K9 unit inside. Attached as **Exhibit “L”** is an article from 2022 entitled, “‘This behaviour will not be tolerated’: 25-year-old London man charged with damage to cruiser during H2Oi event in Wasaga Beach”.
22. There was further destruction of private property where crowds caused damage at the Walmart and I recall that they collapsed a roof at the Canadian Tire.
23. Some of the chaos is summarized in a news article:

One YouTube video shows a massive street party, people using their iPhones to film drivers doing donuts, tires smoking, cars revving their engines, and one man jumping on the windshield of an OPP cruiser.

Attached as **Exhibit “M”** is an article from 2022 entitled, “Windows smashed on 2 OPP police vehicles during car rally in Wasaga Beach, Ont.”

24. The following links also show some of the YouTube videos that documented the mayhem of the 2022 H2Oi events:

<https://www.youtube.com/watch?v=czeQeylOTqA>

https://www.youtube.com/watch?v=vO_-HkfVui8&t=64s

https://www.youtube.com/watch?v=vO_-HkfVui8

25. Other H2Oi events have resulted in similar issues and even death from out-of-control cars at these events.
26. Attached as **Exhibit “N”** is an article from 2022 entitled, “Bystanders say Wildwood invaded, police outmanned as H2oi car meet-up turned deadly”.
27. Attached as **Exhibit “O”** is an article from 2022 entitled, “Driver who slammed into family in golf cart during Wildwood H2oi car rally faces assault charges”.
28. Attached as **Exhibit “P”** is an article from 2022 entitled, “Driver charged in fatal H2oi wreck was fleeing another accident before crash that killed 2, cops say”.

29. Attached as **Exhibit “Q”** is an article from 2022 entitled, “Police start blocking streets in area town amid concerns over car rally”.

30. Wasaga Beach Mayor Brian Smith has stated the Town’s position on these events:

“Illegal events, and illegal car rallies organized by people that do not have permits and do not respect the law, are not welcome in Wasaga Beach. They threaten the safety of our residents, visitors and local businesses ... they risk people’s lives.”

Attached as **Exhibit “R”** is an article from 2023 entitled, “‘They risk people’s lives’: Wasaga Beach ups response in preparation for illegal car rallies”.

By-laws Prohibiting Such Events

31. There are several by-laws that have been enacted in the Town to address the nuisance and dangers posed by events like this one.

32. Attached as **Exhibit “S”** is a true copy of By-law no. 2018-99 being A By-law to regulate Special Events in the Town of Wasaga Beach.

33. Attached as **Exhibit “T”** is a true copy of By-law no. 2019-15 being the "Noise and Nuisance By-law".

34. Attached as **Exhibit “U”** is a true copy of By-law no. 2019-115 being a By-law to amend By-law No. 2019-15.

35. Attached as **Exhibit “V”** is a true copy of By-law no. 2023-75 being a By-law to amend By-law No. 2019-15.

36. In response to the serious threats to public safety and public nuisance from unsanctioned car rallies and similar events, Council for the Town enacted By-law 2023-74 being A By-Law to Prohibit Vehicular Nuisance Events and known as the “Car Rally By-law”. A true copy of the By-law certified by the municipal Clerk is attached as **Exhibit “W”**.

37. Subsequent to the passing of the Car Rally By-law, the Town amended the by-law to include an offence provision through By-law 2023-89. Attached as **Exhibit “X”** is a true copy of By-law 2023-89.

38. The Town also recently passed a Downtown Community Safety Zone by-law to address safety concerns in the downtown core. Attached as **Exhibit “Y”** is a copy of By-law 2023-86.

The Respondents are Breaching Town By-laws

39. As a result of the promotion of another illegal “pop-up” car rally that the Town was successful in preventing earlier this year, I began following a number of Instagram accounts that promote car rallies and “takeovers”. I have been checking these accounts for posts daily.
40. I became aware that a car rally was being planned when the Instagram account @h20i.ca3 “h20i Canada” made a post on or around July 12, 2023 that an event would be held September 1 – 4, 2023. Attached as **Exhibit “Z”** is a screenshot of the now-removed post.
41. I also saw that H2Oi was letting people know that they wanted to make sure to not get shut down too early and that there should be no burnouts or drifting until 1AM. Attached as **Exhibit “Aa”** is a screenshot of this post.
42. In response to these posts, I observed that people commented with links to notify the organizer that the Town had passed a by-law to prohibit these types of events.
43. After these comments, the posts were removed.
44. After the removal of the posts, a new Instagram account was created on or around August 13, 2023 being @h20i_wasaga “H20i canada” which has distributed posts and stories in violation of the By-law.
45. This account posts pictures and “stories” multiple times nearly every day. It also encourages people to share these posts. Attached as **Exhibit “Bb”** is a collection of some of the screenshots of posts and stories.
46. Numerous other Instagram pages appear to be working in conjunction with @h20i_wasaga and have cross-posted messaging aimed at increasing the number of people attending this event.
47. The following accounts have made or shared posts on Instagram promoting the illegal event to their followers and the public generally:
 - @h20i_wasaga “H20i canada” who has an audience of ~1,118 followers.
 - @officialphatfarmcarmeets “PHATFARMCARMEETS” who has an audience of ~25,200 followers.
 - @totakeovers “Underground Street Parties” who has an audience of ~28,200 followers.
 - @phantom_meets_gta “Phantom Meets GTA” who has an audience of ~20,900 followers.
 - @theundrgrdstore “TheUnderGroundStore” who has an audience of ~177 followers.

48. Many of the other pages make posts glorifying stunt driving. Attached as “**Exhibit Cc**” are screenshots of posts and videos showing stunt driving.

49. I do not know if @h20i_wasaga is related to the original account being @h20i.ca3, but I do know that it is the entity who is organizing and promoting this illegal car rally.

50. Whether or not this new page is connected with the H2Oi group is inconsequential. Regardless of who is behind this page, it is breaching the Car Rally By-law and is encouraging large numbers of people to come to Wasaga Beach September 1 – 4, 2023.

51. Additionally, @h20i_wasaga has an online store where is it selling merchandise for this event for profit. The store is currently no longer available online, but I do have screenshots of the Instagram advertising posts. Attached as **Exhibit “Dd”** is a collection of screenshots of the advertising posts.

52. This profile has advertised a “Telegram” chat to promote and organize this event which I have joined. Currently the chat has 124 members since it was started on August 23, 2023. Attached as **Exhibit “Ee”** are screenshots of the conversations.

53. Notably, there are messages in Exhibit “Ee” showing the attendees’ and organizers’ intentions to have a “take over” party style event. For example,

“Block party should be on the beach drive take over beach one”

“Block the entrance so cops can’t get in do what they did to us lol”

“Real shit if mans keep it chill and keep the fuckery for the block party we can FUCK IT UP”

“She ready to claim wasaga”

*“If this shits dead we might as well just all get fucked up”
“that’s regardless”*

54. I have not completed a detailed search of Instagram posts, but believe that the posts promoting this illegal event are being more widely circulated.

55. The organizers and promoters are telling the public that they are seeking permits and approvals from the Town for this car rally. Attached as **Exhibit “Ff”** are screenshots of posts stating that permits are in the works.

56. More recently, the posts have indicated that permits are slowly being approved for lots. Attached as **Exhibit “Gg”** are screenshot of these posts.
57. I have made inquiries with representatives of the Town and understand that there has been no contact with the Town to discuss such an event, nor submission of a permit application.
58. Without approval and permitting from the Town, this is an illegal event.
59. I believe that stating that this is an event that is or will be permitted is to encourage more people to attend this illegal event under the false pretense that it is not illegal.
60. Even if the intentions of the organizers are to avoid illegal behaviour, the fact that this is not a permitted event means that there is no one who is accountable for the actions of the crowd, nor is there appropriate insurance in place to cover damages to property, health, or human life.
61. The Town has been actively coordinating with the local detachment of the OPP to prepare for and respond to this illegal event.

Identity of the Respondents

62. I have looked through the online accounts and posts as well as spoken with representatives from the OPP to attempt to determine who the individuals behind these accounts are, but have not been able to identify them.

By-laws will be Breached if the Illegal Event Cannot be Stopped

63. I have observed, and do verily believe, that many of the attendees at past H2Oi events have breached Town by-laws.
64. The fact that many Highway Traffic Act and municipal by-law charges have been laid each time this illegal event takes place is proof of that.

Concerns with Public Safety and Nuisance

65. In addition to the crowd that the illegal event is anticipated to draw, the Town expects the ordinary and customary increase in visitors that weekend as it is the Labour Day long weekend.
66. During the last long-weekend in August, there was a great deal of traffic with 2-hour-long delays. Attached as **Exhibit “Hh”** is an article entitled, “‘Extraordinary volume’ of traffic creates gridlock in Wasaga Beach”.

67. A 2-hour delay to traverse the main beach is significant, as it takes approximately 8 minutes in regular traffic. Attached as **Exhibit "Ii"** is a screenshot of Google Maps showing the travel time by car from Provincial Park 1 to Provincial Park 4.
68. It is anticipated that the upcoming Labour Day long weekend will draw even larger crowds because of the events planned for that weekend.
69. The Town has organized and planned a series of free concerts for its event called 'Memories of Summer' for the Labour Day long weekend which is expected to draw large crowds.
70. On Friday September 1, 2023 beginning at 6:00pm is music by Jamie Drake and The Thunderstealers. Attached as **Exhibit "Jj"** is a copy of the event information posted on the Town website.
71. On Saturday September 2, 2023 beginning at 6:00pm is music and dancing by Mariachi Fuego. Attached as **Exhibit "Kk"** is a copy of the event information posted on the Town website.
72. Sunday September 3, 2023 is the main event beginning at 10:00am which includes family entertainment and games for all ages. Live music begins with Grace at 6:00pm; The Carpet Frogs at 7:20pm; and April Wine at 8:40. A fireworks show will begin at 10:00pm. Attached as **Exhibit "Ll"** is a copy of the event flyer.
73. In my opinion, April Wine is fairly described as a Canadian Iconic rock band. As such, they are expected to draw a large crowd.
74. I have reviewed the April Wine website and see that most shows over the past few months have been sold-out, including two shows on August 4 and 5, 2023 at the Kee to Bala, about one hour north-east of Wasaga Beach which holds 2,500 attendees. Attached as **Exhibit "Mm"** is a screenshot of the April Wine website.
75. It is difficult to speculate how many people will attend the Memories of Summer event as it is a free event where tickets are not needed. However, I have spoken with the Town's event staff who estimate 12,000 – 15,000 people will attend each day throughout the weekend.
76. The Town has a policy to govern Municipally Significant Public Special Events. Attached as **Exhibit "Nn"** is a copy of this policy being By-law 2016-25.
77. A great deal of Town resources are spent to draw in tourism and host or support legal events that are helpful to businesses and residents.
78. If this illegal car rally cannot be stopped, there will be an unreasonable strain on the Town's staff and resources and I anticipate that officials will be unable to effectively respond to the volume of calls and complaints. As stated above, there

is the added issue that these expenses cannot be recouped from the organizers and participants of this illegal event.

79. On this weekend, it is not a permitted weekend to sell fireworks in the community. This group has a history of lighting off fireworks horizontally into crowds. There is a concern that the individuals attending this event will bring in fireworks to promote chaos and which could cause serious injuries.
80. Despite the language in posts about the illegal event, the result will no-doubt be a “takeover” style event where a large crowd of people come to the Town where roadways and police resources will be overwhelmed.
81. Additionally, language in these posts suggests that the rules are simply for show, as a “winky-face” appears after stating that there will be to burnouts.
82. There has also been discussion online about keeping the daytime events calm so that the event is not shut down before the night time when the chaos will ensue.
83. Regardless of the intentions of the organizers, without receiving a permit for a lawful event, there is no person or corporation responsible for the attendees and no insurance policy to make sure that the Town is indemnified and that accidents and incidents can be paid for.
84. If a group wants to come to Wasaga Beach and hold an event in the community, one must go through the proper process to get approvals.
85. The process for getting approvals is for an organizer to fill out an application and get Town approval. This event has not done that. Attached as **Exhibit “Oo”** is a copy of the application.
86. Part of this process is making sure that the organizers have appropriate liability insurance and that the Town can prepare for large events to avoid unsafe events or overlaps in large events.
87. I am greatly concerned about the threats to public safety and public nuisance from the illegal car rally event, which is increased by the overlap with other events taking place in Wasaga Beach this same weekend.
88. The Town has made media releases to educate the public about this illegal event but it has not stopped the advertising and planning of the event. Attached as **Exhibit “Pp”** is the Wasaga Beach media release entitled, “Council Takes Action to Strengthen Town’s Emergency Preparedness and Improve its Highly Coordinated Town-OPP Response to Illegal Car Rallies”.

89. On behalf of the Town, we provide an undertaking as to damages to abide by any subsequent order the Court may make to pay the defendant's damages stemming from injunctive relief.

90. I make this affidavit in support of the Town's Application and Motion for injunctive relief and for no other or improper purpose.

SWORN by Danny Rodgers of the City of Barrie in the Province of Ontario, before me at the Town of Huntsville in the Province of Ontario, on August 28, 2023, in accordance with O. Reg 431/20, Administering Oath or Declaration Remotely.

}



Commissioner for Taking Affidavits
(or as may be)

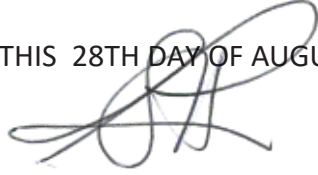


(Signature of deponent)

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Welcome to the longest freshwater beach in the world!

Posted on Friday, July 07, 2023

Welcome! Wasaga Beach is the longest freshwater beach in the world. Each year, our town is proud to welcome over 2 million visitors to our community to enjoy our beach, local businesses and special events.

Looking to organize a special event? Whether it's a large gathering of people or a large tourism event, we've got you covered. For more information, please call us (705) 429-3844 ext. 2513

You can also learn more about events that are currently planned, visit our events calendar or follow us on Twitter, Facebook and Instagram for regular updates.

Stay Connected

Stay up to date on Wasaga Beach activities, events, programs and operations by subscribing to our many eNewsletters.

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Town of Wasaga Beach

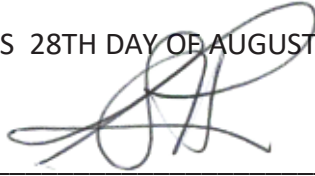
30 Lewis Street, Wasaga Beach ON L9Z 1A1

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Census Profile, 2021 Census of Population

Profile table

Wasaga Beach, Town (T) ⓘ

Ontario

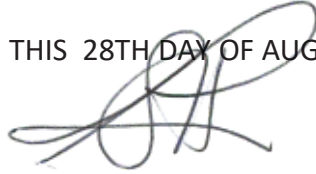
[Census subdivision]

Counts

Characteristic	Total	Men +	Women +
Population and dwellings			
Population, 2021 ¹	24,862	....(not applicable)	....(not applicable)
Population, 2016 ¹	20,675	....(not applicable)	....(not applicable)
Population percentage change, 2016 to 2021	20.3	....(not applicable)	....(not applicable)
Total private dwellings ²	13,768	....(not applicable)	....(not applicable)
Private dwellings occupied by usual residents ³	10,811	....(not applicable)	....(not applicable)
Population density per square kilometre	433.0	....(not applicable)	....(not applicable)
Land area in square kilometres	57.42	....(not applicable)	....(not applicable)
Age characteristics			
Total - Age groups of the population - 100% data	24,860	12,105	12,755
0 to 14 years	2,905	1,485	1,425
0 to 4 years	865	440	420
5 to 9 years	950	500	450

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1.1 EXECUTIVE SUMMARY

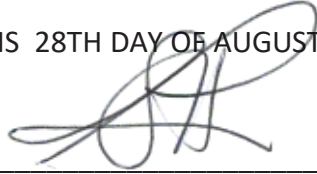
This report was prepared by FORREC Limited, in association with N. Barry Lyon Consultants Limited, CBRE Tourism and Leisure Group and J.C. Williams Group, and is the culmination of a four month long community engagement process founded on best professional practices.

The DDMP was commissioned by the Town of Wasaga Beach with the goal of creating a pragmatic and sustainable plan for the future of Downtown Wasaga Beach. More than just a plan, the DDMP represents an ongoing opportunity in which virtually the entire Wasaga Beach community can become involved. The DDMP is designed to promote the evolution of a livable, compact, accessible, sustainable downtown for the entire community. This will enhance the economic competitiveness of Wasaga Beach to not only improve the Town's tourism economy (currently the only industry) but will also plant the seeds for economic diversification. Rebranding Wasaga Beach to shake the "party-town" image and replacing the brand with a more sophisticated, diversified and inclusive approach is important to the future economic success of the town. The creation of a town-centre (heart for the community) will help attract new residents, businesses and jobs and will assist in making Wasaga Beach more resilient to future economic fluctuations.



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https://www.simcoe.com/news/council/we-want-you-to-respect-our-municipality-wasaga-beach-targets-unauthorized-car-rallies-with-new/article_377e0a34-163f-5f38-a0f2-7317e02360b7.html

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COUNCIL

'We want you to respect our municipality': Wasaga Beach targets 'unauthorized' car rallies with new bylaw

Wasaga Beach has been the scene of so-called 'pop-up' car rallies associated with H2Oi for three years running

By **Ian Adams** Wasaga Sun

Jul 5, 2023



In a screenshot from YouTube user Redin IRL, a damaged OPP cruiser is surrounded by a group of people, purportedly filmed in Wasaga Beach during an H2Oi car rally event in August 2022. In the scene preceding this shot, an individual appears to be jumping up and down on the hood of the cruiser. - Redin IRL/YouTube photo

A new bylaw aims to put the brakes on unauthorized car rallies showing up in Wasaga Beach.

Council has approved new rules that would bar an individual from planning, advertising and hosting a rally without the permission of the municipality.

It also carries penalties for spectators, and allows law enforcement, the fire chief or bylaw officers to close a road to the public for a period of up to three days to prevent or stop a car rally from happening.

The bylaw was spurred by the so-called "pop-up" car rally commonly referred to as H2Oi, which features high-performance modified vehicles. While some drivers come just to show off their wheels, the unsanctioned events also feature unsafe driving practices such as doughnuts, drifting and burnouts, with gatherings taking place in private and public parking lots at all hours of the day.

H2Oi made its first appearance in Wasaga Beach in September 2020, when vehicle owners descended on the community rather than make the traditional trip to Ocean City, Md., as the border was closed due to the pandemic.

In preparation for the return of the rally in 2021, the OPP increased its presence in the community and mustered its resources across the province. In some cases, drivers were intercepted by police before their arrival in Wasaga Beach and sent home.

The 2022 version appeared to feature even more mayhem, including one incident that saw two OPP cruisers damaged while officers were in the vehicles. Charges were laid against a London man, whose case remains before the courts.

The town's general manager of development services business unit, Danny Rodgers, who authored the bylaw, said it is an important tool for the municipality to try to bring the situation under control.

"If we're able to identify who the event organizer is, then we're within our right to serve an order on them to discontinue the activity," he said, adding that includes individuals who live outside the municipality.

"We're dipping into our tool box within the Municipal Act to do everything possible so that we can create an environment here that is safe for our bylaw officers and allows us to align our efforts with the efforts of the OPP."

Rodgers added that if organizers want to apply for an event application and be sanctioned by the town, "we're happy to work with organizers to make that happen."

"We welcome organized events in our community; they're good for our community," he said. "The ones that cross the line are just not welcome here."

Council praised the intent of the bylaw before approving it.

“I’m grateful we’re taking careful, proactive steps to try to get ahead of the situation, and work so closely with ... the OPP,” Deputy Mayor Tanya Snell said. “We welcome car events and car enthusiasts ... but we do not welcome people or groups who want to put our community at risk.”

“We invite everyone to come and enjoy our town,” Mayor Brian Smith added. “We want you to come here, we want you to have fun, (but) we want you to respect our municipality and the people who live here.”



Ian Adams is a reporter for *Simcoe.com*, covering community news and events throughout south Georgian Bay, and municipal councils in Clearview Township and Wasaga Beach.

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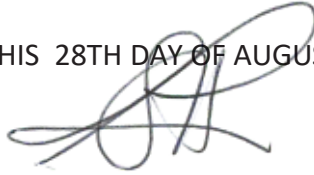
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BARRIE | News

Police close off Wasaga Beach, Ont. to non-residents after car rally

[CTVNewsBarrie.ca](#) Staff

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Published Sunday, September 27, 2020 12:41AM EDT

Last Updated Sunday, September 27, 2020 3:31PM EDT



Seen here, Provincial Police breaking up large crowds in Wasaga Beach, Ont on Saturday, Sept 26.

2020

SHARE: [Reddit](#) [Share](#)

BARRIE -- Provincial police stopped non-residents from entering Wasaga Beach, Ont. on Saturday night after hundreds of people gathered for a large, unsanctioned car rally.

Police said they set up spot checks on roads leading into the town and turned away anyone who didn't have a local address.

Inside the town, officers tried to break up large crowds. OPP Sgt. Jason Folz said officers were equipped with non-lethal weapons that shoot large plastic bullets, though he says they were not fired. These types of weapons are used for crowd control.

Related Stories

- **Burnouts, racing, and crowds take over Wasaga Beach**
- **Hundreds of car enthusiasts expected to roll into Wasaga Beach**

Prior to the rally, which has seen hundreds of vintage and

modified cars descend on the town, new speed bumps were installed in municipal parking lots in the hopes that drivers wouldn't risk damaging their cars.

Police from Ontario's York and Peel regions were also called in to help with enforcement.

As of early Sunday morning, non-residents were once again allowed back into the town.

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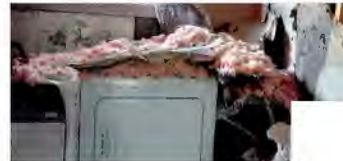
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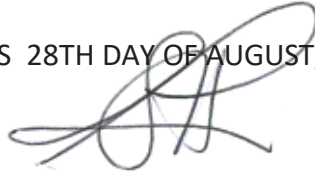
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STAFF REPORT



TO: Community Services Section of Coordinated Committee
FROM: George Vadeboncoeur, CAO
SUBJECT: H2Oi Unsanctioned Car Rally Costs and Policing Impacts
DATE: November 18, 2021

RECOMMENDATION

That the Community Services Section of Coordinated Committee recommend to Council that it receive the CAO's report on the costs and policing impacts of the H2Oi unsanctioned car rally held the weekend of September 24 to 26, 2021 in the Town of Wasaga Beach.

BACKGROUND

Shortly after the H2Oi unsanctioned car rally in September 2020, OPP representatives met with Town staff to review their approach to policing the event. As Committee may recall, the event in 2020 occurred with very little advance notice. Events like this had been taking place in the United States for many years, but due to the border between Canada and the US closing to unnecessary travel as a result of the COVID-19 pandemic, participants decided to stay in Ontario. This was the first H2Oi event in Ontario. There had been similar smaller events in the GTHA, but this was the first large event.

The OPP used their experience and the experience from colleagues on GTHA police forces to quickly devise a plan to provide policing services to the community for that weekend. Unfortunately there wasn't sufficient time to plan in 2020 and the OPP found themselves spread across Town attending three large gatherings. They estimated that there were between 500 to 800 cars in attendance that weekend.

The OPP, and police from Peel, York, Barrie and South Simcoe that assisted that weekend issued 172 tickets, towed 44 vehicles and charged 10 people under the COVID-19 restrictions. There was minimal property damage and one minor injury.

The writer, Mayor, Fire Chief, Deputy Fire Chief met with the Huronia West OPP Detachment Commander and his Manager of Operations to review the weekend. A number of determinations were made.

1. From this event and similar events that had been occurring in the GTHA police forces had determined that the Highway Traffic Act was deficient, either in the type of violations occurring or in the amount of the fine, in addressing what police forces were seeing at these events.

In response the Mayor sent a letter to the province requesting that the Act be amended to address the issue the police had identified. This was in addition to requests made by the Chiefs of Police Association. Some months later the province enacted legislation to address a number of concerns.

Form: WB-SR2010

2. The OPP need an "Incident Command" structure to manage the event instead of just the local detachment managing it.
3. Need to involve other OPP Divisions such the Highway Safety and the Emergency Response Team and other resources within the OPP to ensure community safety,
4. Need to close off as many parking lots as possible to make it difficult for the organizers to congregate.
5. If the organizers of H2Oi indicate that they wish to come back, to reach out to them to see if they wish to organize a proper event. It was noted that the people involved do not like to be organized, they just like to show up at a designated location.

The OPP indicated that they would continue to monitor the situation across the province and assist other police forces when these types of events pop up to build on their experiences. They would also use their contacts to determine if the participants were thinking of coming back to Wasaga Beach.

In early July 2021, the writer was asked to attend a meeting with the OPP to discuss H2Oi. Other Town staff attended as well. At the meeting, staff was advised that the OPP had good reason to believe that the H2Oi event was coming back to Wasaga Beach in September 2021. With this information it was determined that the Regional Traffic Manager would lead the OPP's response. Three levels of the OPP would be involved, Provincial, Central Region and Local Detachment, with assistance from other police forces.

At the meeting the OPP outlined their plan to address the event if it were to come. They also asked for the Town's assistance to block off parking lots. Their primary focus was to ensure community and public safety.

They also confirmed that the leaders of these types of events are not interested in being sanctioned.

In early August, the Mayor along with the writer and other Town staff met with the OPP again to discuss the H2Oi event. At that meeting it was confirmed the event was coming to Wasaga Beach the weekend of September 24th. The OPP discussed their plan and confirmed the Town's assistance in closing parking lots.

The OPP confirmed that as the event could potentially have an impact on community and public safety and they anticipated illegal vehicles participating, they were taking the lead on the response.

In mid-August another H2Oi meeting was held with OPP representatives where the Incident Commander and other members of the OPP leadership team were introduced. It was confirmed that the OPP were anticipating approximately 1,500 vehicles coming to Wasaga Beach for the event. The OPP outlined their media campaign do discourage illegal activities. They also confirmed the policing resources they were planning to bring, including officers from Barrie, South Simcoe and York. The Town was asked to provide a compound where vehicle that are towed could be held and allow the OPP to use the Town's security camera system to monitor activity at key locations in Town.

The OPP were planning on speaking with the owners of major parking lots asking them for permission to place speed bumps at the entrances to discourage low slung cars to enter and to issue no-trespassing orders so that the police would have the authority to remove unwanted vehicles.

A few days prior to the September 25th weekend, public works staff placed speed bumps made of re-useable cold patch at various large parking lots in Town where the OPP had obtained prior approvals from the owners or owners' representative to place the bumps.

DISCUSSION

Leading up to the weekend some adjustments had to be made to the speed bumps due to complaints being received. One out of town owner claimed he knew nothing of the speed bumps going in at the entrances to his property and vehemently denied that approval was granted until the OPP confirmed with him that his local representative had given the OPP written permission to have the speed bumps placed. The speed bumps were removed from his property over night.

Over the weekend regular communication occurred between the OPP, the Fire Department and other key staff. A formal review of the weekend was conducted by the OPP and then discussed with staff a few days afterwards. The following are some of the key points from the review:

1. The OPP estimate that there were under 1,000 cars in Town participating in the H2Oi unsanctioned car rally the weekend of September 25th. On Saturday afternoon, in the Walmart parking, lot the OPP estimate that 700 cars were present.
2. Approximately 70 officers and support personal were deployed, including representatives from five different police forces.
3. There were no civilian or police injuries and property damage was minimal
4. No complaints from the public were lodged with the OPP
5. Community and public safety was maintained
6. OPP were deployed on roads leading to Wasaga Beach, including the 400 series highways and several cars were pulled over and owners issued POA notices
7. Helicopter and drones were very helpful in monitoring participant movements
8. Town security cameras were helpful and showed the break-in into the upper unit at 41 Beach Drive, leading to the arrest of three H2Oi participants for break and enter
9. The policing actions that were captured on video and posted on social media were reviewed by OPP command with the individual and witnesses and no further action was required
10. Statistics reported by the OPP are as follows:
 - There were a total of 488 Calls for Service
 - 220 occurrences resulted in charges
 - 399 charges were laid in total, include the break and entering (most of these in Wasaga Beach, but some in the municipalities of Clearview and Springwater as well)
 - Top Occurrence Types:
 - 194 Vehicle eTickets
 - 52 Traffic Complaints
 - 44 HTA Traffic Enforcement
 - 22 Person eTicket
 - 18 police Assistance-ambulance, fire, bylaw
 - Top Charges:
 - 50 Speeding 1-49 over the speed limit
 - 41 Improper muffler

27 Obstructed windshields
 17 Improper tires
 17 fail to display 2 plates

- Other
 - 70 tows
 - 10 vehicles impounded
 - 22 stunt driving
 - 33 unfit vehicles

The occurrence details are contained in the attached report prepared by the OPP.

The intersection of Mosley Street and 1st Street, Main Street and the Walmart Parking lot on Saturday were the main gathering points. Police were able to disperse the Mosley and Main Street crowds, but were only able to control the crowd at the Walmart Parking lot. Approximately 700 participants were able to congregate in the Walmart parking lot, as the speed bumps had been removed.

The Town was made aware of complaints from businesses and customers about the participant activities on Main Street and the Walmart Parking lot. Fortunately, no one was hurt.

Costs

The OPP have advised that the cost of provincial resources that attended Wasaga Beach for the weekend will be charged to the provincial activity component of the OPP budget. This includes the Highway Safety Division, Community Safety Team, Tactical Team, Aviation Services, Provincial Liaison Team and Media Relations. There were approximately 50 personnel involved over the weekend. These costs are paid for by all Ontario taxpayers.

The costs to the Town are as follows:

1. OPP overtime – approximately 2,400 hours****
2. OPP meals for out of Town officers
3. Public Works Costs

a. Overtime -	\$2,220.18
b. Additional Vehicle Usage	\$4,059.69
c. Regular Wages	\$12,511.73
d. Vehicle Usage	\$27,431.77
Total	\$46,500.00 approx.
- e. Cold Patch Material \$6,542.84 – not included in total as is re-usable.

**** The OPP overtime incurred from this event will be included in the overall 2021 overtime incurred by the OPP in Wasaga Beach. Overtime incurred in 2021 will be averaged with the 2020, 2019, and 2018 overtime to determine the estimated 2023 overtime cost for Wasaga Beach. For comparison purposes only, the overtime estimate the 2022 OPP policing cost estimate is \$286,536.00.

CONCLUSION

Fortunately there were no injuries or major property damage the weekend of September 25th during the H2Oi unsanctioned car rally. The OPP used the experience gained from the 2020 H2Oi rally to put in place an effective operations plan that ensured the community and the public were kept safe. There were no formal complaints from the public filed with the OPP and alleged incidents that were caught on video and shared on social media were investigated and no further action was taken.

A significant number of charges were laid and many unsafe vehicles were taken off the road, some even before they arrived in Wasaga Beach.

The cost of this unsanctioned rally to the taxpayers of Wasaga Beach is significant. Not only do Wasaga Beach residents and businesses pay for a portion of the OPP provincial cost through their provincial taxes, they pay the OPP overtime and Public Works Department costs through their local property taxes.

The OPP and the Town have identified a number of things that could be done differently or better the next time an event like this occurs. Having stated that, it is the position of staff that the OPP did an excellent job the weekend of the H2Oi rally ensuring the safety of the community.

Respectively Submitted,

George Vadeboncoeur
Chief Administrative Officer

Enclosure



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Analysis

An RMS report was provided to A/Supt. Joe EVANS and A/Insp. Liane SPONG at the conclusion of the event. The report contained the Niche RMS results by 'occurrence type' for the weekend captured as of 8:00am Tuesday, September 28, 2021 for the entire 1H* detachment area. See 2021-1H-ROA-0818 – H2OI Weekend RMS Charts_Final V1.0.docx. The following is the summary of this report.

- There were a total of 488 Calls for Service (CFS) over the event weekend in Huronia West.
- Of these occurrences, there were 220 occurrences where charges were laid and 399 charges in total.

The following table is a breakdown of how occurrences were cleared by each day:

Clearance Status	Count
Friday	184
Cleared by charge (includes charges recommended)	90
Complete - solved (non-criminal)	74
Clr other: Departmental discretion	11
New	8
Clr other: CSC Identified	1
Saturday	215
Cleared by charge (includes charges recommended)	104
Complete - solved (non-criminal)	93
New	9
Clr other: Departmental discretion	4
Open/still under investigation	2
Insufficient evidence to proceed	2
Clr other: CSC involved in other incidents	1
Sunday	89
Complete - solved (non-criminal)	54
Cleared by charge (includes charges recommended)	26
New	5
Open/still under investigation	2
Unfounded	1
Clr other: Departmental discretion	1
Total	488

** There are 22 occurrences that have not been cleared and are still in a "New" status.

The following table is a breakdown of occurrence that were cleared by charge:

Occurrence Charges Breakdown	Count
Friday	90
eTicket - Vehicle	80
Traffic enforcement - H.T.A.	4
eTicket - Person	4
Motor vehicle - recovered	1
Impaired/over 80	1
Saturday	104
eTicket - Vehicle	83
eTicket - Person	13
Traffic enforcement - H.T.A.	4
Liquor licence act	1
Other provincial statutes	1
B-E bus/res/oth	1
Impaired/over 80	1
Sunday	26
eTicket - Vehicle	17
eTicket - Person	4
Motor vehicle collision	1
Shoplift	1
Trespass to property act [8560]	1
Assault	1
Impaired/over 80	1
Total	220

- There were 220 occurrences that were cleared as "Cleared by charge". The above is the breakdown of what the occurrence types were for these.



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This table represents the CFS by day and time for the event weekend.

Time of Day	Friday	Saturday	Sunday	Total
12:00 AM	0	2	8	11
1:00 AM	0	6	7	14
2:00 AM	0	4	4	9
3:00 AM	0	1	1	2
4:00 AM	2	0	1	3
5:00 AM	2	0	0	2
6:00 AM	0	3	0	3
7:00 AM	0	0	4	5
8:00 AM	6	0	6	12
9:00 AM	2	2	1	5
10:00 AM	8	8	3	19
11:00 AM	6	11	9	26
12:00 PM	8	18	9	33
1:00 PM	5	16	8	31
2:00 PM	10	10	11	40
3:00 PM	17	10	3	30
4:00 PM	18	21	2	41
5:00 PM	15	20	6	41
6:00 PM	10	14	3	27
7:00 PM	14	17	4	35
8:00 PM	9	10	2	21
9:00 PM	10	18	4	34
10:00 PM	8	10	0	18
11:00 PM	14	12	0	26
Total	184	215	89	488

- On Friday, the CFS started coming in consistently at 10:00am, ramped up at 2pm and did not slow down until Midnight.
 - o Between 9pm & 10pm crowds were growing to approximately 200 in the vicinity of Burger Boyz.
 - o Vehicle gathering moved to Walmart between 11pm & midnight.
- On Saturday, CFS started coming in consistently at 10:00am again; however they started coming in as crowd and vehicle gathering issues that remained steady until the rain started at approximately 2:10pm. During this time the Incident Commander started closing roads to the downtown and the Town added sand to the barriers in parking lots so they could not be moved as they were the night previous.
 - o When the rain slowed down at approximately 4:30pm, person and vehicle gatherings started up very quickly again.
 - o The remainder of Saturday evening consisted of the closing of parking lots and roads to move vehicles out of the beach area.
 - o The last remaining parking lot with vehicles was Walmart which was cleaned out at approximately 9:30pm.
 - o Social media posts revealed they were heading to Elmvale as well as the intersection of County Road 92/County Road 29 at which time units from neighbouring detachments were requested through the Incident Commander to attend so that the event units could remain at the road blocks in the beach.
 - o At approximately midnight, it was reported approximately 150 vehicles were at the Collingwood Canadian Tire.
 - o As indicated, the CFS started to slow down after 1am.
- Sunday's intel was that the main players of the event had checked out of their accommodations before the Command Post started.
 - o The CFS between 11am & 3pm were mostly to attend where small gatherings were located and moved along.

HSD/TSU Results (Not under 1H*) Friday Results	HSD/TSU Results (Not under 1H*) Saturday Results	HSD/TSU Results (Not under 1H*) Sunday Results
<ul style="list-style-type: none"> • Traffic Stops: 56 • HTA Charges: 39 • HTA / Other Warns: 44 • Stunts Offences: 1 • Plates removed via Inspections: 10 • Police Fail to Stops: 2 (intel reports from the Beach are both FTS driver's identified – Crime unit follow-up at a later date) • R.I.D.E / Seatbelt checks: 2 for 2 hours 	<ul style="list-style-type: none"> • Traffic Stops: 46 • HTA Charges: 31 • HTA / Other Warns: 30 • Stunts Offences: 3 • Plates removed via Inspections: 3 (all heading to H2O1) 	<ul style="list-style-type: none"> • Traffic Stops: 57 • HTA Charges: 30 • Stunt – Excessive Speed: 3 (Highest flyer intercepted by PC Wong / Whitby at 190km/hr) • Seized plates: 1 • Warns: 35 • Impaired Operation: 1 • Other CC: 7 • Ball: 1PD MVC taken care of by H2O1 members for Aurora: 1

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Top Ten Occurrence Types for the Weekend				
Occurrence Type	Friday	Saturday	Sunday	Total
eTicket - Vehicle	90	86	18	194
Traffic complaint	15	28	9	52
Traffic enforcement - H.T.A.	13	24	7	44
eTicket - Person	4	14	4	22
Police assistance	9	4	5	18
Noise complaint	3	10	3	16
Police information	2	6	5	13
Motor vehicle collision	6	3	2	11
Liquor license act	5	3	1	9
Alarm	3	2	2	7

There was a total of 488 occurrences in total. See appendix for the full list of occurrence type breakdown.

The following information is additional analysis that was not included in the above report.

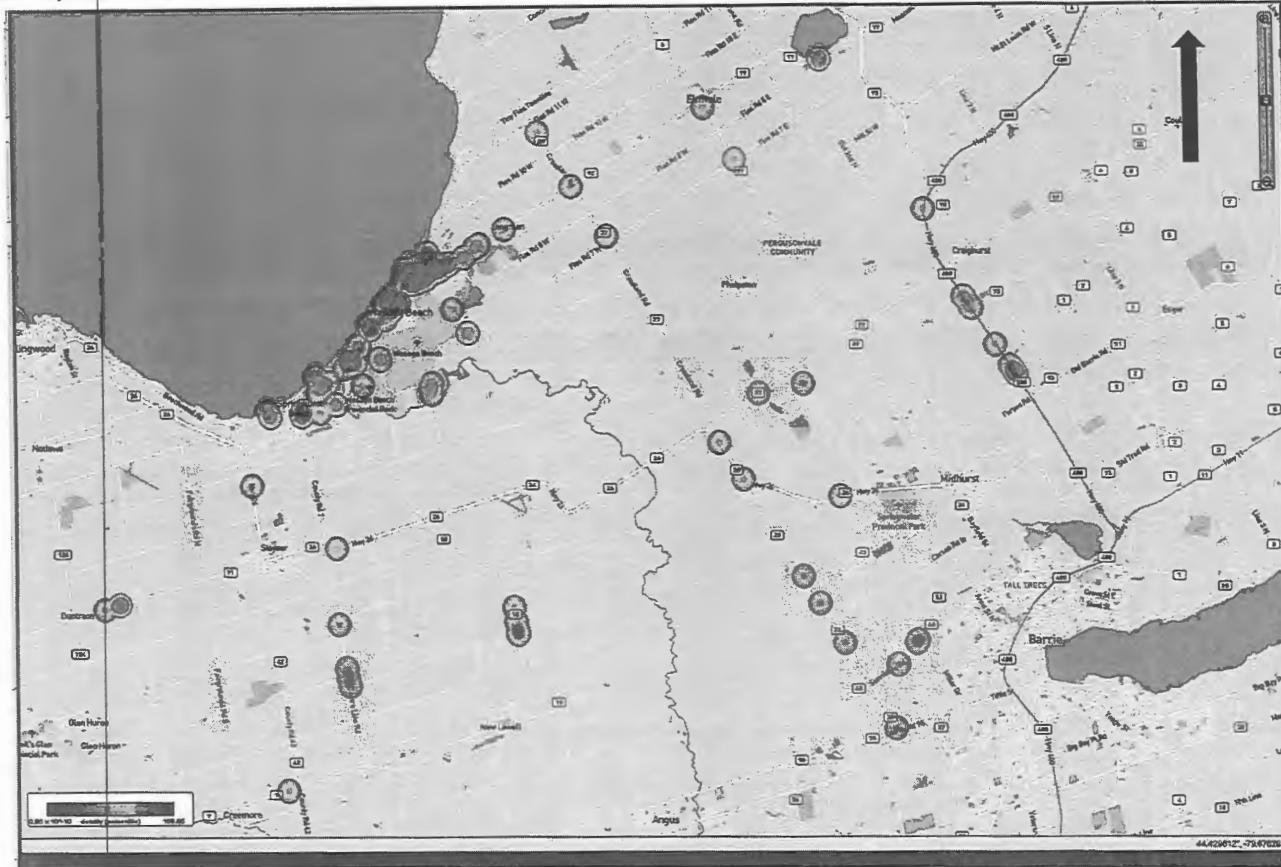
Top 12 Charges Laid over the Event Weekend	
Charge Laid	Total
Highway Traffic Act 128 Speeding 1 - 49 Km/h over posted limit	50
Highway Traffic Act 75(1) Improper muffler - motor vehicle	41
Highway Traffic Act 73(1)(a) Windshield obstructed	27
Highway Traffic Act 70(3)(a) Improper tires	20
Highway Traffic Act 7(1)(b)(i) Drive motor vehicle, fail to display two plates	17
Compulsory Automobile Insurance Act 3(1) Fail to have insurance card	17
Highway Traffic Act 73(3) Colour coating obscuring interior	14
Highway Traffic Act 75(1) No muffler - motor vehicle	13
Highway Traffic Act 75(4) Unnecessary noise	11
Highway Traffic Act 75(5) No horn - motor vehicle	11
Compulsory Automobile Insurance Act 3(1) Fail to surrender insurance card	10
Highway Traffic Act 73(2) Drive with window coated - view obstructed	10

There was a total of 399 charges laid. See appendix for full charge list and breakdown by officer.



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Heat Map of Occurrence Locations During the Event Weekend



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Appendix

The appendix provides the full list of charges laid and the officers who laid those charges. More filtrations are available upon request.

Occurrence Types From Friday 0001hrs to Sunday at 2359hr				
Occurrence Type	Saturday	Friday	Sunday	Total
eTicket - Vehicle	86	90	18	194
Traffic complaint	28	15	9	52
Traffic enforcement - H.T.A.	24	13	7	44
eTicket - Person	14	4	4	22
Police assistance	4	9	5	18
Noise complaint	10	3	3	16
Police information	6	2	5	13
Motor vehicle collision	3	6	2	11
Liquor licence act	8	5	1	14
Alarm	2	3	2	7
Traffic hazard - Vehicle/Debris/Animal/Pedestrian [8894]	1	1	4	6
Suspicious person [8507]	2	2	2	6
911 call/911 hang-up	2	3	1	6
Trespass to property act [8560]	4		1	5
Ambulance Assistance [8860.0020]	2	1	2	5
Person Well-Being Check [8863.0040]	1	2	2	5
Warrants	2		2	4
Disturb the peace	2	1	1	4
Municipal by law	1	2	1	4
Suspicious vehicle [8532]	2	1		3
Impaired/over 80	1	1	1	3
Traffic control	1		2	3
Mischief	1	1	1	3
Liquor licence act	2	1		3
Motor vehicle - abandoned	1	2		3
Assist Other Police Agency		2	1	3
Unwanted person [8546]		1	1	2
Harassment	1	1		2
Weapons		1	1	2
Domestic dispute [8506]	1		1	2
Property related	1	1		2
Theft	1	1		2
Sexual assault	1		1	2
Prevent breach of peace	1		1	2
Family dispute [8888]		2		2
R.I.D.E. [8870]	1	1		2
Attempt or threat of suicide		1		1
Trouble with youth		1		1
Mental health act		1		1
Shoplift			1	1
Motor vehicle - recovered		1		1
Neighbour dispute [8547]			1	1
Animal complaint			1	1
Dangerous conditions	1			1
Assault			1	1
Other provincial statutes	1			1
Trouble with youth [8535]		1		1
Towed vehicle			1	1
B-E bus/res/oth	1			1
Family dispute			1	1
Community services			1	1
Person Check in - OSOR [8542.0010]		1		1
Total	215	184	89	488



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Charge Laid	Total
Compulsory Automobile Insurance Act 3(1) Fail to have Insurance card	17
Compulsory Automobile Insurance Act 3(1) Fail to surrender Insurance card	10
Criminal Code 129 Obstruct Peace Officer	1
Criminal Code 264.1(1)(a) Uttering Threats - Cause death or Bodily Harm	2
Criminal Code 266 Assault	1
Criminal Code 320.14(1)(a) Operation while Impaired - alcohol and drugs	2
Criminal Code 320.14(1)(b) Operation while Impaired - blood alcohol concentration (80 plus)	3
Criminal Code 320.17 Flight from peace officer	1
Criminal Code 320.18(1)(a) Operation While Prohibited under the Criminal Code	1
Criminal Code 348(1)(a) Break, Enter a place - with Intent to commit indictable offence	3
Criminal Code 351(1) Possession Break In Instruments	1
Criminal Code 354(1)(a) Possession Property Obtained by Crime Under \$5,000 - In Canada	1
Criminal Code 733.1(1) Fail to Comply with Probation Order	2
Environmental Protection Act - O. Reg. 457/19 2 Operate motor vehicle - malfunction indicator light on and active DTC	2
Environmental Protection Act - O. Reg. 457/19 3 Cause or permit operation of motor vehicle -- visible emission	1
Environmental Protection Act 23(2) Owner - operating vehicle - emission control equipment not complying with regulations	1
Highway Traffic Act - O Regulation 340/94 5(1) Class G1 licence holder - unaccompanied by qualified driver	3
Highway Traffic Act - Regulation 316/03 16(1) Number plate Improperly displayed	1
Highway Traffic Act - Regulation 628/90 3 Vehicle modified - fail to apply for new permit	4
Highway Traffic Act 103.1(2) Fail to wear proper helmet on power-assisted bicycle	1
Highway Traffic Act 106(2) Driver - fail to properly wear seat belt	3
Highway Traffic Act 106(3)(b) Passenger - fail to properly wear seat belt	3
Highway Traffic Act 106(4)(a)(i) Drive while passenger under 16 fails to occupy position with a seat belt	1
Highway Traffic Act 106(4)(a)(ii) Drive while passenger under 16 fails to properly wear a seat belt	1
Highway Traffic Act 11(2) Fail to apply for permit on becoming owner	1
Highway Traffic Act 12(1)(f) Use plate not in accordance with Act	2
Highway Traffic Act 12(1)(f) Use validation not in accordance with regulations	1
Highway Traffic Act 128 Speeding 1 - 49 Km/h over posted limit	17
Highway Traffic Act 13(2) Entire plate not plainly visible	3
Highway Traffic Act 13(2) Obstruct plate	6
Highway Traffic Act 130(1) Careless driving	4
Highway Traffic Act 132 Unnecessary slow driving	1
Highway Traffic Act 136(1)(a) Disobey stop sign - fail to stop	1
Highway Traffic Act 142(1) Turn - not in safety	1
Highway Traffic Act 144(15) Amber light - fail to stop	2
Highway Traffic Act 150(1) Pass on right - not in safety	1
Highway Traffic Act 153 Drive wrong way - one-way traffic	1
Highway Traffic Act 158(1) Follow too closely	1
Highway Traffic Act 172(1) Race a motor vehicle - Excessive Speed	1
Highway Traffic Act 172(1) Race a motor vehicle-Stunt	5
Highway Traffic Act 32(1) Drive motor vehicle - no licence	1
Highway Traffic Act 33(1) Driver fail to surrender licence	7
Highway Traffic Act 44.1(3) Novice driver - B.A.C. above zero	2
Highway Traffic Act 53(1) Driving while under suspension	1
Highway Traffic Act 62(1) Drive without proper headlights - motor vehicle	1
Highway Traffic Act 62(1) Drive without proper rear light - motor vehicle	2
Highway Traffic Act 62(14.1) Unauthorized red and blue lights	1
Highway Traffic Act 62(15) Red light at front	1
Highway Traffic Act 62(29) No brake lights	1
Highway Traffic Act 62(6) Drive with improper headlights	4
Highway Traffic Act 63 No sign - "right hand drive vehicle"	2
Highway Traffic Act 64(1) Improper braking system	4
Highway Traffic Act 66(3) No mudguards	4
Highway Traffic Act 7(1)(b)(i) Drive motor vehicle, fail to display two plates	17
Highway Traffic Act 7(1)(b)(i) Drive motor vehicle, plate improperly displayed	7
Highway Traffic Act 7(1)(c)(i) Drive motor vehicle, no validation on plate	1

12

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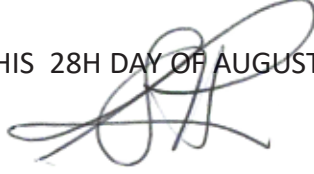


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Charge Laid	Total
Highway Traffic Act 7(4)(b) Draw trailer, no plate	1
Highway Traffic Act 7(5)(a) Fail to surrender permit for motor vehicle	7
Highway Traffic Act 70(3)(a) Improper tires	20
Highway Traffic Act 70(3)(b) Improperly installed tires	4
Highway Traffic Act 73(1)(a) Window obstructed	1
Highway Traffic Act 73(1)(a) Windshield obstructed	27
Highway Traffic Act 73(1)(b) Have object obstructing view	1
Highway Traffic Act 73(2) Drive with window coated - view obstructed	10
Highway Traffic Act 73(2) Drive with windshield coated - view obstructed	4
Highway Traffic Act 73(3) Colour coating obscuring interior	14
Highway Traffic Act 74(1)(b) No clear view to rear	2
Highway Traffic Act 75(1) Improper muffler - motor vehicle	6
Highway Traffic Act 75(1) No muffler - motor vehicle	13
Highway Traffic Act 75(4) Unnecessary noise	11
Highway Traffic Act 75(4) Unreasonable smoke	1
Highway Traffic Act 75(5) No horn - motor vehicle	11
Liquor Licence Act 30(8) Person under 19 years having liquor	1
Liquor Licence Act 31(2) Having liquor in open container in other than licenced premises, residence or private place	7
Liquor Licence Act 31(4) Being intoxicated in public place	4
Liquor Licence Act 32(1) Driving motor vehicle with open container of liquor	1
Motorized Snow Vehicles Act 18(1) No muffler	1
Motorized Snow Vehicles Act 18(2) Improper muffler	1
Tobacco Tax Act 29(2) Possess unmarked cigarettes	1
Trespass to Property Act 2(1)(a)(i) Enter premises when entry prohibited	2
Trespass to Property Act 2(1)(a)(ii) Engage in prohibited activity on premises	4
Trespass to Property Act 2(1)(b) Fail to leave premises when directed	6
Total	399

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THIS 28H DAY OF AUGUST, 2023

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https://www.simcoe.com/news/council/this-costs-the-province-every-taxpayer-here-is-what-the-h2oi-car-event-cost-wasaga/article_432118b9-8834-5124-aadd-8c6c794faec4.html

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COUNCIL

'This costs the province, every taxpayer': Here is what the H2Oi car event cost Wasaga Beach

OPP cost to Wasaga Beach to control H2Oi event will be averaged out over 4 years

By **Ian Adams** Wasaga Sun



In a screenshot from a Youtube video posted by user MikeStJames, OPP officers interact with the crowd during the H2Oi event in September, 2021. - Mike St. James/YouTube screenshot

The full cost to try to contain an unsanctioned car rally in September may not be known for another couple of years.

According to a report to Wasaga Beach council's co-ordinated committee from chief administrative officer George Vadeboncoeur, the direct costs to the municipality for the H2Oi event were more than \$46,000 for overtime, regular wages, and vehicle use. The town's public works department put down about \$6,500 worth of cold patch asphalt for use as speed bumps, but that material can be reused.

On the last weekend of September, about 1,000 modified high-performance vehicles — some not street legal — turned up in town as part of an unsanctioned rally. It was the second year in a row that car owners, many from out of province, turned up to the event that features some participants take part in what police say are "aggressive displays" of stunt driving, such as doughnuts, burnouts and drifting.

The event drew significant police response, locally and provincially, and the OPP warned participants ahead of the weekend not to show up.

Officers laid more than 380 charges against drivers for violating a variety of provincial laws while on area roads during the weekend. The OPP also pulled 70 vehicles off the road Saturday and Sunday, including 22 for stunt driving and 33 that were considered unfit for the road.

OPP officials told council during a meeting in October that the police response resulted in more than 2,400 hours of overtime that the municipality would eventually see on its annual bill from the provincial service.

During the committee meeting on Nov. 18, Vadeboncoeur said those costs would be averaged out with overtime costs from the previous three years in an effort to "smooth out" the financial impact to the municipality.

Most of council expressed their scorn with participants and organizers — as well as those in the community who say the event should be accommodated rather than met with enforcement.

"It's a substantial cost that the municipality incurred with this illegal event," Coun. George Watson said. "In spite of a number of people putting their political ambitions in front of community safety by endorsing this event, it's a big cost."

Mayor Nina Bifulchi noted while it is a cost to the municipality, there is also a cost to all Ontario taxpayers as the OPP had a provincewide response.

"This costs the province, every taxpayer, hundreds of thousands of dollars. These events, as a whole, are expensive," she said.

RELATED STORIES

'Respect our community': Wasaga Beach warns of weekend 'unsanctioned' car event

'The damage would have happened': OPP used intelligence gathering to control Wasaga Beach car event

"People around town may be saying just kids having fun," added Coun. David Foster. "Those people are naive if they think it's just kids having fun and there's no cost to it. There's a huge cost, whether it's held here or Temiskaming, we're still paying."

Vadeboncoeur said it remains to be seen whether the vehicles and their owners return in 2022, as drivers and their vehicles had been travelling to Ocean City, Maryland prior to the border closing in 2020 as a result of the pandemic.

"With the borders reopening, it will be wait and see whether they return to what they used to do, or come back (to Wasaga Beach)," he said. "If they decide to come back, the OPP will be here and we'll see a similar breakdown in cost."



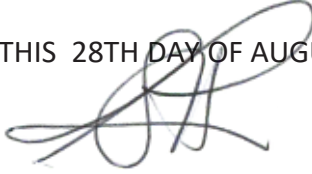
Ian Adams is a reporter for *Simcoe.com*, covering community news and events throughout south Georgian Bay, and municipal councils in Clearview Township and Wasaga Beach.

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BREAKING NEWS: B.C. urges co-operation in Shuswap as fire crews face 'threats and abuse' from defiant locals

BARRIE | News

Wasaga Beach unsanctioned car rally 'cost the province, every taxpayer'



Dana Roberts
CTVNews.ca Barrie Anchor

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Updated Nov. 26, 2021 7:43 p.m. EST

Published Nov. 26, 2021 7:33 p.m. EST

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BARRIE, ONT. - A recent report prepared for council in Wasaga Beach sheds new light on the impacts of an unsanctioned car rally earlier this fall.

A report prepared by CAO George Vadeboncouer highlights the significant law enforcement resources that were called in on the last weekend of September to help control crowds from the unsanctioned H2Oi Car Rally.

The rally was first held in September 2020, bringing hundreds to the popular beach town. After a chaotic scene, officers spent months preparing for the rally's expected return in 2021.

RELATED STORIES

- [Over 400 calls for service to OPP during unsanctioned rally in Wasaga Beach](#)
- [OPP presence enhanced as unsanctioned car rally takes over Wasaga Beach streets](#)
- [Massive car rally prompts Wasaga Beach mayor to urge premier for stiffer penalties](#)
- [OPP says there will be 'zero-tolerance' at Wasaga Beach car rally](#)

According to the report, the public work cost for officer overtime is estimated at more than \$46,000.

However, due to the three-year billing model that the OPP operates under, the actual costs associated with the event will be applied to its response to large-scale events of its size province-wide.

"But the reality is this cost the province, every taxpayer, hundreds of thousands of dollars," Mayor Nina Bifulchi said. "When this event happens somewhere else in the province, it's costing us here in Wasaga Beach, so these events as a whole are expensive."

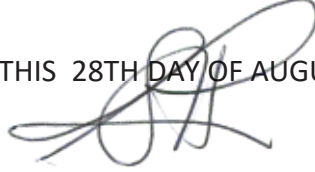
Over the three-day rally weekend, OPP had a total of 488 calls for service.

Officers responded to 11 collisions, laid 399 charges, and had 70 vehicles towed, 22 for stunt driving offences, and 33 were considered unfit for the road.

OPP says officers will be prepared for its potential return in 2022.

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https://www.simcoe.com/news/crime/unacceptable-wasaga-beach-mayor-critical-of-police-response-to-h2oi-event/article_b3ad621e-5b6d-5cce-8eff-174147f9c5cc.html

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CRIME

‘Unacceptable’: Wasaga Beach mayor critical of police response to H2Oi event

Mayor says OPP response to unsanctioned car rally not as robust as it should have been

By **Ian Adams** Wasaga Sun

Aug 30, 2022



In a screenshot from YouTube user Redin IRL, a damaged OPP cruiser is surrounded by a group of people, purportedly filmed in Wasaga Beach during the H2Oi car rally event on Aug 26 to 28. In the scene preceding this shot, an individual is shown jumping up and down on the hood of the cruiser. - Redin IRL/Youtube screenshot

Police laid 191 charges over the weekend in Wasaga Beach, a period during which the town's mayor said the community's safety was repeatedly put at risk.

Mayor Nina Bifulchi said the OPP's response to the H2Oi car rally — an unsanctioned event featuring modified high-performance vehicles — was not as “robust” as was “required to maintain law and order.”

“There were many examples brought to the attention of the town where laws were being broken and police intervention was not witnessed. This is unacceptable to the residents of Wasaga Beach,” she said in a statement released on Aug. 29.

Central Region OPP spokesperson Gosia Puzio said the OPP does not discuss operational details.

“However, when the OPP becomes aware of any type of incident that may impact public safety, there is a significant amount of planning undertaken to ensure everyone's safety, including participants, the public, and police officers,” she said in a statement to *Simcoe.com*.



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In a news release issued late on Aug. 29, the OPP reported that officers responded to 327 calls between Aug. 26 and 28. Of the 191 charges laid, 154 were Highway Traffic Act-related, including 37 for speeding, 18 for an improper or no muffler and six for unnecessary noise.

Three motorists were charged with impaired driving.

Two OPP vehicles parked at Beck and Main streets had their windows smashed out; officers, and a police dog, were in the vehicles at the time, but were unharmed. In a video posted by YouTube user Redin IRL, purportedly shot in Wasaga Beach on the weekend, an individual is shown jumping up and down on the hood of a cruiser.

There were also a number of instances of property damage and break-ins to businesses.

“There are numerous active investigations into the incidents that transpired in Wasaga Beach this past weekend, including property damage and break and enters,” Puzio said. “The OPP will conduct thorough and exhaustive investigations holding those responsible accountable.”

Bifulchi said what took place on the weekend was “not acceptable. The town has no authority over the OPP, but we call on those in authority within the OPP to review what transpired and take steps to ensure that there is never a repeat of what we witnessed.”

She added that she had called on Solicitor General Michael Kerzner to “ensure that the OPP are properly equipped and prepared to ensure that Wasaga Beach is not put at risk again.”

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Wasaga Beach residents told to expect return of H2Oi rally

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Municipal officials had met with the OPP prior to the rally, and the OPP had laid out an operations plan to address the event. Bifulchi said town officials had made efforts to reach out to the purported organizers in the past to urge them to go through the town’s special events process, but had not received a response.

“I call on the car rally community to consider working with us. An organized and safe gathering is possible here,” she said.

The OPP is asking that residents and visitors who have not yet reported property damage or other crime from the weekend to contact police at [1-888-310-1122](tel:1-888-310-1122), or Crime Stoppers at [1-800-222-TIPS \(8477\)](tel:1-800-222-TIPS).



Ian Adams

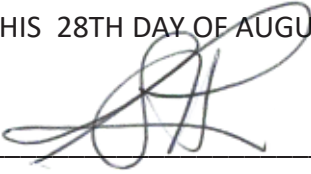
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CRIME

OPP charge 20 in connection with unsanctioned car rally in Wasaga Beach ahead of another H20i event this weekend

Police warn potential attendees to respect community

By **John Edwards** Wasaga Sun

Sep 23, 2022



An OPP cruiser. - Metroland file photo

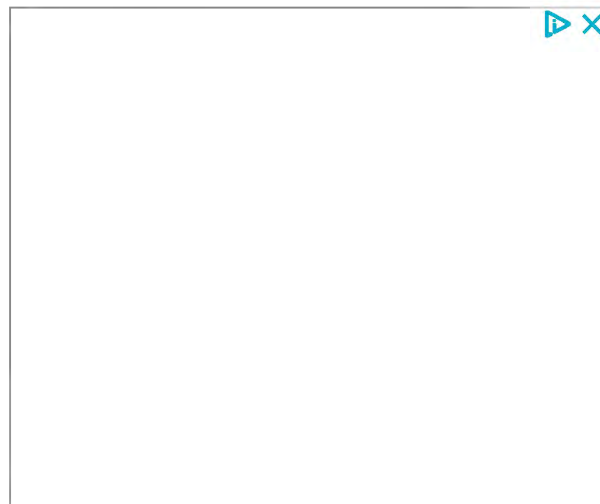
Police have charged 20 people in connection to an unsanctioned car rally in Wasaga Beach last month.

The event occurred the weekend of Aug 26-28, and the charges include 17 counts of dangerous operation of a vehicle and 20 counts of stunt driving.

In a video posted on Twitter, OPP Acting Sgt. Rob Simpson said those charged range in age from 17-37 and reside across Ontario.

He said the investigation is ongoing and additional charges could be laid.

The announcement came in advance of another H20i rally that is scheduled in Wasaga Beach this weekend.



“With an increase in visitors expected in the town of Wasaga Beach this weekend, members of the public are asked to anticipate an increased police presence, possible traffic delays and road closures,” Simpson said.

He said the OPP — which will be joined and supported by the Wasaga Beach Fire Department, County of Simcoe paramedics and the Town of Wasaga Beach bylaw department — will be adopting a “strict but fair” approach.

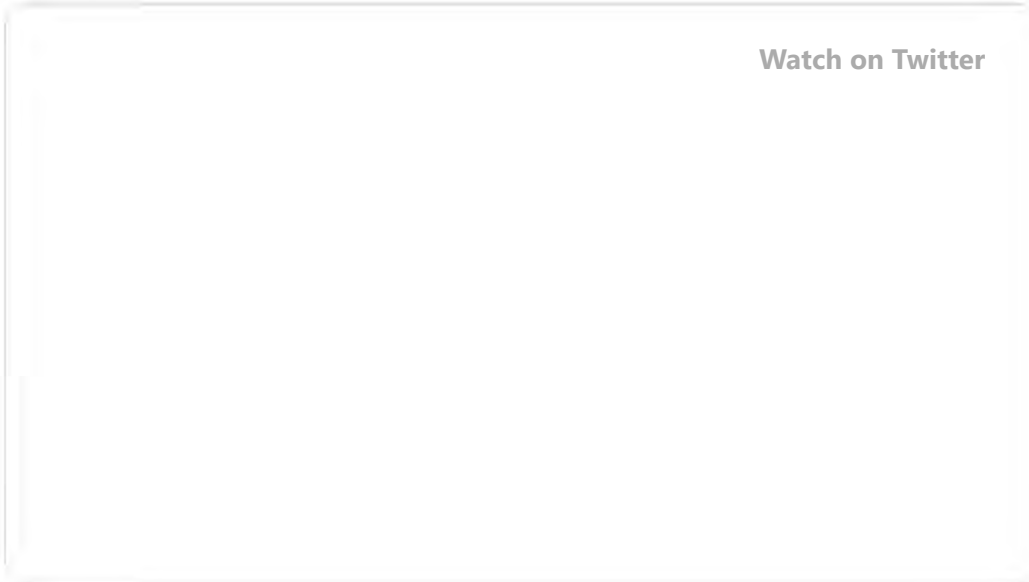
Simpson warned those visiting the community “to respect our communities and not jeopardize the safety of our citizens and neighbourhoods with risky, illegal and dangerous actions.”

OPP Central Region

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20 people charged with 37 Criminal Code and HTA offences in relation to ongoing investigations into the incidents that transpired in [#WasagaBeach](#), August 26-28, 2022. The investigations continue and additional charges may be laid. Please [#DriveSafe](#) and [#DriveLegal](#). ^rs



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John Edwards

*John Edwards is a reporter at The Connection, covering Collingwood and The Blue Mountains You can reach him at jedwards@simcoe.com. Follow him on **Twitter** and follow Simcoe.com on **Facebook***

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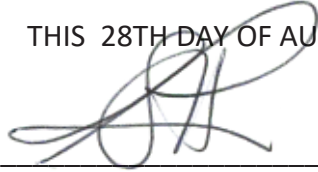
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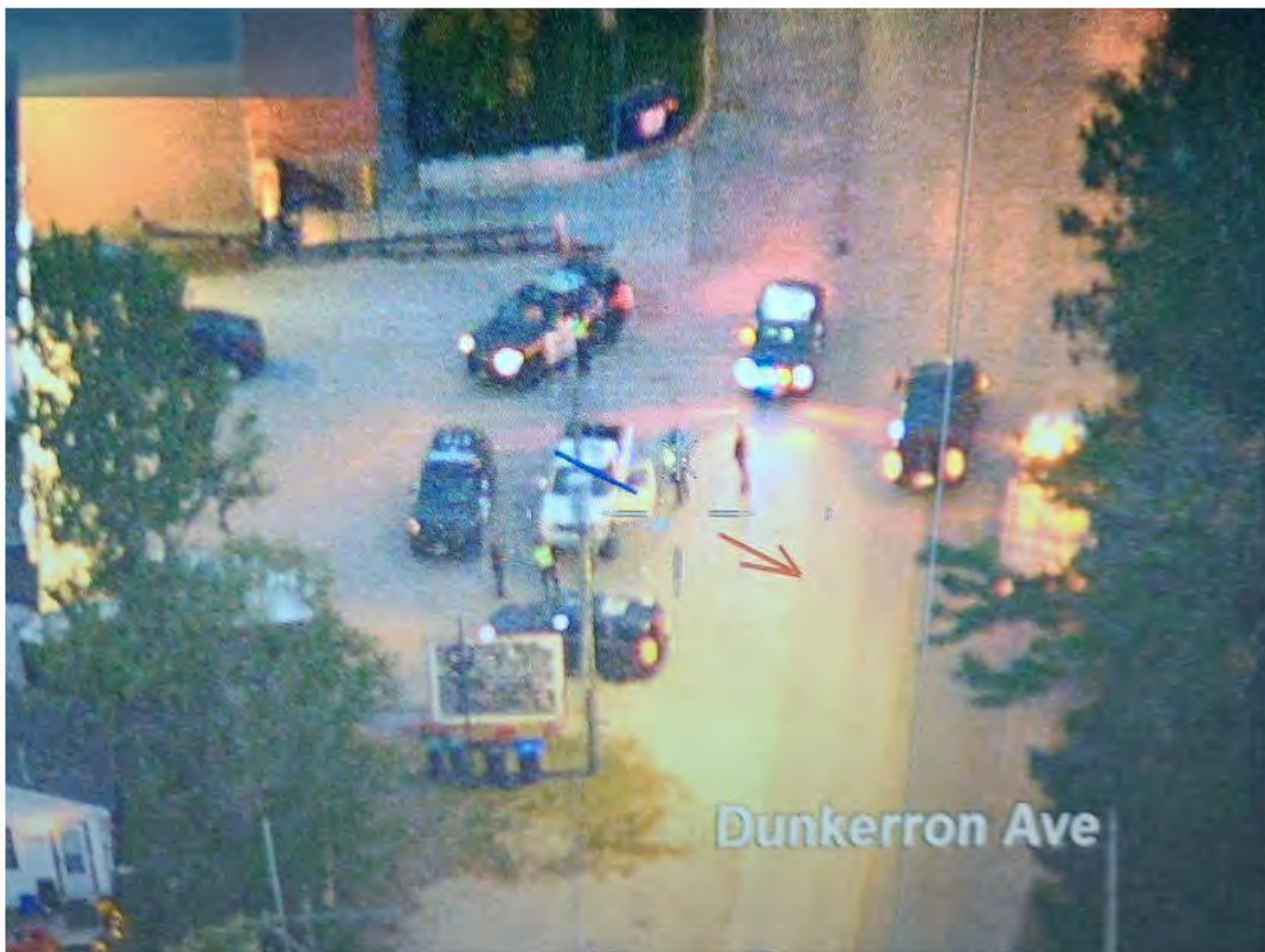
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CRIME

Ontario Provincial Police out in full force to address car rally in Wasaga Beach

By **Ian Adams** Wasaga Sun

Sep 25, 2022



An image from the OPP's helicopter shows officers tracking down a suspected impaired driver on Wasaga Beach's Dunkerron Avenue.

If anyone had doubts about the Ontario Provincial Police's presence in the Wasaga Beach area on the weekend, one only had to turn to the OPP's social media presence.

On Facebook and Twitter, the OPP posted details of several arrests, including one in which the OPP's helicopter was used to track down a suspected impaired driver on Dunkerron Avenue.

The posts included a litany of drivers pulled over for travelling more than 50 km/h over the posted limit, a charge that results in a loss of driving privileges for 30 days and a 14-day impoundment of the vehicle.

In a news release issued early Saturday (Sept. 24) night, Acting Sergeant Rob Simpson said 136 provincial offence notices were issued for violations related to the Highway Traffic Act, Environmental Protection Act and the Liquor Licence Control Act.

A number of motorists were also investigated and charged for speed, vehicle exhaust systems and equipment-related offences. That included a 28-year-old driver from Maple who was stopped after officers clocked a vehicle travelling at 131 km/h in a 80 km/h zone on Highway 26 near Rainbow Valley Road in Clearview Township around 11:30 p.m. on Sept. 23.



[staples.ca](https://www.staples.ca)

Simpson stated officers found a number of issues with the vehicle, included bald rear tires, an improper muffler, expired plates and no front plate.

The driver was issued an automatic roadside 30-day licence suspension and a court date and the vehicle was impounded for 14 days.

Officers conducted a number of RIDE stops and the local detachment had assistance from officers from other detachments, specialty teams from across the province, Ministry of Transportation enforcement officers, and officers from the York Regional Police Service, South Simcoe Police Service and Barrie Police Service.

As of Saturday night, officers had responded to 39 calls and investigated four vehicle collisions.

Leading up to the weekend, when it was anticipated a second H2Oi pop-up car rally was going to be held in Wasaga Beach, municipal officials and the OPP warned the public there would be a heightened police presence. A similar rally in late August resulted in more than 200 charges,

including those against a London man in connection to two cruisers being damaged. Additionally, leading into this weekend, police announced charges against 20 people for a variety of offences tied to the first rally.

In a video posted to Facebook and Twitter on Saturday afternoon, the detachment’s commander, Insp. Leah Gilfoy, thanked the residents of Wasaga Beach for “their patience, support and contributions to community safety.

“You have undoubtedly noticed the heightened police presence this weekend as we continue to work with the town to ensure the safety of everyone,” Gilfoy said.

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Ian Adams

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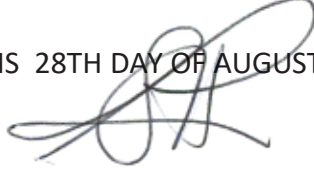
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CRIME

'This behaviour will not be tolerated': 25-year-old London man charged with damage to cruiser during H2Oi event in Wasaga Beach

25-year-old also faces charges for shoplifting

By **Ian Adams** Wasaga Sun

Sep 2, 2022



In a screenshot from YouTube user Redin IRL, a damaged OPP cruiser is surrounded by a group of people, purportedly filmed in Wasaga Beach during the H2Oi car rally event on Aug 26 to 28. In the scene preceding this shot, an individual is shown jumping up and down on the hood of the cruiser. - Redin IRL/YouTube screenshot

A London, Ont., man faces several charges in connection to damage done to two OPP cruisers during the H2Oi pop-up car rally in Wasaga Beach.

Officers with the Huronia West OPP's Crime Unit, with the assistance of the Provincial Repeat Offender Parole Enforcement Unit, arrested the 25-year-old days after the damage to the cruisers, which took place in the early morning hours of Aug. 28.

Video circulating on social media shows one individual repeatedly jumping up and down on one of the cruisers. Later video shows the cruiser with a smashed front windshield.

Police say that officers and a police dog were inside the vehicle when the windows were smashed, but were unharmed.



The OPP issued a statement advising that officers would conduct a thorough and exhaustive investigation leading to the arrests of these individuals and hold those responsible accountable to the fullest extent of the law.

The Huronia West OPP crime unit have identified one of the suspects from this incident. The investigation will continue to identify the second individual.

The man faces two charges of assaulting a police officer, causing a disturbance, participating in a riot, and mischief over \$5,000. He was also charged with forcible entry, shoplifting (theft under \$5,000), and possession of property obtained by crime.

The accused was brought back to the Huronia West OPP detachment where he was held pending a bail hearing, Sept. 2, at the Ontario Court of Justice in Barrie.

"The safety of our community and our officers is our number 1 priority and the safety of both was jeopardized during this incident," stated a news release from Central Region OPP spokesperson, Acting Sgt. Terri-Ann Pencarinha. "We want to make it clear that this behaviour will not be

tolerated. Thank you to the many community members for their support and assistance in this investigation.”

Anyone with information on this incident is asked to contact the Huronia West OPP at 888-310-1122 or Crime Stoppers at 800-222-8477.

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Ian Adams

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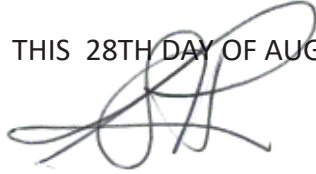
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Toronto

Windows smashed on 2 OPP police vehicles during car rally in Wasaga Beach, Ont.

Nina Bifulchi calls on Ontario solicitor general to make sure police 'properly equipped'

CBC News · Posted: Aug 30, 2022 4:00 AM EDT | Last Updated: August 30, 2022



This is a still image taken from a YouTube video entitled 'h20i 2022 / INSANE CAR RALLY | VLOG 075.' (YouTube)

Two Ontario Provincial Police vehicles had their windows smashed during a car rally in Wasaga Beach, Ont. on the weekend and the town's mayor is wondering why more police resources weren't available.

Mayor Nina Bifulchi said in a statement on Monday that the town was put at risk repeatedly and she would like Ontario Solicitor General Michael Kerzner to make sure that police in the town are "properly equipped."

"The town is very appreciative of the men and women who wear the OPP uniform and patrol our streets, but clearly police resources this past weekend did not allow for the robust response required to maintain law and order," Bifulchi said in the statement.

The OPP said officers were inside the vehicles and one had a police dog when the cruisers were damaged early Sunday.

According to police and videos circulating on social media, there was street racing, stunt driving and vandalism in Wasaga Beach on Saturday night into Sunday morning.

One YouTube video shows a massive street party, people using their iPhones to film drivers doing donuts, tires smoking, cars revving their engines, and one man jumping on the windshield of an OPP cruiser. Bifulchi blamed a group of people who attended the "unsanctioned" car rally for the mayhem.

"There were many examples brought to the attention of the town where laws were being broken and police intervention was not witnessed. This is unacceptable to the residents of Wasaga Beach," Bifulchi's statement said.

'Completely unacceptable'

In an email on Monday, Kerzner said the behaviour during the car rally was "completely unacceptable" and he urged anyone with relevant information to call police.

"The government does not interfere with or direct police operational decisions, including in response to community incidents. However, we will continue to provide police services and community partners with the resources and support they need to combat crime and keep Ontarians safe," Kerzner said in the email.



Another still image taken from a YouTube video entitled 'h20i 2022 / INSANE CAR RALLY | VLOG 075.' A person is shown jumping on an OPP police cruiser. (YouTube)

The OPP's Huronia West Detachment, for its part, said in a news release on Sunday that it responded to "numerous calls for service" on Saturday night into Sunday morning and is investigating property damage at two stores, Canadian Tire on 45th Street, and Walmart on Stonebridge Boulevard, as well as a break-in at the Walmart.

It is also investigating Highway Traffic Act infractions and incidents of mischief. The OPP vehicles were damaged on Beck Street and Main Street, police said.

"The safety of our community and our officers is our number one priority and the safety of both was jeopardized last night. We want to make it clear that this behaviour will not be tolerated," police said in the release.

- **Nearly 200 tickets issued in relation to Wasaga Beach, Ont., car rally**

Const. Martin Hachey, spokesperson for the OPP's Huronia West Detachment, said in an interview on Monday that there was an influx of visitors to the town on the weekend. He said there are now several investigations now taking place.

Hachey said police are trying to find the people responsible for damaging the OPP vehicles.

"Thankfully, no injuries to the officers or the canine as well, however, the safety of our officers was compromised."

The OPP are reviewing the videos posted to social media, as well as surveillance video.

"Certainly those responsible will be held accountable for their actions," Hachey said.



The resort town on Georgian Bay is usually crowded with beachgoers on summer weekends. Two OPP vehicles were damaged during a car rally in the community over the weekend. (CBC)

With files from Greg Ross and Muriel Draaisma

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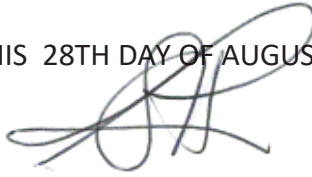


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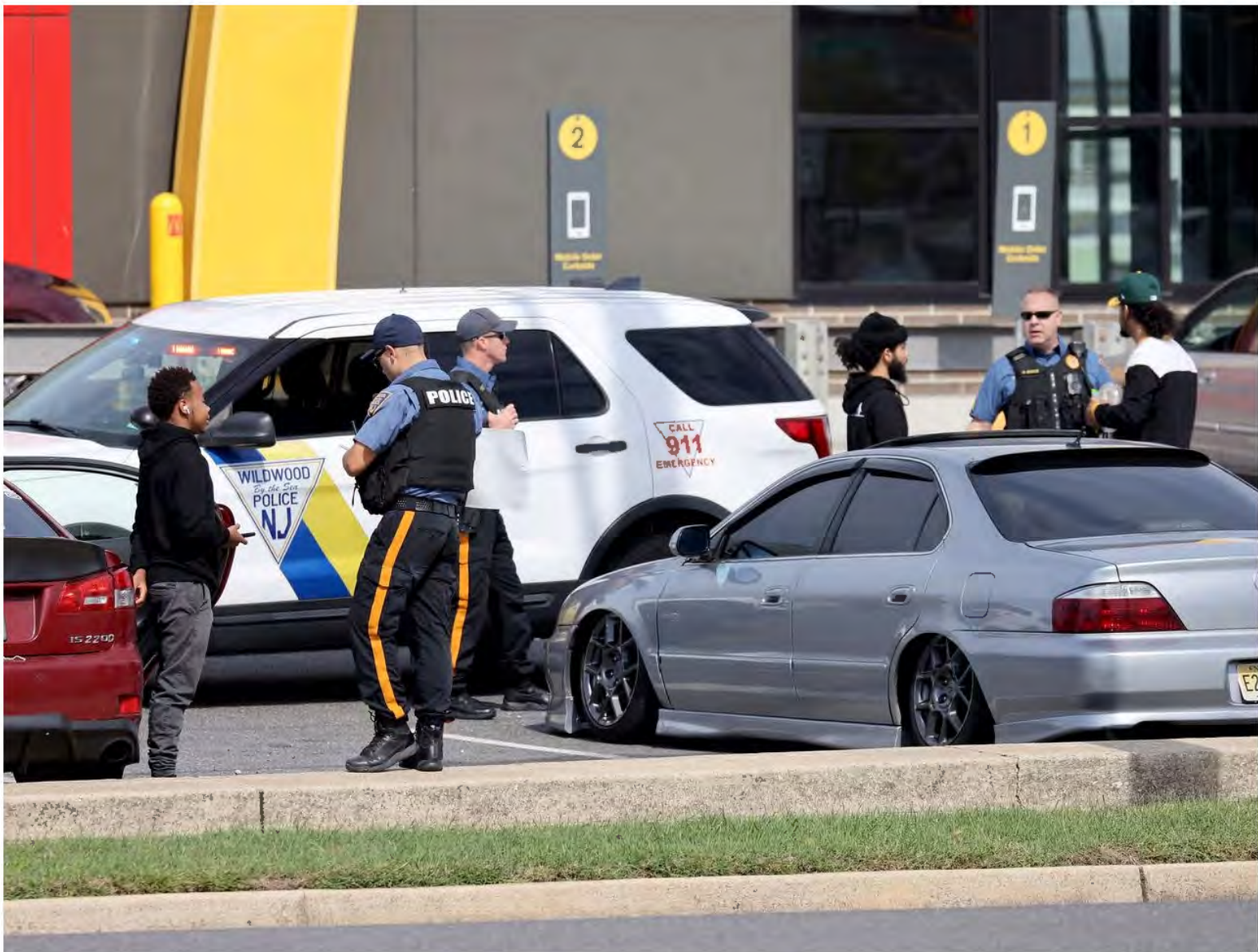
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NEWS

Bystanders say Wildwood invaded, police outmanned as H2oi car meet-up turned deadly

Updated: Sep. 25, 2022, 6:04 p.m. | Published: Sep. 25, 2022, 4:44 p.m.



Police talk to people near the intersection to Rio Grande Avenue and Park Avenue in Wildwood, Sunday, Sept. 25, 2022. At least two people were killed Saturday night during the pop-up car rally. Tim Hawk | NJ Advance Media for NJ.com

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By [Nicolas Fernandes | NJ Advance Media for NJ.com](#) and [Tim Hawk | NJ Advance Media for NJ.com](#)

The aftermath of what happened Saturday night in Wildwood — at least two were killed following a pop-up car rally in Wildwood — was visible in the city on Sunday.

Tire tracks, perhaps from either speeding or skidding vehicles, were visible at multiple intersections.

New Jersey State Police troopers, Wildwood police officers, and officers from the Cape May Sheriff's Office were patrolling the neighborhood. Occasionally, some cars — possibly from the prior night's gathering — were being pulled over.

Anthony Bucolo, owner of the Fountain Motel on Atlantic Avenue — where two people were killed in a multi-car crash — said the police came to the motel to question two people who were staying there and to look at his surveillance camera.

“All it really showed was one of the cars hitting the liquor store,” he said.



Bent parking meters in front of Bagel Time Cafe in Wildwood where an accident occurred, Sunday, Sept. 25, 2022. At least two people were killed Saturday night during the pop-up car rally. Tim Hawk | NJ Advance Media for NJ.com

Gerald J. White, 37, of Pittsburgh, Pa. is facing charges in relation to two deaths he's accused of causing while driving his car. Police say he crashed into a Honda Civic, killing its passenger, Timothy Ogden, 34, of Clayton and killing a pedestrian Lindsay Weakland, 18, of Carlisle, Pa.

Bucolo was critical of the drivers who gathered on Saturday.

"These guys invaded and they wound up taking over the island. They threw them out of Ocean City, Maryland and then they invaded this place. The cops knew they were coming, but they didn't think there would be that many people."

Video from throughout the night shows an escalating scene. During daylight hours, cars cruised along main roads like Rio Grande Avenue and Atlantic Avenue as crowds calmly gathered on the sidewalks, watching the cars rev their engines, sending smoke into the air. But as the night wore on, huge crowds spilled into the streets, shouting and recording as drivers did burnouts and donuts through intersections, and blocked police trying to break up the scene.

Multiple graphic videos from Saturday night also depict a second accident on Rio Grande Avenue. They show a car taking off from a standstill in the far right lane at an intersection and another car in the lane next to it clipping it, causing it to lose control and veer into a golf-cart-style vehicle on the opposite side of the road. At least one passenger from the golf cart is seen unresponsive in the road.

The Wildwood [commissioners put out a statement](#) after midnight saying they were "grossly outmanned" and were calling in for additional help from New Jersey State Police and surrounding local departments.

Olivia Galing of Rahway witnessed the fatal crash in front of the Cork and Bottle liquor store on Atlantic Avenue and said police had officers stationed on what seemed like every block. She overheard how White had allegedly hit another car's taillight and fled from police before causing the accident. She said the cops would clear the streets and then leave and the people would come right back. Eventually they put up barricades along Atlantic, she said.

"It was nuts, kids trying to do burnouts and stuff like that," she said. "But there were so many people lined up on the side of the road. Kids were standing in the middle of the street on the yellow lines recording things. So it was gonna happen somebody was gonna get hurt."

Crowd blocks police from getting through in Wild...



Ivaylo Nikolov, manager at McDonald's on West Rio Grande Avenue, was working during the day Saturday and left at 4:30 pm.

He did not witness the crash, but during his shift, he said he saw cars racing outside. Many of the vehicles were parked in the McDonald's parking lot, with some who had been inside the cars exiting and dancing on the roofs. Some women were flashing their breasts, he said.

Nikolov said he told all of his employees to stay inside and put posters up on the doors, notifying the racers that they were not allowed to come inside to loiter.

"They were all over the place during the day, dancing on the hoods of cars. It was crazy. They were racing up and down the street. I've never seen anything like it. It was like that movie, the 'Fast and the Furious,'" Nikolov said, referring to the 2001 movie that centered on street racing and turned in a multi-film franchise.

A worker at one motel, in describing the harrowing scene from Saturday night, recounted even pouring gasoline onto the street. She said she had a difficult time trying to drive away from work around 11 p.m., due to the streets being crowded with people.

Diane Fly, a tourist staying at the Fountain Motel, said she heard a crash, but didn't see what happened.

"We've been coming down here forever. We've never experienced anything like this," Fly said.

Asked about the police response, Fly said, "They did what they could, but when there's thousands of people it's hard for them to control it."

“I’m still coming here. I’m just hoping this never happens again,” Fly added.

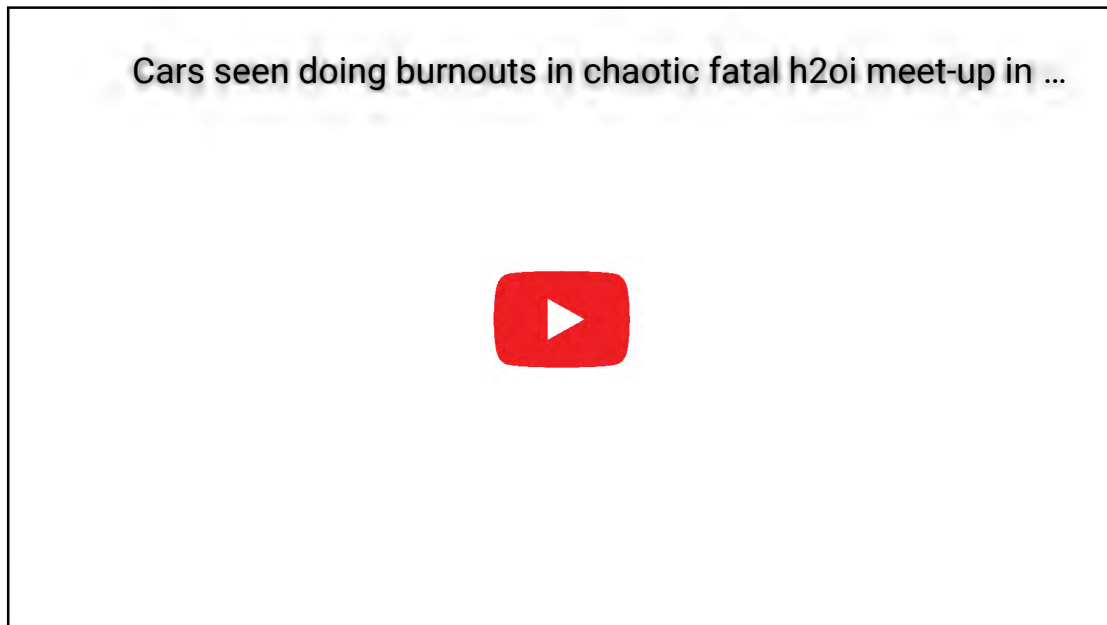
A liquor store employee at the scene of the fatal crash at Atlantic and Burk avenues described seeing a car going at least 80 mph and striking another vehicle. His store showed apparent signs of one accident, with light damage and pieces of a car’s windshield visible near the construction of the new addition in the back of the store.

Wildwood Mayor Pete Byron told NJ Advance Media midday Sunday that it had been a “pretty hectic last 24, 48 hours” and that there were additional injuries involving a golf cart on Rio Grande Avenue that was struck by one of the H2Oi vehicles.

Multiple videos taken at different angles on Rio Grande Avenue show a car speeding through an intersection before crashing into another vehicle and then losing control and hitting a low-speed vehicle, similar to a golf cart, knocking some of its passengers from the vehicle.

Debbie Davis, who stays in an apartment on Atlantic Avenue during the summer and on weekends, also heard what sounded like a crash.

“I heard it and I thought ‘oh my gosh, someone must have gotten hit,’” Davis said.



“The Wildwood Police did an excellent job on Friday. They blocked off the streets around 11 (p.m.) and made their presence known so that it would calm down and we were just waiting for the same thing to happen Saturday night, but unfortunately this had happened already,” Davis said.

Saturday’s crowd wasn’t the first. Hundreds of people also showed up at Lowe’s parking lot in Middle Township on Friday night. Mayor Tim Donahue said in a statement that after that gathering, the township was prepared on Saturday by putting police at key

parking lots in the 72-square-mile town until 4 a.m. However, it's unclear if any of the crowds appeared in Middle Township on Saturday.

In addition to the New Jersey State Police and police from Wildwood's three departments, units from Cape May, Atlantic City and Ocean City responded to calls Saturday night, authorities said.



Cars crashed into pedestrians, other cars during unsanctioned, 'pop up' car gathering

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Nicolas Fernandes may be reached at nfernandes@njadvancemedia.com

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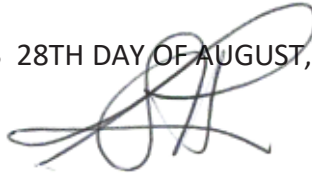
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NEWS

Driver who slammed into family in golf cart during Wildwood H2oi car rally faces assault charges

Updated: Sep. 28, 2022, 12:01 p.m. | Published: Sep. 27, 2022, 11:19 a.m.

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By **Katie Kausch | NJ Advance Media for NJ.com**

A Linden man has been charged after driving into a golf cart and seriously injuring one person during the deadly H2oi car meet-up in Wildwood over the weekend, court records show.

Eryk R. Wnek, 22, is charged with aggravated assault and assault by auto after striking a golf cart occupied by two adults and four juveniles, records obtained by NJ Advance Media show.

Wnek was in town for the H2oi car rally, an event originally intended to celebrate water-cooled Volkswagens and Audis, but which in recent years has devolved into “takeovers” of city streets, culminating in a deadly crash in Wildwood Saturday night for which another driver is charged.

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Wnek is accused of crashing his BMW into another car on Rio Grande Avenue on Saturday, spinning out, and slamming into the golf cart, records show.

One of the occupants of the golf cart, a man, was airlifted to a trauma center in Atlantic City with serious injuries, documents show. His girlfriend and four children were also on the cart. A [GoFundMe page](#) says they sustained only bruising.

Wnek will have his first appearance before a state Superior Court judge in Cape May County on Tuesday afternoon, a court official said, where prosecutors will look to keep him detained ahead of a trial. A detention hearing is expected to be scheduled for later.

“We feel this was a tragic multi vehicle accident that presents a causation issue because our client’s car was hit by an unknown black sedan,” said attorney Joel Juffe, who is representing Wnek with Louis Barbone of Jacobs & Barbone.

Juffe said the other car is still at large.

A spokeswoman for the prosecutor’s office said she could not confirm that information at this time.

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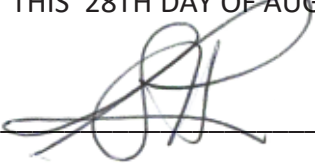
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NEWS

Driver charged in fatal H2oi wreck was fleeing another accident before crash that killed 2, cops say

Updated: Sep. 26, 2022, 2:48 p.m. | Published: Sep. 26, 2022, 2:04 p.m.

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By [Katie Kausch](#) | [NJ Advance Media for NJ.com](#)

The driver [charged with killing two people](#) during H2oi, an out-of-control car meet-up in Wildwood that drew more than 500 cars, was fleeing a first crash on Saturday when he was involved in a second crash that killed two, according to court documents.

Gerald J. White, 37, is charged with leaving the scene of an accident that caused death and serious bodily injuries, two counts of assault by auto, two counts of death by auto, and fleeing the scene of a crash, charging documents obtained by NJ Advance Media show.

White is currently being held in the Cape May County jail ahead of a detention hearing set for Wednesday, where prosecutors will argue White should be kept in jail as the charges against him are pending.

He appeared virtually before a judge Monday afternoon for a four-minute first appearance. The charges were not read, and a public defender has not yet been assigned.

White said that although he is listed as being from Pittsburgh, he is currently living in Delaware.

White was in Wildwood Saturday night for an H2oi car rally, a meet-up originally intended for Audi and Volkswagen owners [to show off modified engines](#) and custom paint jobs but has since become a self-organized pop-up event derided by officials in other beach towns for being disorganized and dangerous.

The Wildwood meet-up quickly spiraled out of control, devolving into mass chaos of more than 500 cars that led to two deaths and a number of serious injuries, records and interviews with witnesses and officials show.

According to charging documents, White first crashed on the 4000 block of Atlantic Avenue and fled when cops tried to intervene.

Police were soon after called to the 4600 block of Atlantic Avenue for the multi-pedestrian, multi-car crash, only to find that White had fled again, police said. He was arrested in the area shortly after, police say.

The second crash killed Timothy Ogden, a passenger in the car White is accused of hitting, and Lindsay Weakland, a one of two pedestrians he is accused of striking.

The driver of the car Ogden was in and the second pedestrian were taken to hospitals for their injuries, the charging document states.

Additional charges could still be filed against White, Cape May County prosecutors said in a statement on Sunday.

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Katie Kausch may be reached at kkausch@njadvancemedia.com. Follow her on Twitter [@KatieKausch](https://twitter.com/KatieKausch).

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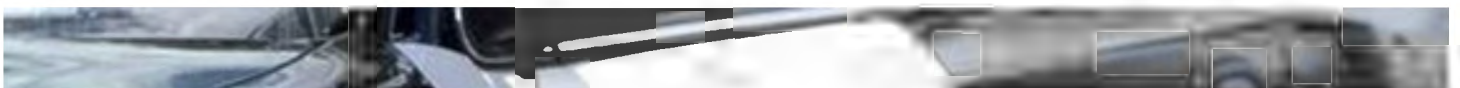
Police start blocking streets in area town amid concerns over car rally

Goderich is once again bracing for mayhem with reports a large, unsanctioned car rally is rolling into the lakeside town this weekend, a week after the rumoured event failed to materialize.

Jennifer Bieman

Published Oct 01, 2022 • 3 minute read

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An Ontario Provincial Police cruiser. PHOTO BY POSTMEDIA/FILE

Goderich is once again bracing for mayhem with reports a large, unsanctioned car rally is rolling into the lakeside town this weekend, a week after the rumoured event failed to materialize.



10 worst-selling vehicles in Canada's first half of 2023



Provincial police and town officials are anticipating large and unruly crowds could descend on Goderich this weekend for a car rally similar to one held in Wasaga Beach in August that saw two cruisers damaged and nearly 200 charges laid. Some downtown-area roads were shut down Friday evening in preparation, police said.

STORY CONTINUES BELOW

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“People can expect a heightened police presence, that’s for sure,” acting Mayor Myles Murdock said Friday. “We’re as prepared as we possibly can be. The police have been shoring things up and we’re trying to be as inhospitable as possible for these individuals if they decide to do a little joyriding.”

The party police and town officials are worried about isn’t like a classic car show on a Sunday afternoon. This kind of unsanctioned event draws hundreds from outside the region, with loud vehicles doing donuts and burnouts in parking lots, joyriding and racing on area roads. Some revelers commit crimes, including impaired driving and property damage, Murdock said.

The town is expecting partiers could arrive as soon as Friday evening and stay through the weekend, Murdock said. Police get intelligence about the events from a variety of sources, including social media, he said, but the information can be inexact or incorrect sometimes, an issue that makes quashing the get-togethers difficult.

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All quiet – so far – as Goderich braces for possible 'unsanctioned' car rally

The unsanctioned event is not only irritating and potentially dangerous, Murdock said, it is also very costly to municipalities.

STORY CONTINUES BELOW



“With police on overtime and getting town and county employees working overtime, it’s an added cost to the tax base that takes money away from other important things that we have to do,” he said, adding the exact cost won’t be known until later.

“It won’t be \$10,000 or \$20,000. It will be a heck of a lot more than that. Poor Wasaga Beach has been hit four times (by these revelers) and the cost there is staggering.”

Huron County OPP and Goderich’s acting mayor issued stern warnings to would-be revelers last week in the lead-up to the anticipated rally on Sept. 24 and 25, but the rumoured event didn’t happen.

The spectre of the unauthorized event also drew sharp criticism from local politicians and business owners.

OPP increased their presence in the town of 8,000 people last weekend and stepped up patrols starting on the Friday evening. Officers did not encounter any suspected car rally participants, as rain and grey skies blanketed the region.

With officers preparing for potential problems this weekend, the public should be aware of traffic disruptions and possible property damage, police say.

STORY CONTINUES BELOW

“We really hope that, through our enhanced media that we have been getting out there this week, it’s sending a strong message to this group. If they intend to come to Goderich then they are going to have

to expect a heavy police presence,” Huron County OPP Const. Jamie Stanley said Friday.

“We will make it difficult for them if they are not going to abide by the rules.”



By Friday evening, police had blocked vehicle access to Courthouse Square from Kingston Street and West Street as a “proactive measure” to ensure community safety, Huron OPP said in a statement. “Motorists should be advised physical barriers will be in place preventing vehicular access onto Courthouse Square from all other roadways,” police said.

Participants at the unsanctioned event in Wasaga Beach engaged in various “illegal acts,” including dangerous driving, impaired driving and breaking and entering, police said.

“We really don’t want to get into the situation that took place in Wasaga Beach where there was destruction of property and individuals jumping on police cruisers. It is certainly concerning,” Stanley said.

The rumoured rally comes as Environment Canada is calling for a picture-perfect fall weekend in Goderich and Southwestern Ontario, with cloud-free skies and temperatures hovering around 18 C, seasonal for this time of year.

– with files by Kathleen Smith, Goderich Signal Star

jbieman@postmedia.com

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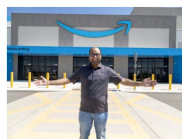
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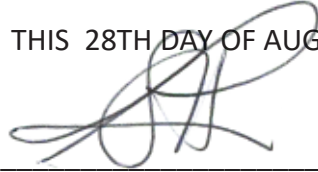
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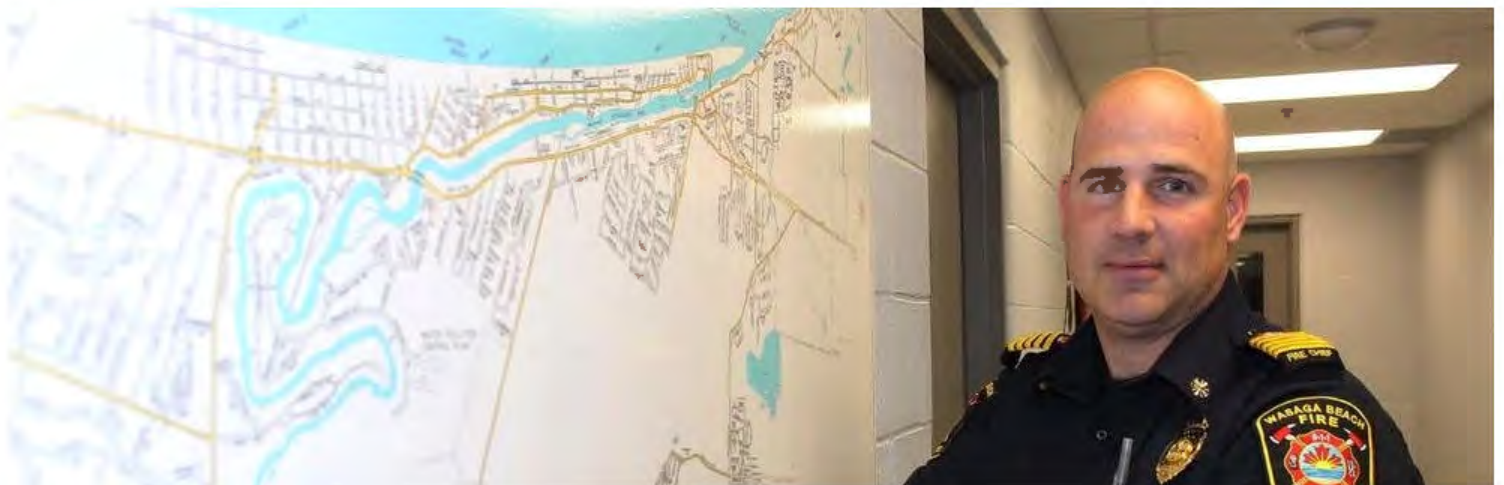
‘They risk people’s lives’: Wasaga Beach ups response in preparation for illegal car rallies

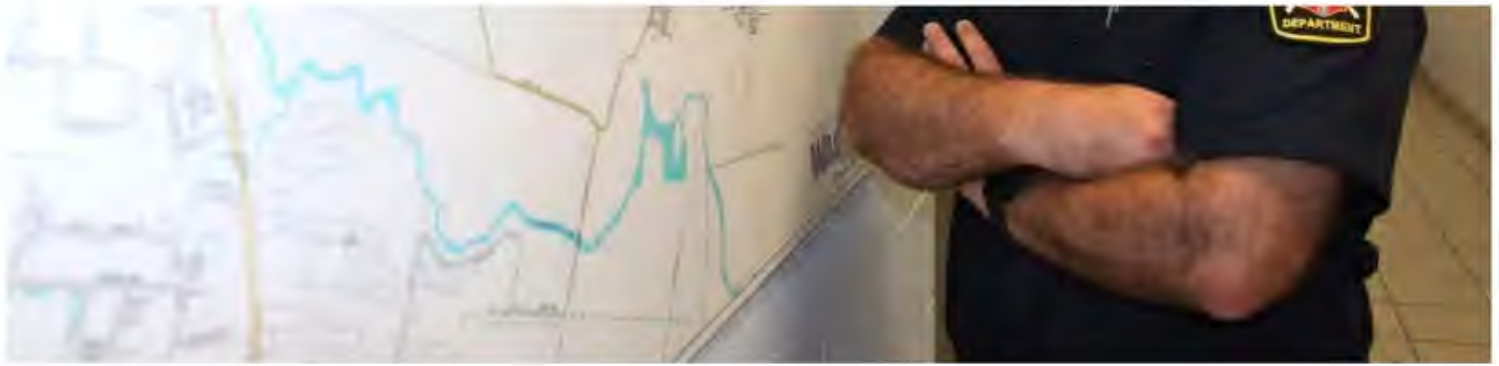
Wasaga Beach to implement tiered response to rallies, which could include closed roads and impounding vehicles

By **Ian Adams** Wasaga Sun

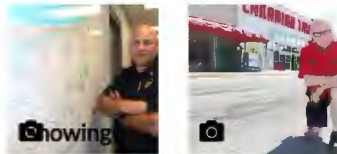
Aug 23, 2023

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Wasaga Beach fire chief Craig Williams says the town will use the tools available under the Municipal Act to put a halt to illegal car rallies and other illegal events that jeopardize public safety. - Ian Adams/Metroland



Wasaga Beach is digging deep into the Municipal Act tool box to bring the hammer down on illegal car rallies.

In a bylaw coming to council on Aug. 24, the municipality will create a tiered response it can use in advance of an illegal rally, along with the designation of the roads within the beachfront and downtown as a community safety zone.

“Illegal events, and illegal car rallies organized by people that do not have permits and do not respect the law, are not welcome in Wasaga Beach,” Mayor Brian Smith said. “They threaten the safety of our residents, visitors and local businesses ... they risk people’s lives.”

Since 2020, Wasaga Beach has become the destination for H2Oi, a so-called "pop-up" car rally featuring heavily-modified high performance vehicles that in some instances, would not be considered street legal.

There is also an element of these gatherings that include drivers taking part in unsafe driving activities, such as drifting, burnouts, and doughnuts. Over the last three years during these gatherings, the OPP has issued hundreds of charges and seized dozens of vehicles.

Earlier this year, the town implemented a "strict-is-fair" approach targeting individuals engaging in "nuisance" behaviours – such as noise, public intoxication, and large unruly gatherings.

In July, council approved a bylaw that would bar an individual from planning, advertising and hosting a rally without the town's permission.

At its Aug. 10 meeting, following its closed-door session, council approved a motion to spend \$23,000 on signs to implement a community safety zone, and have staff develop a bylaw.

There was no discussion on the motion.

On Aug. 17, municipal officials stated the designation of the zone includes the adoption of a framework that includes full-scale road closures and a three-tier emergency response system in co-ordination with the OPP.

The lowest tier would involve activating an incident management team and grant the town authority under the Municipal Act to issue cease-and-desist orders to organizers of illegal car rallies – with the intent to pursue the maximum penalty of \$25,000 in all cases.

At the next tier, when there is considered a high level of risk to public safety, or an illegal event is imminent, the response could include vehicle inspection stations at the town's main access points operated by the OPP and Ministry of Transportation; road closures that would see main access points limited to local traffic only; traffic diversion zones; specific town properties activated as vehicle impound lots, with towing and impound fees in effect; parking lot closures; and Beach Drive open to pedestrians only.

At the highest tier, or highest level of risk to public safety, the response would include an increased OPP presence, and a containment strategy with additional road closures and traffic diversion zones in effect.

Fire chief Craig Williams said the framework "allows us to use a number of tools, including community safety zones, road closures, and collaboration between ourselves and community partners so that in the event an illegal car rally does come to town, we're able to ideally prevent their entrance ... and manage any cars that do come to town."

It will also assist first responders who could find themselves in danger at these events.

"It will help protect our teams while we help ensure the safety of residents and visitors," he said.

Williams said the community safety zones, which would see fines doubled for traffic infractions such as speeding and stunt driving, would be an effective tool during an illegal car rally, and also promote safety for the rest of the year.

The new policy was welcomed by Canadian Tire franchise owner Ken Voss, whose parking lot was taken over by H2Oi participants in 2022, causing thousands of dollars in damages.

“We support the town and council in taking this proactive, co-ordinated approach to dealing with illegal car rallies,” Voss said. “These large nuisance events damage private property, threaten the safety of our customers and local residents, and are completely unnecessary.”



Ian Adams is a reporter for *Simcoe.com*, covering community news and events throughout south Georgian Bay, and municipal councils in Clearview Township and Wasaga Beach.

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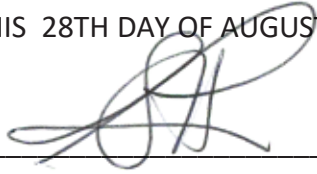
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THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2018-99

A By-law to regulate Special Events in the Town of Wasaga Beach

WHEREAS pursuant to section 9 of the *Municipal Act, 2001* S.O. 2001, c. 25, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to subsection 8(1) of the *Municipal Act, 2001*, the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS pursuant to section 107 of the *Municipal Act, 2001*, Council may provide grants to such persons groups or bodies for any purpose that Council considers to be in the interests of the Town;

AND WHEREAS pursuant to section 126 of the *Municipal Act, 2001*, Council may pass by-laws to regulate cultural and recreational events, including public fairs and pursuant to section 129 of the *Municipal Act, 2001* may pass by-laws to regulate and prohibit noise, vibration, odour, dust and outdoor illumination;

AND WHEREAS pursuant to Part XIV of the *Municipal Act, 2001*, Council may pass by-laws providing that a person who contravenes a by-law is guilty of an offence, to establish fines for offences under its by-laws and generally to enforce its by-laws;

AND WHEREAS section 23.1 of the *Municipal Act, 2001*, authorizes a municipality to delegate legislative and quasi-judicial powers to an individual who is an officer, employee or agent of the municipality provided the delegation is of a minor nature, considering the number of people, the size of the geographic area and the time period effect by the exercise of the power and any other factors that the Council considers appropriate;

AND WHEREAS the Corporation of the Town of Wasaga Beach wishes to encourage the holding of special events in the Town and deems it advisable to replace the Special Events Policy and Guidelines passed under By-law 2016-03 with a new by-law to govern the holding of special events on public property and with respect to the provision of grants to assist with the holding of special events;

NOW THEREFORE the Council of the Corporation of the Town of Wasaga Beach **HEREBY ENACTS** THAT this By-law shall come into force and take effect on the date of its final passing.

CERTIFIED TO BE A TRUE COPY OF:

RESOLUTION DATED: _____

BY-LAW: 2018-99 DATE: Dec. 18/18

OTHER: _____

OF PGS: 16 DATE: Aug. 23/23

SIGNATURE: [Signature]

LAURA EMILY BORLAND, a Commissioner, etc.,
Deputy Clerk, for the Corporation of the
Town of Wasaga Beach, County of Simcoe

1. DEFINITIONS

1.1 In this By-law:

- (a) **“Advertising and Promotion Plan”** means a written outline detailing the proposed advertising, promotional and marketing campaign regarding the Special Event;
- (b) **“AGCO”** means the Alcohol & Gaming Commission of Ontario;
- (c) **“Applicant”** means the person or entity submitting, filing or making an application for a Permit;
- (d) **“Board”** means the Beachfront Management Board, being the designated authority over the Town-operated beachfront area;
- (e) **“Clerk”** means the Town Clerk of the Town of Wasaga Beach or his or her delegate;
- (f) **“Committee”** means the Community Services Section of Coordinated Committee being a committee of Council;
- (g) **“Community Event”** means a locally-organized and operated Special Event that is aimed or focused towards local residents;
- (h) **“Community Impact/Communication Plan”** means a plan to inform and where appropriate solicit public feedback and involvement regarding managing the impacts associated with a special event and to optimize the benefits for the community;
- (i) **“Council”** means the Council of the Corporation of the Town of Wasaga Beach;
- (j) **“Director”** means the Director of Recreation, Events & Facilities of the Town or their designate;
- (k) **“Emergency Plan”** means a written plan to follow in the event of fire, extreme weather, criminal acts, personal injuries, medical or other emergencies, a description of all first aid services to be provided, medical transport provisions a communication protocol, decision making;
- (l) **“Fire Safety Plan”** means a written plan to addressing fire protection and prevention procedures or safeguards to react to situations involving fire and fire hazards;
- (m) **“Grant”** means a grant for a Special Event;

- (n) **“Operations Plan”** means a consolidated document outlining all applicable aspects of event plans and controls as specifically outlined in Section 3.4;
- (o) **“OPP”** means Ontario Provincial Police;
- (p) **“Permit”** means any permit issued in accordance with the provision of this By-law;
- (q) **“Permit Holder”** means the event organizer or entity ultimately responsible for the organization and operations of the Special Event;
- (r) **“Person”** shall include a corporation, business entity or group;
- (s) **“Private Property”** means any lands or facilities that are not owned or operated by the Town;
- (t) **“Security Plan”** means a written plan that establishes measures to ensure the safety, protection and precaution with respect to persons and property at, travelling to and from or in the vicinity of the Special Events. It provides information relating to all security services dedicated to the Special Event, their roles and responsibilities, a communication protocol, decision making authority, restricted areas and any other security information that the Fire Chief or the Detachment Commander, Huronia West OPP or their designates may require;
- (u) **“Site”** means the real property and premises at which a Special Event takes place;
- (v) **“Site Plan”** means a drawing or sketch of the subject area indicating the details of the event that shall include but not limited to booths, entrances/exits and any other structure that is to be accompanied by a map displaying the size and location of the Special Event;
- (w) **“Special Event”** means an exhibition, event, or function held within the Town as set out in Section 2.1 of this By-law and includes both a Community Event and a Tourism Event;
- (x) **“Structural Plan”** means a plan or drawing that sets out the location and particulars of any buildings or structures that are being erected, constructed or otherwise provided, whether permanent or temporary, on the subject area of the Special Event and will include a lighting plan, if the Special Event is proposed to take place during non-daylight hours, that will minimize the impact or interference of illumination upon properties in the vicinity of the Special Event;
- (bb) **“Tourism Event”** means an event that is aimed or focused geared towards persons located at least 40 kilometres from the boundaries of the Town;

- (cc) **“Town”** means the Corporation of the Town of Wasaga Beach;
- (dd) **“Town Departments”** means any departments within the Town;
- (aa) **“Traffic Management Plan”** means a plan providing for the control and management of traffic and parking including all vehicular, pedestrian, and cyclist movements to, from, and within the Site and, where applicable,
 - (i) detours of public transit routes and highways,
 - (ii) emergency vehicle access and egress,
 - (iii) pedestrian flow,
 - (iv) temporary barriers and devices necessary for traffic control or parking,
 - (v) designated accessible pick-up and drop-off locations for persons with disabilities,
 - (vi) the pick-up and drop-off locations for buses, taxis, shuttles, and limousines,
 - (vii) vehicles that exceed the load or dimension limits set out in Parts VII and VIII of the *Highway Traffic Act*, R.S.O. 1990, c. H.8, and
 - (viii) such other traffic and parking information as the Director, Public Works may require.
- (ee) **“Waste Management Plan”** means a plan outlining the management of waste, recycling, septate and hazards, pre-event, during the event and post event.

2. SPECIAL EVENTS FOR WHICH PERMIT REQUIRED

- 2.1 No Person shall hold, organize or sponsor any of the following events or activities on Town Property or other public facilities or the following events or activities on Private Property which attract more than 500 people at any given time who participate or attend (collectively, “Special Events”), unless the Town has issued a Permit for the Special Event for such period of time as set out in the Permit:
- (a) parades, processions, marathons, bicycle races and other events utilizing the sidewalks or vehicular travel portion of municipal streets, highways, parking lots or properties including facilities operated by the Town or within the boundaries of the Wasaga Beach Provincial Park;

- (b) carnivals, bazaars and similar events which offer such activities as amusement rides or devices, games of skill, animal rides or exhibitions, food concessions or live entertainment;
- (c) outdoor festivals offering live or recorded music or entertainment for public or private audiences;
- (d) organized scheduled contests and exhibitions;
- (e) marine events, including any prescheduled organized concentration of watercraft, involving participants and/or spectators, of a competitive or non-competitive nature;
- (f) scheduled races, exhibitions or other events involving the operation of motorized vehicles of any type;
- (g) activities or events requiring a variance from the regulations of any municipal department;
- (h) outdoor assemblies for demonstration, political, religious and/or cultural purposes; or
- (i) the showing of feature films, television commercials, documentaries, educational films, television films, television network programs, music videos and commercial still photography.

2.2 Despite Section 2.1, a Permit shall not be required for any Special Event which takes place solely and exclusively on Private Property if the Special Event is permitted in the Town's zoning by-laws or has otherwise been authorized by the Town as either:

- (a) being part of the normal operations of a business or institution (except for those facilities set out in Section 2.2(b)), and will not reasonably:
 - (i) have the potential to strain the community's emergency services response,
 - (ii) have a foreseeable impact on the regular flow of traffic,
 - (iii) adversely affect the Wasaga Beach community,
 - (iv) present an elevated risk to the health and safety of participants or general public;

or
- (b) takes place at RecPlex, Oakview Woods, Wasaga Stars Arena or the Sports Park in the normal course of events at the aforementioned facilities and, if

not, the Director may exercise his or her sole and absolute discretion to require a Permit, which decision shall be final and binding.

3. APPLICATIONS

3.1 An application for a Permit for a Special Event shall be submitted to the Town in accordance with the following deadlines:

- (a) for a Community Event lasting one (1) day or less, not requiring the approval or assistance of the external agencies and held on Town Property, at least sixty (60) days prior to Community Event;
- (b) for a Community Event or Tourism Event lasting two (2) or more days, not requiring the approval or assistance of the external agencies and held on Town Property, at least ninety (90) days prior to the first day of the Special Event;
- (c) for a Tourism Event lasting one day or more and held on Ontario Parks Property (i.e. Beach Area 1) and/or having AGCO or OPP requirements (such as a beer garden), and having an economic benefit to the Town, at least one hundred and eighty (180) days prior to the Tourism Event; and
- (d) for a Community or Tourism Event that occurs on an annual basis and held on Ontario Parks Property (i.e. Beach Area 1) and/or having AGCO or OPP requirements (such as a beer garden), and having an economic benefit to the Town, at least ninety (90) days prior to the first day of the Special Event.

3.2 Application forms can be obtained from the Recreation, Events & Facilities department - Special Event Office or via the Town's Website.

3.3 Nothing in this By-law shall preclude or restrict Council from granting a multi-year Permit for a Special Event subject to such conditions as Council considers appropriate and subject to all required external agency approvals being secured, issued or obtained. Council shall consider the previous performance of the Special Event, whether it complied with all requirements and whether all invoices to external agents, contractors and suppliers were paid in full.

3.4 Every application for a Permit shall include an Operations Plan which is to be submitted a minimum of sixty (60) days prior to the Special Event (flexibility will be given in circumstances where notice could not have been reasonably provided within this time frame), consisting of:

- (a) Site Plan showing:
 - (i) the boundaries of the Site on which the Special Event will be held;

- (ii) the location of all existing and proposed buildings or structures to be used in connection with the Special Event and any accommodation and/or residential building on adjacent properties,
 - (iii) all areas to be designated for food and beverage sales or consumption,
 - (iv) all areas to be designated for vehicle parking and camping, and
 - (v) all proposed access locations around the Site's perimeter.
- (b) details of the Special Event including (where applicable):
- (i) food and beverages plan – including plans for alcohol service and provision of potable water,
 - (ii) Advertising and Promotion Plan – for events on Town Property,
 - (iii) Structural Plan – structures, temporary structures, stages, lighting and tents larger than 60m²,
 - (iv) Fire Safety Plan (including pyrotechnic/fireworks),
 - (v) Emergency Plan,
 - (vi) Security Plan,
 - (vii) Traffic Management Plan,
 - (viii) Waste Management Plan, including provision of lavatory facilities,
 - (ix) Community Impact/Communication Plan,
 - (x) the proposed use of:
 - (1) generators, propane appliance and any other specialized equipment to be used during the Special Event, include the type of fuel used to operate the equipment,
 - (2) use of exotic pets/animals,
 - (3) sound equipment,
 - (4) vehicles that exceed the load or dimension limits set out in Parts VII and VIII of the *Highway Traffic Act*, helicopters, hot air balloons, aircraft, trains, or watercraft,

- (5) use of drones for photography or other purposes where federal regulations and permits are required,
- (6) amusement devices, and
- (7) signs for marketing, promotion and communication of proposed closures and detours.

3.5 The Applicant shall provide:

- (a) proof that it is the registered owner of the Site on which the Special Event is to be held or written consent from the registered owner for the Special Event;
- (b) if an individual, proof that the Applicant is at least 18 years of age,
- (c) if a corporation, copies of the letters of incorporation or other incorporating documents that have been duly certified by the proper authorities and that show the full corporate name, officers, and directors of the Applicant; and
- (d) any information or documentation that the Director deems necessary.

3.6 A completed application shall be processed and either issued or denied within a reasonable time of receipt. Dependant on the location of the Special Event, the Applicant may be required to attend a pre-scheduled meeting to discuss the Special Event with the Board or Committee. If the Committee recommends approving the Special Event and the request for a Grant, if required, it will proceed to Council for final approval. If the Special Event takes place within the Board's jurisdiction, the Board has the final approval authority. If a Permit for a Special Event is denied, such decision will be in writing, setting forth the reasons for denial.

3.7 If an application is submitted after the filing deadline set forth in Section 3.1, the Senior Special Event Coordinator or the Director in his/her discretion, upon receipt of a written submission outlining the reasons why the said time limits could not be met, amend the time limits set out in Section 3.1.

3.8 If a Grant is being requested, the amount is to be included along with a detailed budget showing how the funds will be spent and the benefit to the Town (Grants must be requested by August 31st the year prior to the event).

3.9 The Applicant is responsible to pay for any fees and charges relating to the Special Event in accordance with Schedule "H" of the Town's Consolidated Rates and Fees By-law as updated and amended from time to time. The Town reserves the right to waive any fee or charge.

3.10 Where deemed appropriate by the Board, Committee or Council, as the case may be, the Permit Holder shall provide security either in cash or a letter of credit in a form acceptable to the Director, Finance as security for possible damage to Town

Property (including highways) or equipment for possible damage to public or private properties potentially impacted by the event; for any monies paid or owing by the Town for any costs incurred by the Town as a result of the Permit Holder's use of the Site (including but not limited to emergency service costs, policing costs, road maintenance costs, and clean-up costs); and for fulfillment of all the Permit Holder's obligations under the By-law and Permit.

- 3.11 In addition to any other action or remedy the Town may take under this By-law, where the Permit Holder fails to or refuses to, provide the security required by Section 3.10, the Permit Holder shall reimburse/compensate the Town for any costs or damages whatsoever that the Town incurs as a result of the Special Event(s), including any remedial action that the Town, in its discretion, may be required to undertake pursuant to section 446 of the *Municipal Act, 2001*.

4. PERMIT APPROVAL PROCESS

- 4.1 Approval for a Special Event may be issued upon receipt and review of an application for a Permit if the following conditions have been met:
- (a) there is a demonstrated benefit to the businesses, residents and visitors of the Town by approving the Special Event;
 - (b) any proposed use of public property, right of way, or facilities will not unreasonably interfere with the normal use of the property, right of way or facility by the municipality or general public;
 - (c) the proposed activity does not present a safety or health risk to participants, spectators or the public;
 - (d) the proposed activity is compatible with the surrounding area or neighbourhood: giving consideration to acceptable increases in noise, traffic, crowd and other municipal concerns;
 - (e) every Applicant shall provide proof of commercial general liability insurance for itself, its affiliates, and any and all subsidiaries, acceptable to the Director and the Director, Finance and subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof, for the duration of the Special Event unless the Special Event involves the use and or sale of alcohol, wherein the amount of insurance required is not less than Five Million Dollars (\$5,000,000.00) (Applicants should refer to the Town's Alcohol Policy for details about the use/sale/consumption of alcohol on Town Property and within Town operated facilities);
 - (f) if deemed necessary by the Director, the Applicant shall provide liability insurance in respect of licensed, owned or leased motor vehicles subject to a limit of not less than Two Million Dollars inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof;

- (g) if deemed necessary by the Director, the insurance shall include additional coverage as deemed to be appropriate;
- (h) all insurance shall be in the name of the Permit Holder and shall name the Town as additional insured with a cross liability endorsement and severability of interests' provision. This insurance shall be non-contributing with, and apply as primary and not as excess of, any insurance available to the Town;
- (i) all insurance shall contain the endorsement to provide the Town with thirty (30) days prior written notice of any cancellation or change;
- (j) the Director may vary at his/her sole discretion the monetary limits to a maximum of \$10,000,000 coverage as set out in Section 5.1(a) to mitigate risks to the Town and the community;
- (k) municipal resources necessary to support the proposed activity are available; and
- (l) all comments/recommendations from pertinent municipal operating departments, the MNRF – Wasaga Beach Provincial Park, Huronia West OPP, Simcoe County Paramedic Service, Simcoe Muskoka District Health Unit, have been received and are in favour of the event or any concerns of the above have been met to the satisfaction of the Board, Committee or Council.

5. PERMIT REQUIREMENTS

- 5.1 The Board, Committee or Council may impose, as conditions to issuing a Permit, such further requirements and restrictions as will, in the sole discretion of the Board and/or Committee, protect the public health, safety, and welfare. These decisions will be based on the recommendations of Town staff, Huronia West O.P.P, Simcoe County Paramedic Service, MNRF - Wasaga Beach Provincial Park, Wasaga Beach Fire Department and Simcoe Muskoka District Health Unit. Such conditions may include, but are not limited to:
- (a) the payment of a fee or charge for the use or allocation of Town Property and equipment, in accordance with Schedule "H" of the Consolidated Rates and Fees By-law as amended from time to time; and the posting of security that is satisfactory to the Town up to ninety (90) days after the conclusion of the Special Event;
 - (b) the provision of adequate crowd control and traffic control, security, fire protection, food handling, waste and refuse disposal, and noise restrictions;
 - (c) permission to use land wholly or partly within the boundaries of Wasaga Beach Provincial Park;

- (d) consenting to and/or supplying the Town with a criminal record check.

6. CONDITIONS

6.1 In addition to any other conditions that the Board, Committee or Council (or otherwise staff as outlined in the Delegation of Powers and Duties Policy) may deem appropriate, every Permit shall also be subject to the following conditions:

- (a) the Permit Holder shall comply at all times with:
 - (i) all applicable laws, including any applicable zoning or other land use control by-law under the *Planning Act*,
 - (ii) any approved Emergency Plan, Fire Safety Plan, Security Plan and Traffic Management Plan and Operations Plan, and
 - (iii) the Town's Noise Nuisance By-Law #2016-97 Appendix A – prohibitions by time and place, except where the appropriate exemption has been approved and identified in the Operations Plan;
- (b) the Permit Holder must agree in writing to:
 - (i) save, defend and keep completely harmless and fully indemnify the Town and each of its elected officials, officers, employees, volunteers, sponsors and agents of, from and demands which may be brought against or made upon the Town, its elected officials, officers, employees, volunteers and agents or any of them and of, from and against all loss, costs, charges, damages, liens and expenses which may be sustained, incurred or paid by the Town, its elected officials, officers, employees, volunteers and agents or any of them, by reason of, or on account of, or in consequence of the use of the Site by the Permit Holder and its invitees, guests or users for at the Special Event,
 - (ii) pay to the Town and to each such elected official, officer, employee, volunteer or agent on demand any loss, costs, damages and expenses which may be sustained, incurred or paid by the Town or by any of its elected officials, officers, employees, volunteers, sponsors and agents in consequence of any such action, suit, claim, lien, execution or demand and any monies paid or payable by the Town or any of its elected officials, officers, employees, volunteers, or agents in settlement of or in discharge or on account thereof,
 - (iii) release the Town and each of its elected officials, officers, employees, volunteers, sponsors and agents of, from and against all manner of actions, suits, claims, executions and demands which could be brought against or made upon the Town, its elected officials, officers, employees, volunteers and agents or any of them and of,

from and against all loss, costs, charges, damages, liens and expenses which may be sustained, incurred or paid by the Permit Holder by reason of, or on account of, or in consequence of the use of the Site by the Permit Holder and its invitees, guests or users for the Event, provided, however, that such release shall not apply to any loss, costs, charges, damages, liens and expenses incurred by the Permit Holder arising directly from the gross negligence and/or willful misconduct of the Town, its officers, employees, agents, volunteers or agents;

- (c) the Permit Holder shall:
 - (i) maintain the Site in a clean and sanitary condition for the duration of the Special Event,
 - (ii) remove all debris from the Site and, where required, any adjacent properties within seventy-two (72) hours of the conclusion of the Special Event, and
 - (iii) not use the Town's corporate logo, wordmark or crest in any marketing material advertising the Special Event without the prior approval of the Town; and
- (d) the Permit Holder acknowledges and agrees that should there be a perceived emergency during the course of any Special Event, the Fire Chief and/or the OPP Incident Commander, shall have the absolute and unfettered authority to shut down the Special Event at their sole discretion.

7. GRANT REQUESTS

7.1 Council establishes a budget for grants as part of its Annual Operating Budget. Applications for grant funding must be received at the time of the application. The Special Events Department will evaluate applications and a recommendation made to the Board or Council. The factors that the Board or Committee will use to evaluate requests for Grants include:

- (a) need;
- (b) amount requested;
- (c) economic spin-off to the Town from the event;
- (d) reason for the request;
- (e) profit versus not-for-profit event;
- (f) review of proposed budget for event;

- (g) if a returning Special Event, past performance of event including review of previous year's financial statement; and
- (h) potential for the Special Event to become partially or fully self-sufficient.

8. STAFF SUPPORT

- 8.1 The Senior Special Event Coordinator will be the main contact for Special Events in the Town. This position will provide support to Special Events as authorized by Council and will coordinate the support of other Town Departments as approved by Council. Holders of permits involving property owned by Ontario Parks will have to coordinate activities with Parks staff, with the assistance of a Special Event Coordinator, if required.

9. OTHER REQUIREMENTS

- 9.1 The issuing of any Permit under this By-law shall not derogate from any requirement of any Person to obtain any business licence or any other permit(s) which may be required by any other Town by-laws, rules and regulations or any other governmental agencies.

10. COMPLIANCE AND REFUSAL

- 10.1 Any Permit issued for a Special Event must be visibly posted at the Site for the duration of the Special Event, including the set up and take down.
- 10.2 Without limited the generality of Section 6, the Board, Committee or Council (or otherwise staff as outlined in the Delegation of Powers and Duties Policy) may refuse to issue a Permit if:
 - (a) the Applicant has not provided information or documentation under Section 6 or within a satisfactory timeframe to realistically plan and coordinate the Special Event;
 - (b) the Applicant has not satisfied the requirements of Section 6;
 - (c) the Applicant has knowingly submitted false, mistaken, incorrect or misleading information in support of the application;
 - (d) there is reason to believe that the carrying on of the Special Event may result in a breach of an applicable law;
 - (e) there are property taxes owing to the Town for the Site on which the Special Event is to be held.

11. REVOCATION

- 11.1 The Board or Council may revoke a Permit at any time without prior notice to the Permit Holder, if:
- (a) the Permit was issued in error;
 - (b) the Permit was issued as a result of false, mistaken, incorrect or misleading information that was knowingly submitted by the Applicant;
 - (c) the Permit Holder is not in compliance with any license, permit, approval or authorization required under Section 6;
 - (d) the Permit Holder fails to comply with any of the provisions of this By-law, the provisions of the Permit or any other by-laws of the Town;
 - (e) the Permit Holder fails to comply with any condition of the Permit.
- 11.2 If a Permit is revoked under Section 12, the Director shall notify the Permit Holder of the reasons for revocation by reference to the contact information provided in the application for the Permit and inform all affected agencies.

12. RECONSIDERATION

- 12.1 If an application for a Permit under this By-Law is denied, the application may be subsequently reconsidered once in a calendar year by the Applicant addressing, to the satisfaction of the Board, Committee or Council, the reasons given for the initial denial of the application.

13. ENFORCEMENT

- 13.1 This By-law may be enforced by a Police Officer, a Municipal Law Enforcement Officer or the Fire Chief.
- 13.2 No Person shall prevent, hinder or obstruct or attempt to prevent, hinder or obstruct with an inspection undertaking in accordance with this By-law.
- 13.3 Any Person, who contravenes any provision of this By-law, including any condition of a Permit issued under this By-law, is guilty of an offence and upon conviction is liable to:
- (a) a minimum fine of \$250 and a maximum fine of \$50,000 for each offence;
 - (b) if the Person is a corporation, a minimum fine of \$500 and a maximum fine of \$100,000 for each offence; and
 - (c) in the case of a continuing offence, such as where the contravention takes place over multiple days, for each day or part of a day that the offence

continues, an additional fine of up to \$10,000 for each day or part of the day that the offence continues.

- 13.4 In addition to the fines set out in Section 13.3 and in order to eliminate or reduce any economic advantage or gain from contravening this By-law, every Person, including a corporation, found guilty of an offence may be liable to a special fine of up to \$250,000.
- 13.5 Where a Person is convicted of an offence for contravening this By-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.
- 13.6 Where a Person is convicted of an offence for contravening this By-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may order the Person to rehabilitate and rectify any land that has been disturbed to its original state and condition.
- 13.7 The system of fines set out in this By-law expressly do not apply to any land use planning or zoning by-law contraventions, including a breach of any conditions of the Permit related to same, that may be prosecuted under section 67 of the *Planning Act*.
- 13.8 Notwithstanding and in addition to the foregoing fines, any Permit issued under this By-law, including conditions attached thereto, may include administrative penalties as contemplated under s. 151(1)(g) of the *Municipal Act, 2001*.

14. GENERAL

- 14.1 Every Permit shall specify the name of the Permit Holder, and the nature, location, date(s) and time(s) of the Special Event.
- 14.2 The issuance of a Permit does not represent a commitment by the Town to issue a Permit for any subsequent, continuing or similar event.
- 14.3 Permits under this By-law are not transferrable.
- 14.4 No amendment shall be made to a Permit without prior authorization by the Director.
- 14.5 If a court of competent jurisdiction declares to be invalid, unenforceable, illegal or beyond the powers of Council to enact, any provisions or parts of any provisions of this By-law, it is the intention of Council in enacting this By-law that the remainder of this By-law shall be deemed to be separate and independent therefrom and that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

14.6 Any reference to statute, regulation or other legislation in this By-law shall include such statute, regulation or other legislation or provision thereof as amended, revised, re-enacted and/or consolidated from time to time and any successor legislation thereto.

14.7 The terms in this By-law shall be construed with all changes in number and gender as may be required by the context.

14.8 In the event of any conflict between any provisions of this By-law and any other by-law enacted by the Town, the provisions of this By-law shall prevail.

15. SHORT TITLE

15.1 The short title of this By-law shall be the "Special Events By-law."

16. REPEAL

16.1 By-law No. 2016-03 is hereby repealed in its entirety.

17. EFFECTIVE DATE

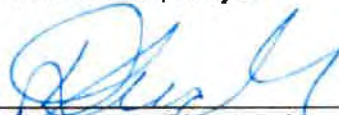
17.1 This By-law shall be come in force and effect on the date that it is passed.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 18TH DAY OF DECEMBER, 2018.

THE CORPORATION OF THE TOWN OF WASAGA BEACH



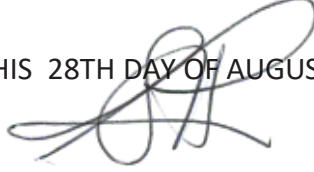
Nina Bifulchi, Mayor



Dina Lundy, Director, Legislative Services & Clerk

THIS IS EXHIBIT "T" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', is written over the date. The signature is stylized and cursive.

Explanatory Note

To

By-Law No. 2019-15 Noise & Nuisance

The purpose of the bylaw is to amend one section of By-Law No. 2016-97 being a by-law to control noise and nuisance within the Municipality.

In the penalties section of the noted by-law, it is stated that the minimum fine for an offence is \$500. It is unlikely that a fine of this amount would be approved by the Crown Law Office for the set fines of offences under each by-law.

By having the penalty section restricted to a minimum fine of \$500, it restricts officer's ability to issue a Provincial Offences Notice (ticket with a set fine). Instead, if the situation is of high enough severity that would normally result in a Provincial Offences Notice being issued, officers have to resort to issuing a summons to court. The court process can be avoided by obtaining set fines that are approved by the Crown Law Office, which will not likely be approved with the minimum fine being \$500.

During the Coordinated Committee meeting on February 7, 2019 staff noted the need to add New Years Eve and New Years Day as "approved fireworks days" and have incorporated this additional change for efficiency.

CERTIFIED TO BE A TRUE COPY OF:

RESOLUTION DATED: _____
BY-LAW: 2019-15 DATE: Feb. 19/19
OTHER: _____
OF PGS: 30 DATE: Aug 23/23
SIGNATURE: L. Borland

LAURA EMILY BORLAND, a Commissioner, etc.,
Deputy Clerk, for the Corporation of the
Town of Wasaga Beach, County of Simcoe

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO 2019-15

A By-law to control Noise and Nuisance within the Municipality and to repeal By-law 2016-97

WHEREAS Section 8 of the *Municipal Act, 2001*, as amended provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Municipal Act, 2001*, as amended, grants municipalities the capacity, rights, power and privileges of a natural person for the purpose of exercising its authority under the Act;

WHEREAS Section 11(2) of the *Municipal Act* permits a municipality to pass by-laws respecting the public assets of the municipality, the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS Section 128 of the *Municipal Act* permits a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS the purposes of this by-law include managing the public assets of the Town, protecting the economic, social and environmental well-being of the Town, supporting the health, safety and well-being of persons in the Town, protecting persons and property in the Town and prohibiting and regulating with respect to public nuisances in the Town;

AND WHEREAS it is recognized that the tourist visitors' enjoyment, along with the lifestyle choices of its residents are key to the economic, social and environmental well-being of this municipality;

AND WHEREAS the Town wishes to ensure that the use of lands within the Town has a minimal adverse impact on the quiet enjoyment of surrounding lands;

AND WHEREAS, in the opinion of Council, the matters addressed in this by-law are, or could become or cause, public nuisances;

NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach **HEREBY ENACTS** as follows:

1. Short Title

This by-law shall be known as the "Noise and Nuisance By-law".

2. Definitions

2.1 Approved Fireworks Days shall mean those days of the year that are designated by Council where the discharge of fireworks is permissible by residents, including any hours restrictions that may be imposed from time to time; more specifically as set out in Appendix B of the By-law;

2.2 ATV/Off-Road Vehicle shall mean the following types of off-road vehicles:

"Off-Road Vehicle" shall mean an off-road vehicle intended for off-road and within the meaning of the *Off-Road Vehicles Act*, and as defined by the *Highway Traffic Act* and or the regulations thereto and includes off road vehicles as defined as follows:

"all-terrain vehicle" means an off-road vehicle that,

- a) has four wheels, the tires of which are all in contact with the ground,
- b) has steering handlebars,
- c) has a seat that is designed to be straddled by the driver, and
- d) is designed to carry,
 - (i) a driver only and no passengers, or
 - (ii) a driver and only one passenger, if the vehicle,
 - (A) has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
 - (B) is equipped with foot rests for the passenger that is separate from the foot rests for the driver;

"multi-purpose off-highway utility vehicle" means an off-road vehicle that,

- a) has four or more wheels, the tires of which are all in contact with the ground,
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled, and
- d) has a minimum cargo capacity of 159 kilograms;

"recreational off-highway vehicle" means an off-road vehicle that,

- a) has four or more wheels, the tires of which are all in contact with the ground,
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled, and
- d) has an engine displacement equal to or less than 1,000 cubic centimeters;

- 2.3 **C.A.O.** shall mean the Chief Administrative Officer of the Town of Wasaga Beach, or his/her designate;
- 2.4 **Construction** includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith;
- 2.5 **Construction Equipment** means any equipment or device designed and intended for use in construction or material handling, including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors, and rollers, pumps, concrete mixers, graders, or other material handling equipment;
- 2.6 **Construction Prohibited Hours** means construction activities, including the use of constructive equipment, must cease from the time set out, in the evening (pm) hours of one day, until the morning (am) hours of the following day. Where a day of the week is "named" (i.e. Sunday) the prohibition refers to the prohibited evening hours (pm) of the previous day (i.e. Saturday) until the morning hours (am) of the "named" day.
- 2.7 **Construction Site** means the area or portion of land used for construction or any other area used for any purpose related to the construction or for any related purpose;
- 2.8 **Conveyance** includes a vehicle and any other device employed to transport a person or goods from place to place, but does not include any such device or vehicle if operated only within the premises of a person;
- 2.9 **Council** shall mean the Council of the Town of Wasaga Beach, at the times relevant;
- 2.10 **County** shall mean the County of Simcoe, Ontario Canada;
- 2.11 **Drone or Similar Vehicle** shall include any vehicle required to be licensed, whether or not it is licensed, that is capable of aerial flight for any purpose.
- 2.12 **Dumping** includes throwing, scattering, dropping, placing or otherwise depositing garbage, rubbish, refuse, yard waste, leaves or debris, except for in a garbage or recycling container intended for such use or placed in

an area for waste collection, and “**Dump**” shall have a corresponding meaning;

- 2.13 **Dwelling** shall mean the actual room or rooms of a building that are used as residential accommodations;
- 2.14 **Effective Muffler** means an original approved muffler that was installed at the time of manufacture or an equivalent approved replacement muffler in good working order and when in constant operation that prevents excessive or unusual noise or excessive smoke, but it does not include a cut-out muffler, straight exhaust gutted muffler, Hollywood muffler, by-pass or similar device;
- 2.15 **General Nuisance** shall include, but not limited to, any public display, words or vocalizations or actions or activities that have the effect of displeasing or offending the average resident, visitor, or by-stander at the specific moment or in the viewing of property and the environment after the nuisance has occurred, whether or not the nuisance action occurred on public lands or from a private land(s) that are clearly visible by persons or the adjacent private or public lands;
- 2.16 **Highway** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;
- 2.17 **Littering** includes throwing, scattering, dropping, placing or otherwise depositing garbage, rubbish, refuse or debris, except in a garbage or recycling container intended for such use and, “**Litter**” shall have a corresponding meaning;
- 2.18 **Motor Vehicle** includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, farm tractors, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act;
- 2.19 **Motorized Conveyance** means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;
- 2.20 **Municipality** shall be all lands and waters contained within the boundaries set-out in regulation that constitute the Municipality of the Corporation of the Town of Wasaga Beach, and include any additions or annexations that may occur from time to time;

- 2.21 **Municipal Act** means the *Municipal Act, 2001*, S.O. 2001, c. 25; as amended;
- 2.22 **Municipal Lands** shall be Town Lands;
- 2.23 **Musical Instrument** means any devices that are capable of producing sounds that are activated and controlled by a person;
- 2.24 **Noise** means unwanted sound that is clearly audible at the point of reception;
- 2.25 **Noise Nuisance** Notwithstanding certain sounds are permitted by Appendix "A", any use of sounds that is excessive, alarming, unusual or annoying to a substantial number of residents or visitors or to the community at large, based upon the cumulative considerations of all factors including the nature and frequency of complaints, its audibility at Point of Reception, environmental conditions and any extenuating or aggravated circumstances including any medical conditions;
- 2.26 **Nuisance** shall mean a General Nuisance or Noise Nuisance, Nuisance Event, Nuisance Dust or Nuisance Vibration.
- 2.27 **Nuisance Dust** shall mean the creation and dispersion of particular matter from one property to another that is created by an action or activity of an individual or business that has an adverse effect on the neighbourhood, but shall not include sand carried by winds.
- 2.28 **Nuisance Vibration** shall mean vibration that is likely to disturb the inhabitants at the point of reception.
- 2.29 **Nuisance Event** means a gathering on Premises which, by reason of the conduct of the persons in attendance, results in any one or more of the following activities occurring:
- a) Public disorderly conduct;
 - b) Public drunkenness or public intoxication;
 - c) The unlawful sale, furnishing or distribution of alcoholic beverages or controlled or illegal substances;
 - d) The deposit of refuse on public or private property;
 - e) Damage to or destruction of public or private property;
 - f) Pedestrian traffic, vehicular traffic or illegal parking that obstructs the free flow of traffic or could interfere with the ability to provide emergency services;
 - g) Unreasonable noise, including loud music or shouting, that is of such a volume or nature that it is likely to disturb many inhabitants of the Town;

- h) Unlawful open burning or fireworks discharge;
 - i) Public disturbance, including a public brawl or violence; or
 - j) Outdoor public urination or defecation;
- 2.30 **Officer(s)** shall mean a Municipal Law Enforcement Officer or an Ontario Provincial Police Officer, and anyone else appointed by Council to administer this By-law;
- 2.31 **Order to Discontinue Activity** shall mean the verbal or written Order of an Officer to stop the contravening activity(s), or to take such actions that will result in compliance with the By-law.
- 2.32 **Order to Perform Work** shall mean the verbal or written Order of an Officer to perform work or works necessary to comply with this by-law.
- 2.33 **Owner** includes the person(s) who own property and includes tenants and persons in control or apparent control of the property at the relevant time(s);
- 2.34 **Point of Reception** means any point on the premises of a person where sound or vibration originating from other than those premises is received.
- 2.35 **Police Authority** shall mean the Ontario Provincial Police;
- 2.36 **Power Device** is any powered device used in the servicing, maintenance or repair of property except devices driven by muscular power only and snow blowers;
- 2.37 **Premises** means a piece of land and any buildings and structures on it, and includes a place of business, road, and any other location or place;
- 2.38 **Public Place** includes a Highway and any place to which the public has access as of right or by invitation, express or implied, which may include Public Property, and private property that is exposed to public view, but does not include a washroom facility;
- 2.39 **Public Service Box** includes Canada Post Mailboxes, or relay box, newspaper box, Blue Box, Recycle Bins/boxes, Garbage enclosures/bins;
- 2.40 **Residence** shall mean where someone resides;
- 2.41 **Residential Lands** shall mean those lands set out in the Town's Zoning By-law that are designated R1, R2, RE or RM, R4 including any "Holding" variations of same, but does not include lands designated as Tourist Commercial (CT) or Commercial Accommodation (CA);

- 2.42 Senior Municipal Law Enforcement Officer** shall mean the Senior Municipal Law Enforcement Officer of the Town of Wasaga Beach, or his/her designate;
- 2.43 Sound Amplifying System** means any system of loudspeakers, amplifiers, microphones or reproducers or any combination of such equipment, including electronic devices or electro-mechanical transducers, used in the reproduction or amplification of music, speech or other sounds;
- 2.44 Sound Reproduction Device** means a device intended primarily for the production of reproduction of sound, including, but not limited to, any musical instrument, radio receiver, television receiver, tape recorder, phonograph or sound amplifying system;
- 2.45 Special Event** shall mean where a person has applied to the Town of Wasaga Beach to conduct a Special Event and Council has approved the event, with or without conditions;
- 2.46 Substantial Number of Residents/Visitors/Community at Large** shall mean more than 5 individual property locations and/or 10 or more individual complaints on at least 3 separate properties.
- 2.47 T.A.C.** shall mean a Tourist Accommodation Conversion Property that utilizes more than one unit as a residence on an annual basis or as identified in Appendix "C", and may include a business that is licensed by the Town as a Tourist Accommodation.
- 2.48 Tourist Accommodation** shall mean for the purpose of this By-law those lands set out in the Town's Zoning By-law that are designated CA or CT and are being used for the intended purpose, but does not include such CA or CT zoned lands that possess more than one unit that is utilized as a residence for more than 31 consecutive days;
- 2.49 Town** shall mean the Corporation of the Town of Wasaga Beach;
- 2.50 Town Lands** shall mean all lands owned, leased or under control of the Town and Municipal lands shall have the same meaning;
- 2.51 Unusual Noise** is any sound that is likely to disturb the inhabitants of the Town;
- 2.52 Vibration** shall mean a repetitive motion that causes a surface to transfer energy into another surface, person, or object that is detected by touch, visual or auditory senses.

2.53 Zoning By-law shall mean the Town's most current Zoning By-law, as amended, made pursuant to the Planning Act, R.S.O. Section 34.

3. General Prohibitions- Noise/Sound

3.1 Clearly Audible – Sounds

No person shall within the boundary of the Municipality shall make, cause, emit or permit the emission of sound resulting from an act listed below, which sound is clearly audible at the point of reception.

- 3.1.1 Racing of any motorized conveyance other than in a racing event regulated by law;
- 3.1.2 The operation of a motor vehicle in such a way that tires squeal;
- 3.1.3 The operation of any combustion engine or pneumatic device without an effective exhaust or intake muffling device in good working order and in constant operation;
- 3.1.4 The operation of a motorized conveyance or a motorized with a trailer resulting in banging, clanking, squealing or other like sounds, due to improperly secured load or equipment, or inadequate maintenance;
- 3.1.5 The operation of any horn or other warning device in or on a motorized conveyance except where required by law or in accordance with good safety practices;
- 3.1.6 The operation of any item of construction equipment without effective muffling devices in good working order and in constant operation;
- 3.1.7 Sounds- Place & Time Restricted - Appendix "A" attached
 - a) Notwithstanding the authorizations to make noise that is not a nuisance in Appendix "A" above, where any premises is convicted of two (2) or more violations of emitting or causing to be emitted noises that are likely to disturb the inhabitants or any violation of creating a nuisance, shall lose the right to claim exemptions as set out in Appendix "A" for a period of two (2) years from the date of conviction of the second offence.
 - b) Where a person or corporation has lost the right to claim an exemption in Appendix "A" above, they may apply to Council for

reinstatement of such exemptions pursuant to the process set out in Section 11 of this by-law, and Council may grant such a request with any conditions they deem appropriate.

4. General Limitations – Residential Air Conditioners

4.1 No person shall emit or cause or permit the emission of sound from the operation of a residential air-conditioning device of a type referred to in Publication NPC-216 – “Residential Air Conditioning Devices” resulting in a sound level at a point of reception located in a residential area in excess of the applicable sound level limit set out in Publication NPC- 216 – “Residential Air Conditioning Devices”.

4.2 No person shall emit or cause or permit the emission of any sound from any air-conditioning device of a type referred to in Publication NPC – 216 – “Residential Ai Conditioning Devices” unless one of the following applies:

4.2.1 The device was manufactured prior to January 1, 1979.

4.2.2 The device bears a label affixed by the manufacturer or distributor which states the year of manufacture and that the device when new complied with the sound emission standard set out in Publication MPC-216 – “Residential Air Conditioning Devices,” as applicable to that type of device and date of manufacture.

4.2.3 The owner, operator, manufacturer or distributor provides proof that the device when new complied with the sound emission standard set out in Publication NPC-216 – “Residential Air Conditioning Devices,” as applicable to that type of air conditioner and date of manufacturer.

5. Disturbing Religious Ceremony in a place of Worship

No person shall make, cause or permit the emission of sound that disturbs a religious ceremony in a place of worship.

6. Noise to Disturb

No person within the municipality shall make, cause, emit or permit the emission of noises likely to disturb the inhabitants except as otherwise permitted by this By-law.

7. Unusual Noises

No person within the municipality shall make, cause, emit or permit the emission of unusual noises except as otherwise permitted by this By-law.

8. Exemptions – General Noise

8.1 Public Safety

Notwithstanding any other provision of this By-law, it shall be lawful to emit or cause or permit the emission of sound or vibration in connection with emergency measures undertaken:

- a) for the immediate health, safety or welfare of the inhabitants or any of them; or
- b) for the preservation or restoration of property;

unless such sound or vibration is clearly of a longer duration or nature more disturbing, than is reasonably necessary for the accomplishment of such emergency purpose.

8.2 Snow Clearing and Maintenance Operations

Notwithstanding any other provision of this By-law, it shall be lawful to emit or cause or permit the emission of sound or vibration in connection with snow clearing and maintenance undertaken by the operation of vehicles, equipment and construction equipment for the clearing and removal of snow from public and private property.

8.3 Municipal Road Maintenance and Clearing Operations

Notwithstanding any other provision of this By-law, it shall be lawful to emit or cause or permit the emission of sound or vibration in connection with Municipal road maintenance and clearing operation required by the municipality.

8.4 Sounding or Ringing of Church Bells and Chimes

Notwithstanding any other provision of this By-law, it shall be lawful to emit or cause or permit the emission of sound or vibration in connection with

the sounding or ringing of church bells and chimes, except where it causes a Nuisance Event.

8.5 The Sound of Military or other Bands or Parades

Notwithstanding any other provision of this By-law, it shall be lawful to emit or cause or permit the emission of sound or vibration in connection with the sound of any military or other band, or of any parade for which written permission has been obtained from the municipality.

8.6 Discharging of Firearms

Notwithstanding any other provision of this By-law, it shall be lawful to emit or cause or permit the emission of sound or vibration in connection with a Municipal Law Enforcement Officer, Animal Control Officer or Police Officer discharging a firearm in the lawful performance of duty, or where otherwise an exemption has been approved in accordance with this by-law.

9. Delegation to Designated Official(s)/Minor Noise Exemptions

9.1 Pursuant to section 23.1 of the Act, Council hereby delegates to the Designated Official the power to issue permits granting an exemption from any of the provisions of this by-law.

9.2 The delegation of power in subsection (2) may be revoked by Council at any time without notice.

9.3 Council shall exercise all powers and authority for granting exemptions under this by-law where the Designated Official refers the matter to Council.

9.4 Notwithstanding anything contained in this By-law, any person may make application to the Senior Municipal Law Enforcement Officer of the Town, to be granted an exemption from any provision of the By-law, for special circumstances where the exemption is for less than six (6) hours in length and the following apply:

9.4.1 A one-time request and not for more than one date.

9.4.2 Has not been previously granted in the last year immediately preceding the application for the same premises.

9.4.3 It is for a family or religious celebration of less than 30 people.

- 9.4.4 Is not for profit or gain.
- 9.4.5 No admission fee or other money of valuable consideration is realized.
- 9.4.6 Is not open to the general public.
- 9.4.7 Is not held on public property.
- 9.4.8 Is conditional on not creating a nuisance noise or event.
- 9.5 Where the Senior Municipal Law Enforcement Officer has received a fully completed application in the required time, and when due consideration has been given to all factors surrounding the exemption request; the Senior Municipal Law Enforcement Officer may authorize an exemption that contains any conditions they feel are needed to properly regulate the activity.
- 9.6 Where such authorization is given; the application must adhere to the conditions, or the permit is VOID.
- 9.7 The Senior Municipal Law Enforcement Officer may revoke the permit at any time after issuance if they believe that false, inaccurate or outdated information was contained in the application.
- 9.8 The Senior Municipal Law Enforcement Officer may revoke the permit where he believes the event constitutes a nuisance or where other by-law infractions are alleged.
- 9.9 The Senior Municipal Law Enforcement Officer may refuse to issue an exemption permit and the aggrieved party may then appeal to the C.A.O, and failing approval, then Council, utilizing the same procedure set out in the Town's Business Licensing By-law for refusals of a business licence application.
- 9.10 Where someone does not qualify to apply to the Senior Municipal Law Enforcement Officer under 9.4 above, or they were refused or revoked, they may apply to Council, through the appropriate standing committee as the C.A.O. designates, to hear any such application or appeal (upon refusal/revocation under 9.7/9.8 above).

10. Exemptions – Special Event Approval

Notwithstanding the provisions of this By-law; where any person has applied for approval, of a Town sanctioned Special Event, and has requested in that approval:

- a) An activity or event that may directly or indirectly, create sounds that would otherwise contravene this by-law; or
- b) An activity or events specifically request exemptions to general prohibition for clearly audible sounds (section 3.1),

the approval obtained will be deemed to have also granted exemption to the applicable provisions of this By-law, unless specifically stated that it does not approve certain sounds or certain activities likely to create such sounds., nuisances, or a nuisance event.

11. Exemptions – Council

11.1 Application to Council

Notwithstanding anything contained in this By-law, any person may make application a minimum of 60 days prior to the date(s) requiring an exemption, to Council through the appropriate committee of Council as specified by the C.A.O., to be granted an exemption from any of the provisions of this By-law with respect to any source of sound or vibration for which he might be prosecuted and Council, by resolution, may refuse to grant any exemption or may grant the exemption applied for or any exemption of lesser effect and any exemption granted shall specify the time period of a duration not in excess of six months, during which it is effective, and may contain such items and conditions as Council sees fit.

11.2 Expedited Application

11.2.1 Where the event, for which exemptions is sought, is within 60 days or less, the application, after paying the prescribed fee set out in the Fees & Charges By-law, may submit an "expedited request for exemption for the Noise & Nuisance By-law" to the Municipal Law Enforcement Department for expedited processing.

11.2.2 Where such a fully completed application is received, the Senior Municipal Law Enforcement Officer shall immediately notify the C.A.O. of the application.

11.2.3 Where the C.A.O approves of the expedited process, the application shall be forwarded to Council members for review and response.

11.2.4 The C.A.O. shall issue a permit, with any additional conditions he/she deems appropriate, where all the following conditions have been met:

- (1) All of the Councillors notified under Subsection B have either:
 - (a) Not responded within 14 days of the notice; or
 - (b) Responded indicating that they have no objection to the application being approved.
- (2) The applicant has complied with all terms and conditions of approval of the last permit issued to them under this section, if any.
- (3) The applicant has provided the following:
 - (a) The applicant's name, address, and telephone number;
 - (b) The date, time and location of the event or activity for which the permit is sought and, where applicable, the number of people expected to attend;
 - (c) The purpose for which the permit is required;
 - (d) The description of any sound or construction equipment to be used;
 - (e) The name, address and telephone number of at least one contact person who will supervise the event or activity; and
 - (f) A written undertaking that one or more contact persons responsible for supervising the event or activity will be on -site during the entire event or activity to ensure compliance with the terms and conditions of the permit.
- (4) The applicant enters into a written agreement satisfactory to the C.A.O. concerning compliance with the terms and conditions of the permit.
- (5) The applicant has paid all required fees.

11.2.5 A permit issued under Subsection 11.2.4 shall be subject to the following terms and conditions:

- (1) The sound emitted from any equipment shall not create a noise nuisance, or nuisance event;
- (2) Where the sound does create a noise nuisance or nuisance event, the applicant shall comply with any request of an officer with respect to the volume of sound from the equipment to ensure compliance with this by-law;

- (3) No sound or construction equipment other than the equipment approved under the permit shall be used by the applicant;
- (4) The event or activity shall be restricted to the approved location; and
- (5) The permission granted is for the date and times for the event or activity as set out in the permit.

11.2.6 Where the C.A.O. refuses to grant a permit under this section, the applicant shall be notified in writing and advised that they may appeal the C.A.O.'s decision to Council and may avail of the appeal process set out in 9.10 above.

12. Nuisance Control

12.1 Prohibitions – Nuisance – General

No person without lawful authority, within the town boundary of the Municipality shall make, cause, be a party to the act, or permit any act or action that includes, but not limited to the following prohibited nuisances:

- a) Disorderly conduct;
- b) Public Drunkenness or Public Intoxication;
- c) The unlawful sale, furnishing or distribution of alcoholic beverages or controlled substances;
- d) The deposit of refuse on public property;
- e) Damage, defacement or destruction of public property;
- f) Actions to impede pedestrian traffic, vehicular traffic or, illegal parking that obstructs the free flow of traffic or could interfere with the ability to provide emergency services;
- g) Unreasonable noise for the circumstances, regardless if it would otherwise be in "permitted hours" of the Appendix "A" (Time & Place Sounds);
- h) Unlawful open burning or fireworks in a public area;
- i) Public disturbances, including public brawls or public fights;
- j) Emitting an excessive amount of smoke, dust or airborne particulate matter in a public place;
- k) Knock over, or attempt to knock over, a portable toilet, a public service box, including a Canada Post mail box or relay box, newspaper box or a garbage or recycling container, lawfully located on a Highway;
- l) Block, interfere, obstruct or otherwise impede the passage of any pedestrian on a Highway or Municipal and other Property, including sidewalks, parks, pedestrian mall, splash pad, bus shelters or public benches;

- m) Be within 3meters of a street, sidewalk or pedestrian area and discharge or release fire, water, vapours or noise by any means whatsoever;
- n) Outdoor public urination, defecation or vomiting or spitting.

13. Prohibition – Nuisance Event

- 13.1** No person shall sponsor, conduct, continue, host, create, cause, permit or attend a Nuisance Event.
- 13.2** No person shall cause, create or be a party to a nuisance, including a nuisance event, anywhere within the Municipality.
- 13.3** No person who, individually or jointly with others, is an owner, occupant, tenant or who otherwise has rightful possession of or is in possessory control of any Premises, shall cause or permit a Nuisance Event on said Premises.
- 13.4** Upon the order of the Senior Municipal Law Enforcement Officer, CAO or the Police Authority, every person who is sponsoring, conducting, continuing, hosting, creating, causing, permitting or attending a Nuisance Event on specified Premises shall cease such sponsoring, conducting, continuing, hosting, creating, causing, permitting or attending of such Nuisance Event, and every person not residing on such Premises shall leave such Premises.
- 13.5** An order under this section shall identify:
 - a) The location of the Premises on which the contravention is occurring;
 - b) The reasonable particulars of the contravention of this by-law; and
 - c) The date and time by which there must be compliance with the order.
- 13.6** An order under this section may be given orally or may be served personally on the person to whom it is directed.
- 13.7** No person shall fail to leave Premises after having been directed to leave by an order pursuant to this section.
- 13.8** An Officer, in the interest of public safety, may temporarily close any highway or portion thereof to public travel where a Nuisance Event is occurring on or adjacent to the highway.

- 13.9 Where a highway or portion of a highway has been temporarily closed under this by-law, the common law right of passage by the public and the common law right of access by an owner of land abutting the highway or portion of the highway are restricted, as directed by an Officer.
- 13.10 No person shall use a highway or portion of a highway that has been temporarily closed under this by-law except with lawful authority or in accordance with the direction of an Officer.

14. Fees- Nuisance Party

- 14.1 The Town may imposed a fee or charge upon any person sponsoring, conducting, continuing, hosting, creating, causing or permitting a Nuisance Party and/or the owner of Premises where the Nuisance Event is held who causes or permits the Nuisance Event.
- 14.2 The amount of the said fee or charge shall be the estimate amount of administrative costs, costs of enforcement and all other costs incurred by the Town in responding to and addressing the Nuisance Event pursuant to this by-law and shall include but not limited to the following:
- a) Police Response
 - b) Fire Response
 - c) Ambulance Response
 - d) Municipal Law Enforcement Response
 - e) Road Department Response
- 14.3 Fees or charges imposed on a person pursuant to this by-law constitute a debt of the person to the Town.
- 14.4 Where all the owners of certain Premises are responsible for paying certain fees and charges pursuant to this by-law, the Town may add such fees and charges to the tax roll for the Premises and collect them in the same manner as municipal taxes.

15. Enforcement

- 15.1 Council hereby authorizes all Officers to enforce this by-law.
- 15.2 Each Officer is hereby authorized to inform any person of the provisions of this by-law and to request compliance therewith.

- 15.3** No person shall willfully obstruct, hinder or otherwise interfere with an Officer in the performance of the Officer's duties, rights, functions, powers or authority under this by-law.
- 15.4** Where an Officer has reasonable grounds to believe that an offence under this by-law has been committed by a person, the Officer may require the name, address and proof of identity of that person, and the person shall supply the required information.
- 15.5** Where anyone fails or refuses to immediately identify themselves to an Officer or where the information is found to be false or misleading, they shall be deemed to have willfully obstructed an Officer in the discharge of their duties.
- 15.6** Upon conviction for an offence under this by-law, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

16. Entry and Inspection

Officers shall have the right to enter and inspect property pursuant to the *Municipal Act, 2001*, sections 444 and 445, and set out in the Municipal By-law.

17. Obstruction

No person shall obstruct or attempt to obstruct any Officer or other person, who is exercising a power or performing a duty under this By-law or any other Town of Wasaga Beach By-law or the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or its predecessor.

18. Orders and Remedial Action

- 18.1** If an Officer is satisfied that a contravention of any By-law has occurred, the Officer may make an order requiring the person who contravened the By-law to discontinue the contravening activity, known as an Order to Discontinue Activity, requiring the person who contravened the By-law, or who caused or permitted the contravention, including the owner or occupier of the Land on which the contravention occurred, to discontinue the contravention.

18.1.1 An order under subsection 18.1 shall set out,

- a) reasonable particulars of the contravention adequate to identify the contravention and the municipal address on which the contravention occurred;
- b) the date by which there must be compliance with the order; and

18.2 If an Officer is satisfied that a contravention of any By-law has occurred, the Officer may make an order requiring the person who contravened the By-law to do work to correct the contravention, known as a Work Order to Perform Work.

18.2.1 An order under subsection 18.2 shall set out,

- a) reasonable particulars of the contravention adequate to identify the contravention and the municipal address of the property on which the contravention occurred;
- b) the work to be done and the date by which the work must be done; and

19. Offence

19.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and, pursuant to section 429 of the Act; all contraventions of this by-law are designated as continuing offences.

19.2 Every person, excluding a corporation, who is convicted of an offence, is liable to a maximum fine of \$25,000 for a first offence and a maximum fine of \$50,000 for a subsequent offence.

19.3 Every corporation who is convicted of an offence is liable to a maximum of \$50,000 for the first offence and to a maximum of \$100,000 for a subsequent offence.

19.4 In addition to the fine amounts set out in subsection 19.2 and 19.3, for each hour that an offence continues, it shall be deemed a continuing offence and the minimum fine shall be \$500 for every additional hour the offence continues to a maximum of \$10,000.

20. Schedules, Tables and Maps

The Appendix "A", Prohibitions by Time and Place, and three (3) associated aerial photographs, shall form part of this by-law.

21. Validity and Severability

Every provision of this By-law is declared to be severable from the remainder and if any provision of this By-law shall be declared invalid by a court of competent jurisdiction such declaration shall not affect the validity of the remainder.

22. Conflicts

22.1 This By-law shall apply in addition to the provisions of any other Town By-law and the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, provided that in the event of conflict with the provisions of any other Town By-law or the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, this By-law shall be paramount, provided such provisions are not contrary to law.

22.2 Nothing in this By-law shall limit any other statutory or common law rights or powers of the municipality or any Officer to enter on Land.

23. Repeal

THAT By-Law #2016-97 is hereby repealed.

24. Effective date

THAT this By-law shall come into force and take effect on the date of its final passing.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 19TH DAY OF FEBRUARY, 2019.

THE CORPORATION OF THE TOWN OF WASAGA BEACH



Nina Bifulchi, Mayor



Dina Lundy, Director, Legislative Services & Clerk

APPENDIX "A" – PROHIBITIONS BY TIME AND PLACE: NOISE & NUISANCE BY-LAW

Prohibition	Property Zoned Residential (R1, R2, R3, RE, RM) Other Commercial, Rural or Industrial Property not otherwise specified & T.A.C Properties	Commercial Tourist Accommodations (Zoned CA & CT) Bars/Restaurants (that serve alcohol and provide musical entertainment from time to time) that are located within 225meters of R1 zoned Residential properties	Commercial Bars/Restaurants (that serve alcohol and provide musical entertainment from time to time) that are located more than 225meters from R1 zoned Residential properties
1. The detonation of fireworks or explosive devices not used in construction	At all times (except approved fireworks days)	At all times (except approved fireworks days)	At all times (except approved fireworks days)
2. The discharge of firearms	At all times	At all times	At all times
3. The operation of a combustion engine which, a) Is, or b) Is used in, or c) Is intended for use in, a toy or model or replica of any device which model or replica has no function other than amusement and which is not a conveyance, d) Is a drone or similar vehicle when being lawfully operated	At all times	a-c) At all times d)11pm – 7am (or when creating a nuisance)	a-c) At all times d)12midnight-7am (or when creating a nuisance)
4. The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound.	11pm – 7am (or when creating a nuisance)	12midnight – 7am (or when creating a nuisance)	2am – 7am (same day) (or when creating a nuisance)

<p>5. The sound from or created by audio or visual device, public address system, sound equipment, loud speaker, or any musical or sound producing instrument of whatever kind when the same is played or operated in such a manner or with such volume as to disturb the peace, quiet, comfort or repose of any individual in any office, dwelling house, apartment, hotel, hospital, or any other type of residence.</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>2am – 7am (same day) (or when creating a nuisance)</p>
<p>6. The operation of any auditory signalling device, including but not limited to the ringing of bells or gongs and the blowing of horns, sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means except where required or authorized by law or in accordance with good safety practices.</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>
<p>7. The operation of any motorized conveyance other than on a highway or other place intended for its operation.</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>
<p>8. The venting, release or pressure relief of air, steam or other gaseous material, product or compound from any autoclave, boiler pressure vessel, pipe, valve, machine device or system.</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>

9. Persistent barking, calling or whining or other similar persistent noise making by any domestic pet, or any other animal kept or used for any purpose other than agriculture.	At all times	At all times	At all times
10. The operation of a commercial wash with air drying equipment.	At all times	When creating a nuisance	When creating a nuisance
11. Yelling, shouting, hooting, whistling, singing, or other boisterous activity.	11pm – 7am (or when creating a nuisance)	12midnight – 7am (or when creating a nuisance)	2am – 7am (same day) (or when creating a nuisance)
12. The operation of a power assisted hang glider or parafoil.	At all times	When creating a nuisance	When creating a nuisance
13. The operation of any item of snow making equipment.	11pm – 7am (or when creating a nuisance)	N/A	N/A
14. All selling or advertising by shouting or outcry or amplified sound.	11pm – 7am (or when creating a nuisance)	12midnight – 7am (or when creating a nuisance)	2am – 7am (same day) (or when creating a nuisance)
15. Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, products, materials, or refuse, whatsoever, unless necessary for the maintenance of essential services or the moving of private household effects.	11pm – 7am (or when creating a nuisance)	12midnight – 7am (or when creating a nuisance)	2am – 7am (same day) (or when creating a nuisance)
16. Construction Activities Weekdays (June 1- August 31)	9pm – 7am (or when creating a nuisance)	9pm – 7am (or when creating a nuisance)	9pm – 7am (or when creating a nuisance)
17. Construction Activities Weekdays (September 1- May 30)	7pm – 7am (or when creating a nuisance)	7pm – 7am (or when creating a nuisance)	7pm – 7am (or when creating a nuisance)
18. Construction Activities Saturdays (Year round)	7pm (Friday) – 7am Saturday) (or when creating a nuisance)	7pm (Friday) – 7am Saturday) (or when creating a nuisance)	7pm (Friday) – 7am Saturday) (or when creating a nuisance)
19.			
20. Construction Activities Sundays (Year round)	7pm (Saturday)- 10am (Sunday) (or when creating a nuisance)	7pm (Saturday)- 10am (Sunday) (or when creating a nuisance)	7pm (Saturday)- 10am (Sunday) (or when creating a nuisance)

21. The operation of any equipment in connection with construction Weekdays (June 1 – August 31)	9pm – 7am (or when creating a nuisance)	9pm – 7am (or when creating a nuisance)	9pm – 7am (or when creating a nuisance)
22. The operation of any equipment in connection with construction Weekdays (September 1 – May 30)	7pm – 7am (or when creating a nuisance)	7pm – 7am (or when creating a nuisance)	7pm – 7am (or when creating a nuisance)
23. The operation of any equipment in connection with construction Saturdays (Year round)	7pm (Friday) – 7am Saturday (or when creating a nuisance)	7pm (Friday) – 7am Saturday (or when creating a nuisance)	7pm (Friday) – 7am Saturday (or when creating a nuisance)
24. The operation of any equipment in connection with construction Sundays (Year round)	At all times	At all times	At all times
25. The operation or use of any powered lawnmowers (Monday – Saturday) Residential Lands	9pm – 9am (or when creating a nuisance)	9pm – 9am (or when creating a nuisance)	9pm – 9am (or when creating a nuisance)
26. The operation or use of any powered lawnmowers or landscape maintenance (Monday – Saturday) Non-Residential Lands	9pm – 6am (or when creating a nuisance)	9pm – 6am (or when creating a nuisance)	9pm – 6am (or when creating a nuisance)
27. The operation or use of any powered lawnmowers or landscape maintenance (Sundays) Residential Lands	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)
28. The operation or use of any powered lawnmowers or landscape maintenance (Sundays) Non-Residential Lands	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)
29. The operation of solid waste bulk lift or refuse compacting equipment (Monday-Saturday)	10pm – 7am (or when creating a nuisance)	10pm – 7am (or when creating a nuisance)	10pm – 7am (or when creating a nuisance)
30. The operation of solid waste bulk lift or refuse compacting equipment (Sundays)	10pm – 9am (or when creating a nuisance)	10pm – 9am (or when creating a nuisance)	10pm – 9am (or when creating a nuisance)

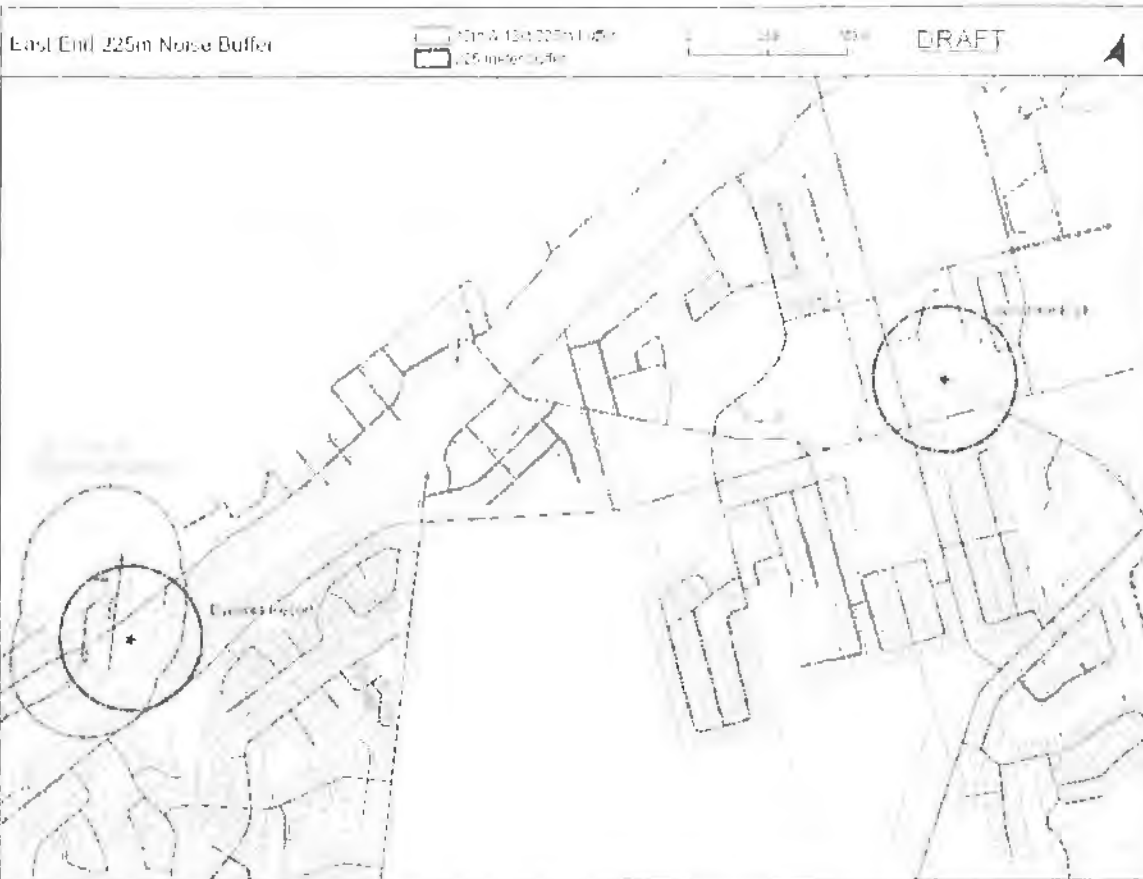
31. The operation of a commercial car wash of a type other than mentioned in item 10.	At all times	At all times	At all times
32. Property care, maintenance or recreational activity.	11pm – 7am (or when creating a nuisance)	11pm – 7am (or when creating a nuisance)	11pm – 7am (or when creating a nuisance)
33. Operation of an ATV/Off-Road Vehicle (April 1 – October 31)	11pm – 7am (or when creating a nuisance)	11pm – 7am (or when creating a nuisance)	11pm – 7am (or when creating a nuisance)
34. ATV Operation of an ATV/Off-Road Vehicle (Nov 1 – Merch 31)	At all times	At all times	At all times

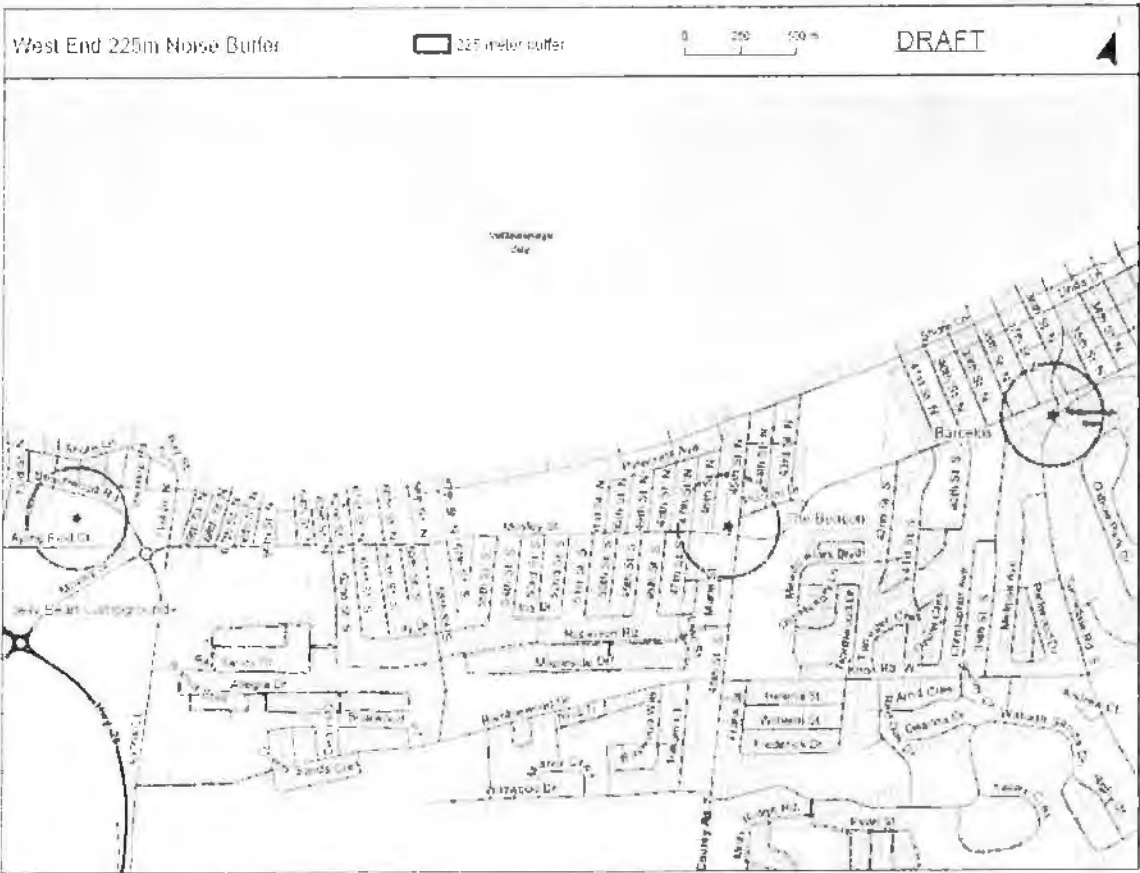
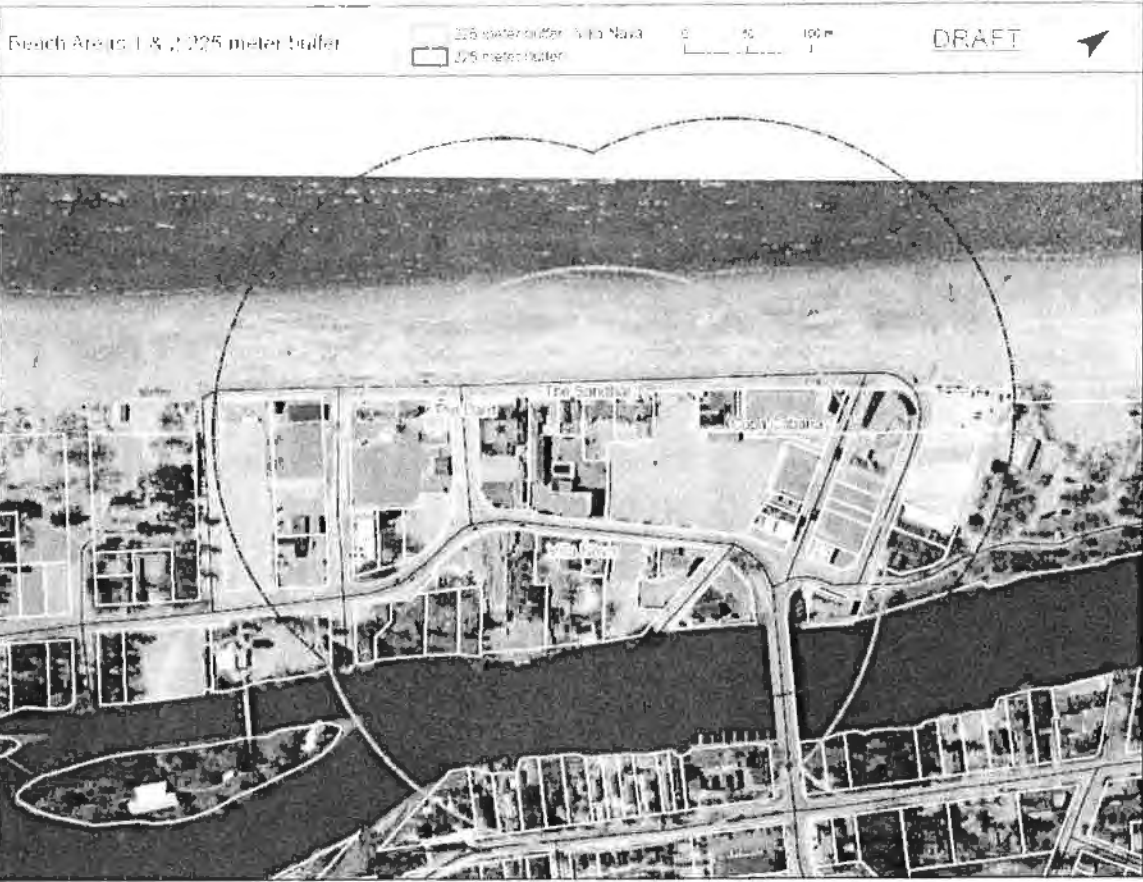
APPENDIX "B" – APPROVED FIREWORKS DAYS: NOISE & NUISANCE BY-LAW

1. Victoria Day – ALL DAY
2. Canada Day – ALL DAY
3. New Years Eve – ALL DAY
4. New Years Day – ALL DAY

APPENDIX "C" – IDENTIFIED T.A.C. PROPERTIES: NOISE & NUISANCE BY-LAW

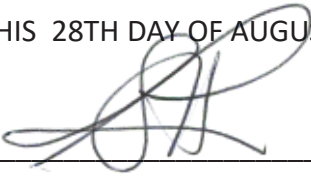
To be identified at a later date





THIS IS EXHIBIT "U" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023



2. That By-law 2019-15, Section 2, Definitions is further amended by repealing the following section:

2.46 **Substantial Number of Residents/Visitors/Community at Large** shall mean more than 5 individual property locations and/or 10 or more individual complaints on at least 3 separate properties

3. That By-law 2019-15, Section 12, Nuisance Control is hereby amended by adding the following sub-section:

12.2 No person without lawful authority, within the town boundary of the Municipality shall make, cause, be a party to the act, or permit any noise nuisance, regardless if it would otherwise be in the "permitted hours" of the Appendix A (Time & Place Sounds);

4. That By-law 2019-15, Section 19, Offence is hereby amended by adding the following sub-sections:

19.5 Every person who is issued a Part 1 offence notice or summons and is convicted of an offence under this By-law shall be subject to a fine, to a maximum as provided for in the Provincial Offences Act, R.S.O. 1990, C.P.33, as amended.

19.6 Upon conviction any penalty imposed under this By-law may be collected under the authority of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.

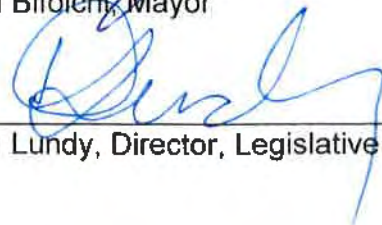
5. That By-law 2019-15, Appendix A, Prohibitions by Time and Place: Noise & Nuisance By-law, items 33 and 34 are hereby repealed.
6. That this By-Law shall come into force and take effect on the date of its final passing.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 26TH DAY OF NOVEMBER, 2019.

THE CORPORATION OF THE TOWN OF WASAGA BEACH



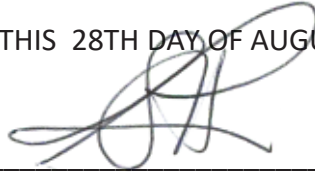
Nina Bifolehi, Mayor



Dina Lundy, Director, Legislative Services & Clerk

THIS IS EXHIBIT "V" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', written over a horizontal line.

RESOLUTION DATED: _____

BY-LAW: 2023-75 DATE: June 29/23

OTHER: _____

OF PGS: 2 DATE: Aug 23/23

SIGNATURE: [Signature]

LAURA EMILY BORLAND, a Commissioner, etc.,
Deputy Clerk, for the Corporation of the
Town of Wasaga Beach, County of Simcoe

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2023-75

A By-law to amend By-law No. 2019-15, being a by-law to control Noise and Nuisance within the Municipality

WHEREAS Section 8 of the *Municipal Act, 2001*, as amended provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Municipal Act, 2001*, as amended, grants municipalities the capacity, rights, power and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS Section 11(2) of the *Municipal Act* permits a municipality to pass by-laws respecting the public assets of the municipality, the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS Section 128 of the *Municipal Act* permits a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS Council of The Corporation of the Town of Wasaga Beach passed By-Law No. 2019-15, to control Noise and Nuisance within the Municipality, deems it expedient to amend the said by-law regarding noise nuisances and penalty provisions;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. That By-law 2019-15, Section 2, Definitions, A-weighted Sound Pressure Level is hereby amended by adding the following:
 - 2.3 The "A-weighted sound pressure level" is the sound pressure level modified by application of the A-weighting. It is measured in decibels, A-weighted, and denoted dBA.
2. That By-law 2019-15, Section 2, Definitions, Decibel is hereby amended by adding the following:
 - 2.12 The "decibel" is a dimensionless measure of sound level or sound pressure level;
3. That By-law 2019-15, Section 2, Definitions, Sound Level is hereby amended by adding the following:

2.19 The "sound level" is the sound level of an impulsive sound as measured with an Impulse Sound Level Meter set to impulse response. It is measured in A-weighted decibels, denoted dBA.

4. That By-law 2019-15, Section 2, Definitions, Sound Level Meter is hereby amended by adding the following:

2.20 is an instrument which is sensitive to and calibrated for the measurement of sound;

5. That By-law 2019-15 and By-law 2019-115, Section 2, Definitions subsection 2.29, is hereby repealed and replaced with the following:

"Noise Nuisance" Notwithstanding certain sounds are permitted by Appendix "A", any use of sounds that is excessive, alarming, unusual or annoying to two or more residents or visitors from different properties, or noise that does exceed 90 dBA from more than 15 meters from the property line, or based upon the cumulative considerations of all factors including the nature and frequency of complaints, environmental conditions and any extenuating or aggravated circumstances including any medical conditions;

6. That By-law 2019-15, Section 2, Definitions, Point of Reception is hereby amended by adding the following:

2.38 means any point on the premises of a person where sound originating from other than those premises is received;


7. That this By-Law shall come into force and take effect on the date of its final passing.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 29TH DAY OF JUNE, 2023.**

THE CORPORATION OF THE TOWN OF WASAGA BEACH



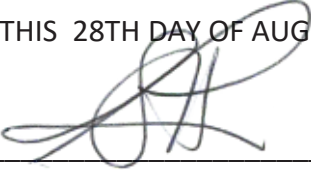
Brian Smith, Mayor



Nicole Rubli, Director, Legislative Services & Clerk

THIS IS EXHIBIT "W" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023



CERTIFIED TO BE A TRUE COPY OF:

RESOLUTION DATED: _____

BY-LAW: 2023-74 DATE: June 29/23

OTHER: _____

OF PGS: 5 DATE: Aug 23/23

SIGNATURE: [Signature] **THE CORPORATION OF THE TOWN OF WASAGA BEACH**

LAURA EMILY BORLAND, a Commissioner, etc.,
Deputy Clerk, for the Corporation of the
Town of Wasaga Beach, County of Simcoe

BY-LAW NO. 2023-74

A By-Law to Prohibit Vehicular Nuisance Events

WHEREAS Section 8 of the *Municipal Act, 2001*, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Municipal Act, 2001*, as amended, grants municipalities the capacity, rights, power and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS under Section 11 of the *Municipal Act, 2001*, as amended, a lower tier municipality may pass by-laws respecting matters within the sphere of jurisdiction set out therein;

AND WHEREAS Section 11(2) of the *Municipal Act, 2001*, permits a municipality to pass by-laws respecting the public assets of the municipality, the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS Section 128 of the *Municipal Act, 2001*, as amended, provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS the Town has been the targeted location for disruptive events that do not have a permit or permission from the Town involving motor vehicles;

AND WHEREAS Council is of the opinion that these events could cause a public nuisance;

AND WHEREAS Section 128(2) of the *Municipal Act, 2001*, as amended, provides that if the opinion of council under this section, if arrived in good faith, is not subject to review by any court;

AND WHEREAS The Corporation of the Town of Wasaga Beach has enacted By-law No. 2019-15 being a By-law to control Noise and Nuisance within the Municipality;

AND WHEREAS pursuant to the *Municipal Act, 2001*, SO. 2001, C.25, as amended, Section 11(3), a Municipality may pass by-laws respecting matters within their jurisdiction which includes highways, including opened and unopened road allowances and rights of way under the jurisdiction of the Town, and to permit temporary encroachment thereupon;

AND WHEREAS Section 35 of the *Municipal Act, 2001*, states that a municipality may pass by-laws removing or restricting the common law right of passage by the public over a highway and the common law right of access to the highway;

AND WHEREAS Section 23.1 of the *Municipal Act, 2001*, confirms that a municipality has authority to delegate its powers and duties;

NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach HEREBY ENACTS as follows:

1. **Short Title**

This by-law shall be known as the "*Car Rally By-law*"

2. **Assumption of By-law 2019-15**

2.1 For the purposes of interpreting and implementing this By-law, the provisions within By-law 2019-15, known as the "Noise and Nuisance By-law" are applicable to the matters within this By-law.

3. **Definitions**

3.1 **Car Rally** means any formal or informal event or exhibition consisting of the gathering of Vehicles. Such event may include, but are not, limited to Street-takeovers, Contests or Stunts;

3.2 **Contest** means any activity where one or more Persons engage in any of the following:

1. Driving two or more Vehicles at a rate of speed that is a marked departure from the lawful rate of speed and in a manner that indicates the drivers of the Vehicles are engaged in a competition;

2. Driving a Vehicle in a manner that indicates an intention to chase another Vehicle;

3. Driving a Vehicle without due care and attention, without reasonable consideration for other persons using the highway, or in a manner that may endanger any person by,

- i. driving a Vehicle at a rate of speed that is a marked departure from the lawful rate of speed,
- ii. outdistancing or attempting to outdistance one or more other Vehicles while driving at a rate of speed that is a marked departure from the lawful rate of speed, or

- iii repeatedly changing lanes in close proximity to other Vehicles so as to advance through the ordinary flow of traffic while driving at a rate of speed that is a marked departure from the lawful rate of speed;
- 4. Racing a Vehicle, tests of physical endurance involving Vehicles, or exhibition of speed or acceleration on any highway, roadway, property, or parking lot;
- 3.3 **Person** means the singular or plural of an individual or corporation, partnership, trust, incorporated or unincorporated association, joint venture, limited liability company, or other entity of any kind;
- 3.4 **Spectator** means any Person who is knowingly present at, and views, a Car Rally, when such presence is the result of an affirmative choice to attend or participate in the event. For purposes of determining whether a Person is a spectator, finders of fact shall consider the relationship between the operator of the Vehicle and the Person. Evidence of gambling or betting on the outcome of a Contest or Stunt, filming or recording the event, posting the event on social media, and any other factor that would tend to show knowing attendance or participation. This definition excludes *bona fide* members of the news media for news media purposes;
- 3.5 **Stunt** means any activity where a Person engages in any of the following.
 1. Driving a Vehicle in a manner that indicates an intention to lift some or all of its tires from the surface of the ground, but not including the use of lift axles on commercial motor vehicles;
 2. Driving a Vehicle in a manner that indicates an intention to cause some or all of its tires to lose traction with the surface of the road;
 3. Driving a Vehicle in a manner that indicates an intention to spin it or cause it to circle, without maintaining control over it;
 4. Driving two or more Vehicles side by side or in proximity to each other, where one of the Vehicles occupies a lane of traffic or other portion of the highway intended for use by oncoming traffic for a period of time that is longer than is reasonably required to pass another Vehicle;
 5. Driving a Vehicle with a Person in the trunk or on top of the motor vehicle;
 6. Driving a Vehicle while the driver is not sitting in the driver's seat;

7. Driving a Vehicle without due care and attention, without reasonable consideration for other Persons, or in a manner that may endanger any Person;

8. Operating a Vehicle for the purpose of filming or recording activities of a street takeover, Contest, or exhibition;

9. Performing a burnout whereby a Vehicle is kept stationary, or is in motion, while the wheels are spun, resulting in friction which causes the Vehicle's tires to emit smoke;

10. Performing a doughnut whereby the front or rear of the Vehicle is rotated around the opposite set of wheels in a continuous motion which may cause a circular skid-mark pattern of rubber on the driving surface or the tires to emit smoke from friction, or both;

- 3.6 **Vehicle** means any means of transportation propelled or driven by any kind of power, excluding purely muscular. Examples include, but are not limited to, all motor vehicles, trailers, traction engines, farm tractors, road-building machines, motorcycles, autocycles, mopeds, electric bicycles, all-terrain vehicles, and off-road vehicles. This definition includes vehicles not licensed to operate on a highway or roadway.

4. **General Prohibitions**

- 4.1 No Person shall, within the boundary of the Municipality, sponsor, collect money for, conduct, coordinate, facilitate, advertise, continue, host, create, cause, permit, participate in, be a Spectator, and/or attend any Car Rally that is unsanctioned and unapproved by the Town of Wasaga Beach.
- 4.2 No Person shall knowingly ride as a passenger in a Car Rally.
- 4.3 No Person shall purposefully cause the movement of traffic, including pedestrian traffic, to slow, stop, or be impeded in any way for such Car Rally.

5. **Fees, Enforcement, Orders, and Remedial Action**

- 5.1 Any Municipal Law Enforcement Officer, Ontario Provincial Police Officer, Fire Chief and anyone else appointed by Council to administer this By-law may take any action within By-law 2019-15 to enforce this By-law, and issue orders and charges against any Persons found to be contravening this by-law, including the owner or occupier of the land on which the contravention occurs.

- 5.2 A Municipal Law Enforcement Officer, Ontario Provincial Police Officer, Fire Chief, and anyone else appointed by Council to administer this By-law is authorized to order a road closure for the purposes of upholding this by-law.
- 5.3 A Municipal Law Enforcement Officer, Ontario Provincial Police Officer, Fire Chief, and anyone else appointed by Council to administer this By-law may temporarily close any road to public travel for the purpose of preventing or stopping a Car Rally for a period of time not more than 3 consecutive days.
- 5.4 Where a road or portion of a road has been temporarily closed under this by-law, the common law right of passage by the public over the road and the common law right of access to the road are restricted.

6. **Effective Date**

- 6.1 THAT this By-law shall come into force and take effect on the date of its final passing.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29TH DAY OF JUNE, 2023.

THE CORPORATION OF THE TOWN OF WASAGA BEACH


 Brian Smith, Mayor

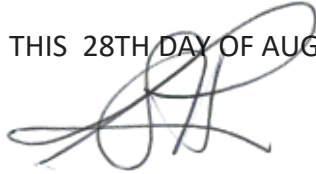

 Nicole Rubli, Clerk

CERTIFIED TO BE A TRUE COPY OF:
 RESOLUTION DATED: _____
 BY-LAW: _____ DATE: _____
 OTHER: _____
 # OF PGS: _____ DATE: _____
 SIGNATURE: _____

LAURA EMILY BORLAND, a Commissioner, etc.,
 Deputy Clerk, for the Corporation of the
 Town of Wasaga Beach, County of Simcoe

THIS IS EXHIBIT "X" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', written over a horizontal line.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2023-89

A By-law to amend By-law No. 2023-74, being a by-law to prohibit vehicular nuisance events within the Municipality

WHEREAS Section 8 of the *Municipal Act, 2001*, as amended provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Municipal Act, 2001*, as amended, grants municipalities the capacity, rights, power and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS Section 11(2) of the *Municipal Act* permits a municipality to pass by-laws respecting the public assets of the municipality, the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS Section 128 of the *Municipal Act* permits a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS Council of The Corporation of the Town of Wasaga Beach passed By-Law No. 2023-74, to prohibit vehicular nuisance within the Municipality, deems it expedient to amend the said by-law regarding offence provisions;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. That By-law 2023-74, Section 6, is hereby repealed and replaced by adding the following:

6. Offence Provisions

- 6.1 Every person who contravenes any provision of this by-law is guilty of an offence. Pursuant to the provisions of the Provincial Offences Act, R. S. O. 1990, c. P. 33 upon conviction a person is liable to a fine of not more than \$5,000, exclusive of costs, for each offence.
- 6.2 In addition to the provisions of Subsection (1), the Court in which the information is first laid and any court of competent jurisdiction thereafter, may issue an order prohibiting the contravention and repetition of the offence by the person convicted, and such order shall be in addition to any penalty imposed on the person convicted.

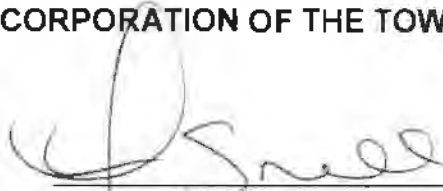
2. That By-law 2023-74, is hereby amended by adding the following section:

7. Effective Date

7.1 THAT this By-law shall come into force and take effect on the date of its final passing.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF AUGUST, 2023.

THE CORPORATION OF THE TOWN OF WASAGA BEACH



Tanya Snell, Deputy Mayor



Nicole Rubli, Director, Legislative Services & Clerk

CERTIFIED TO BE A TRUE COPY OF:

RESOLUTION DATED: Aug 24/23

BY-LAW: 2023-89 **DATE:** Aug 24th/23

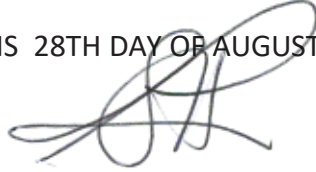
OTHER: _____

OF PAGES: 2 **DATE:** Aug 25/23

SIGNATURE: N. Rubli

THIS IS EXHIBIT "Y" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', written over a horizontal line.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2023-86

A By-law to amend Schedule "A" to By-Law #2005-12, being a By-Law to designate parts of highways under the jurisdiction of the Corporation of the Town of Wasaga Beach as Community Safety Zones

WHEREAS Section 214.1(1) of the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8, as amended by Bill 26, Chapter 6, Statutes of Ontario 1998 provides the Council of a municipality to designate community safety zones on parts of highways under its jurisdiction;

AND WHEREAS the Council of The Corporation of the Town of Wasaga Beach passed By-Law 2005-12 to designate certain areas as Community Safety Zones;

AND WHEREAS the Council of The Corporation of the Town of Wasaga Beach deems it expedient and necessary to establish a Downtown Community Safety Zone on Town Streets;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. **THAT** Schedule "A" to By-law #2005-12 is hereby amended by removing the following:

Column 1 Designated Highway Name	Column 2 From	Column 3 To	Column 4 In Effect
River Road East	40metres East of Main Street	60metres West of Zoo Park Road	24 hours a day, 7 days a week, every month
Main Street	145m North of River Road West	30meters South of Spruce Street	24 hours a day, 7 days a week, every month
Old Mosley Street	13 th Street	Mosley Street	24 hours a day, 7 days a week, every month

2. **THAT** Schedule "A" to By-Law #2005-12 is hereby amended by adding the following:

Column 1 Designated Highway Name	Column 2 From	Column 3 To	Column 4 In Effect
Downtown Community Safety Zone			
River Road West	East of Blueberry Trail	Village Gate Drive	24 hours a day, 7 days a week, every month

Mosley Street	East of 18 th Street North	Main Street	24 hours a day, 7 days a week, every month
River Road East	East of Main Street	Zoo Park Road	24 hours a day, 7 days a week, every month
Old Mosley Street	East of 18 th Street North	13 th Street South	24 hours a day, 7 days a week, every month
Main Street	North of River Road West	Spruce Street	24 hours a day, 7 days a week, every month
Spruce Street	Main Street	Beach Drive	24 hours a day, 7 days a week, every month
Beach Drive	Spruce Street	3 rd Street North	24 hours a day, 7 days a week, every month
3 rd Street North	Beach Drive	Mosley Street	24 hours a day, 7 days a week, every month

3. THAT this By-Law shall come into force and effect on the final passage thereof and upon placement of the appropriate community safety zone signage.

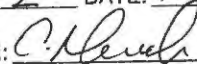
BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF AUGUST, 2023.

THE CORPORATION OF THE TOWN OF WASAGA BEACH


 Tanya Snell, Deputy Mayor


 Nicole Rubli, Director, Legislative Services & Clerk

CERTIFIED TO BE A TRUE COPY OF:

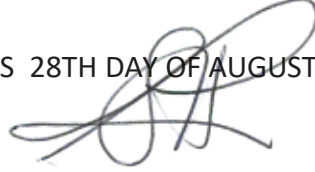
RESOLUTION DATED: _____
 BY-LAW: 202386 DATE: August 24, 2023
 OTHER: _____
 # OF PGS: 2 DATE: August 28, 2023
 SIGNATURE: 



CARLY MURDOCH, a Commissioner, etc.
 Records & Information Management Specialist
 for the Corporation of the
 Town of Wasaga Beach, County of Simcoe

THIS IS EXHIBIT "Z" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', written over the date text.



thoms_visuals

THOMS



Liked by hailey_pawliw and others

h2oi.ca3 September 2nd! Be there or hear about it!

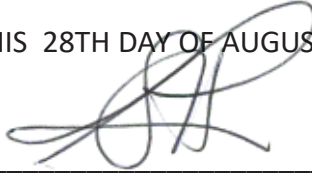
The OG spot.... Wasaga Beach it is. Thank you guys for all the love, support and the hundreds of dms.

#h2oi #h2oica #h2oicanada

View all 185 comments

THIS IS EXHIBIT "Aa" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be "DR", written over a horizontal line.



h2oi.ca3 8h



RULES TBA

NO BURNOUTS/DRIFTING

TILL 1AM

LET'S NOT GET SHUT DOWN

EARLY. PARK AND CHILL

ONLY

WELL....

SOMETHING LIKE THAT

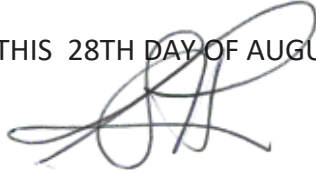
@ale.x.x.x

Send message




THIS IS EXHIBIT "Bb" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be "DR", written over a horizontal line.



h20i_wasaga 42m

🎵 Travis Scott · MELTDOWN... 



officialphatfarmcarmeets



@h20i_wasaga

@H20I_WASAGA

Send message





h20i_wasaga 42m

Skrillex, Missy Elliott, Mr. Oj... >



officialphatfarmcarmeets

SATURDAY
NIGHT
BEACH
MEET/PARTY
SEPT. 2ND
9PM
INFO TBA



H20I WASAGA 2023

VISUALS TK

@h20i_wasaga

@H20I_WASAGA

Send message





h20i_wasaga 26m (Firebeatz... >

...



officialphatfarmcarmeets

H20I WASAGA 2023 INFO

**THE BYLAWS
ARE FOR
WASAGA...
NOT
SURROUNDING
AREAS**

H20I_WASAGA

**MEETS WILL BE
HELD ALL AROUND
THE AREA MAINLY
OUTSIDE WASAGA
BUT VERY CLOSE
BY IN OTHER
TOWNS**

H20I_WASAGA

**NO TAKEOVER
ACTIVITIES AT
MEETS PERMITS
FOR LOTS ARE
SLOWLY BEING
APPROVED**

H20I_WASAGA

@h20i_wasaga

@H20I_WASAGA

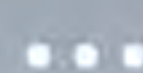
Send message





h20i_wasaga 26m

Gunna · fukumean



H20I WASAGA 2023



**PARK & CHILL
SEPT. 2ND
1PM
WALMART
WASAGA
BEACH**

HOSTED BY: @FUCKERY_FACTORY

@h20i_wasaga

@H20I_WASAGA

Send message





h20i_wasaga 26m

officialphatfarmcarmeets



**WETN WILD
BLOCK
PARTY
SUN. SEPT.
3RD
INFO TBA**

@H20I CANADA

MR.SUB

Plan-It



H20I WASAGA 2023

@h20i_wasaga

@H20I_WASAGA

Send message





h20i_wasaga 26m

officialphatfarmcarmeets



DOMESTIC VS. IMPORT SAT. SEPT 2ND INFO TBA

@H20I_WASAGA



H20I WASAGA 2023

@h20i_wasaga

@H20I_WASAGA

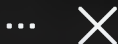
Send message





h20i_wasaga 26m

officialphatfarmcarmeets



H20I WASAGA 2023

QUICK FYI
WE ARE AGAINST ANY TYPE OF DRIFTING ACTIVITIES FOR THE WEEKEND

WE ARE TRYING TO MAKE THE LONG WEEKEND SAFE & ENJOYABLE FOR EVERYONE

NO BURNOUTS/DRIFTING WILL BE TOLERATED AT ANY MEETS

YOU WILL BE REPORTED TO LOCAL AUTHORITIES IF YOU ARE CAUGHT DOING THIS

COME OUT AND LETS ENJOY THE WEEKEND ON THE BEACH



@h20i_wasaga

@H20I_WASAGA

Send message





h20i_wasaga 45m

Green Neon DJ · The Hills x T... >



brianna_klerks_



@h20i_wasaga

[@h20i_wasaga](#)

Send message





officialphatfarmcarmeets 2h
Pitbull, Lil Jon · JUMPIN >



PERMITS FOR PARKING
LOTS ARE IN THE WORKS!

H20I WASAGA 2023



STANCE VS
BAGGED
SEPT 3RD
3PM
LOCATION TBA

@H20I_WASAGA

@h20i_wasaga

@H20I_WASAGA

Send message





officialphatfarmcarmeets 2h

Travis Scott · MELTDOWN...



@h20i_wasaga

@H2OI_WASAGA

Send message





officialphatfarmcarmeets 2h
Skrillex, Missy Elliott, Mr. O...



@h20i_wasaga

@H20I_WASAGA

Send message





officialphatfarmcarmeets 2h

Tyga · Bops Goin Brazy >



H20I WASAGA 2023

SEPTEMBER 1ST - 4TH



@h20i_wasaga

@H20I_WASAGA

Send message





officialphatfarmcarmeets 2h

Rune RK · Calabria (Firebeatz... >



H201 WASAGA 2023 INFO

**THE BYLAWS
ARE FOR
WASAGA...
NOT
SURROUNDING
AREAS**

H201_WASAGA

**MEETS WILL BE
HELD ALL AROUND
THE AREA MAINLY
OUTSIDE WASAGA
BUT VERY CLOSE
BY IN OTHER
TOWNS**

H201_WASAGA

**NO TAKEOVER
ACTIVITIES AT
MEETS PERMITS
FOR LOTS ARE
SLOWLY BEING
APPROVED**

H201_WASAGA

@h20i_wasaga

@H201_WASAGA

Send message





officialphatfarmcarmeets 2h
Gunna · fukumean



H20I WASAGA 2023



**PARK & CHILL
SEPT. 2ND
1PM
WALMART
WASAGA
BEACH**

HOSTED BY: @FUCKERY_FACTORY

@h20i_wasaga

@H20I_WASAGA

Send message





officialphatfarmcarmeets 2h

OhhThats Barbiee · Wet N... E >



**WETN WILD
BLOCK
PARTY
SUN. SEPT.
3RD
INFO TBA**

@H20I CANADA

MR.SUB

Mr. K



H20I WASAGA 2023

@h20i_wasaga

@H20I_WASAGA

Send message





officialphatfarmcarmeets 2h

Benny Benassi, The Biz ...



DOMESTIC VS. IMPORT SAT. SEPT 2ND INFO TBA

@H2OI_WASAGA



H2OI WASAGA 2023

@h20i_wasaga

@H2OI_WASAGA

Send message





officialphatfarmcarmeets 2h

S3BZS, MC GW, Mc Menor...



H2OI WASAGA 2023

QUICK FYI
WE ARE AGAINST ANY TYPE OF ACTIVITIES FOR THE WEEKEND

WE ARE TRYING TO MAKE THE LONG WEEKEND SAFE & ENJOYABLE FOR EVERYONE

NO BURNOUTS/DRIFTING WILL BE TOLERATED AT ANY MEETS

YOU WILL BE REPORTED TO LOCAL AUTHORITIES IF YOU ARE CAUGHT DOING THIS

COME OUT AND LETS ENJOY THE WEEKEND ON THE BEACH



@h2oi_wasaga

@H2OI_WASAGA

Send message





totakeoversss 34m



H20I WASAGA 2023



SEPTEMBER 1ST - 4TH

[CLICK TO JOIN THE H20I TELEGRAM CHAT](#)

[@h20i_wasaga](#)



Send message





h2oi_wasaga 12m



H2OI WASAGA 2023  

0 6 : 1 0 : 4 2

days hours minutes

Send message





h20i_wasaga 40m

Shoreline Mafia · Do the M... E >



H20I WASAGA 2023 INFO

**THE BYLAWS
ARE FOR
WASAGA...
NOT
SURROUNDING
AREAS**

H20I WASAGA

**MEETS WILL BE
HELD ALL AROUND
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BY IN OTHER
TOWNS**

H20I WASAGA

**NO TAKEOVER
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SLOWLY BEING
APPROVED**

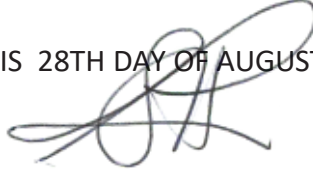
H20I WASAGA

Send message



THIS IS EXHIBIT "Cc" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', written over a horizontal line.

Reels



229



totakeoversss



2020 WAS A LIT ASS YEAR 🌟 😂 ...



🎵 totakeoversss · Original audio

📍 FUCK TI





totakeoversss 8h



Send message





totakeoversss 8h

↻ 📺 ka3ise



@totakeoversss

Send message





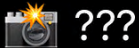
totakeoverss and takeoverstv

The Toronto Takeover



97 likes

totakeoverss Kings Of The Streets 👑



???

#TOTakeovers

11 minutes ago



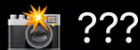
totakeoverss and takeoverstv

The Toronto Takeover



97 likes

totakeoverss Kings Of The Streets 👑

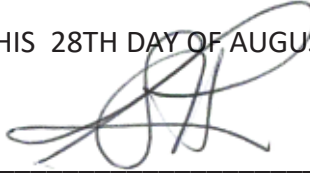


#TOTakeovers

11 minutes ago

THIS IS EXHIBIT "Dd" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', written over a horizontal line.

1:04



totakeoverss 22h

OhGeesy · Get Fly (feat. D... [E](#) >



[H201 MERCH](#)

H201 MERCH IS LIVE

CLICK THE LINK ABOVE



8:18



___kellsss 35m

Don't forget to grab your merch!!



12:57



h20i_wasaga 39m
📷 Layout by instagram >



H20i MERCH 🌊
(FINAL WEEK TO ORDER)
Link In Bio !

7:50

BY THE OTHER
TOWNS

H20I_WASAGA

**NO TAKEOVER
ACTIVITIES AT
MEETS PERMITS
FOR LOTS ARE
SLOWLY BEING
APPROVED**

H20I_WASAGA



10 likes

**h20i_wasaga H20I WASAGA 2023
SEPTEMBER 1-4th**

**WE DONT SUPPORT ANY TAKEOVER
ACTIVITIES!**

REMEMBER RESPECT THE LOTS & ME



7:52



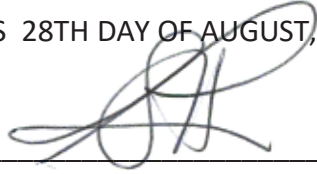
h20i_wasaga 1h



H20I MERCH 🌊
(FINAL WEEK TO ORDER)
Link In Bio !

THIS IS EXHIBIT "Ee" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be "DR", written over a horizontal line.




Telegram


DOWNLOAD



H2Oi wasaga 2023

H2OI 2023 

Wasaga Beach, Ont. 

Sept. 1st - 4th 

JOIN GROUP



Back

H20i wasaga 2023

87 members



Pinned Message #1

H20I 2023 🌊 Wasaga Beach, Ont. 🇨🇦 Sept...

August 23

D K joined the group via invite link

Unknown owner

Let's goooo 1:02 PM

905_movies joined the group via invite link



1:03 PM

Phantom joined the group via invite link

DK
Ain't no one ready 1:07 PM

Mopar Girl joined the group via invite link

Quiet joined the group via invite link

azhaar joined the group via invite link

6ixshots.to joined the group via invite link



Message



Back

H20i wasaga 2023

87 members



Pinned Message #1

H20I 2023 🌊 Wasaga Beach, Ont. 🇨🇦 Sept...

spliff joined the group via invite link

illa joined the group via invite link

Windowsxp joined the group via invite link

Av joined the group via invite link

Fuckery Factory joined the group via invite link

Angad Kochar joined the group via invite link

Blitz MK5 joined the group via invite link



2:28 PM

Jonathan Pearce joined the group via invite link



3:00 PM

Sideshowz joined the group via invite link



Message



Back

H20i wasaga 2023

87 members



Pinned Message #1

H20I 2023 🌊 Wasaga Beach, Ont. 🇨🇦 Sept...



3:00 PM

Sideshowz joined the group via invite link

Ant joined the group via invite link

Matt Vdub joined the group via invite link

Matt Vdub

What are all the events for the 2nd

3:07 PM

Car Blake joined the group via invite link



admin

I'll send all the info later on

3:07 PM

Matt Vdub

Okok bett

3:07 PM



3:08 PM



Message



Back

H20i wasaga 2023

87 members



Pinned Message #1

H20I 2023 🌊 Wasaga Beach, Ont. 🇨🇦 Sept...



3:08 PM



For now we gonna be adding more

3:09 PM

DK

1k anyone that wants to run a rs5 100

3:09 PM



Message



Back

H20i wasaga 2023

87 members



Pinned Message #1

H20I 2023 Wasaga Beach, Ont. Sept...



raz b

let's get it 6:34 PM

invited Jay Hosein

invited Stuburn

invited himothy

invited Jr

invited M6Ghost

invited J P

Phantom

Block party should be on the beach drive take over beach one 6:49 PM

admin Beach 6 is also open 24/7 and the lot is massive



6:50 PM

Phantom

Block the entrance so cops can't get in do what they did to us lol



6:52 PM

6ixshots.to



Message



Back

H20i wasaga 2023

87 members



Pinned Message #1

H20I 2023 🌊 Wasaga Beach, Ont. 🇨🇦 Sept...



joined the group via invite link

Philippe Patek joined the group via invite link

Alaira Wilson joined the group via invite link

SS 🤔 joined the group via invite link

Charlotte 🐱 joined the group via invite link

Ismail joined the group via invite link

raz b joined the group via invite link

Mikey joined the group via invite link

Mikey

Other then cars the block party is what I'm waiting for



6:34 PM

raz b

let's get it 6:34 PM

invited Jay Hosein

invited Stuburn

invited himothy

invited Jr

invited M6Ghost

invited J P



Message



Back

H2OI wasaga 2023

87 members



Pinned Message #1

H2OI 2023 🌊 Wasaga Beach, Ont. 🇨🇦 Sept...



DK

1k anyone that wants to run a
rs5 ¹⁰⁰

3:09 PM

She's bout to eatttt

3:11 PM

Unknown owner

H2OI 2023 🌊
Wasaga Beach, Ont. 🇨🇦
Sept. 1st - 4th



3:13 PM

Unknown pinned "H2OI 2023 🌊 Wa..."

6ixshots.to

@unknown1868 y'all still
running wet n wild?

3:15 PM

joined the group via invite link

Philippe Patek joined the group via invite link

Alaira Wilson joined the group via invite link

SS 🤔 joined the group via invite link

Charlotte 🐱 joined the group via invite link

Ismail joined the group via invite link

raz b joined the group via invite link



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo

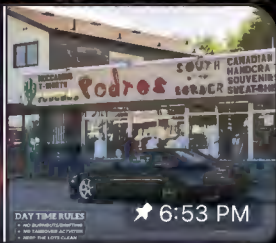


6ixshots.to

Real shit if mans keep it chill and keep the fuckery for the block party we can FUCK IT UP 🤪



6:53 PM



6:53 PM

U



illa

Properr, Looking forward to this

7:00 PM

booked off the Friday, I might have to come back Sunday night still gotta see abt work

7:02 PM

Raf joined the group via invite link

mteesyy joined the group via invite link

Jake Oakley joined the group



Message



Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



Jake Oakley
Ayee what up everyone



7:16 PM

pinned a photo

J joined the group via invite link

Cavs joined the group via invite link

Jacob None Your Business joined the group via invite link

August 24

mindoftherealone06 joined the group via invite link

Jose joined the group via invite link

4eignsaint joined the group via invite link

Ari .L joined the group via invite link

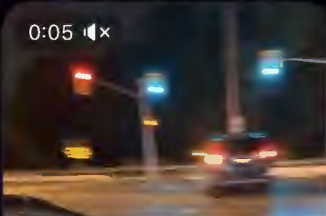
3K.JDW joined the group via invite link

J Frazee joined the group via invite link

Japan Mazda joined the group via invite link

silv bk1 joined the group via invite link

0:05



Message



Back

H20i wasaga 2023

87 members



Press volume button to unmute the video



12:13 PM



My bitch ready to eat 12:14 PM

mteesy my g ready to turn up the streets too 😂😂 12:19 PM

DK Aye u got that big stepper



12:19 PM

mteesvv

Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



mteesyy

still debating which color imma do for it for h20 12:20 PM



Purp 1 12:21 PM

She ready to claim wasaga 12:21 PM

mteesyy

DK

Purp

which typa purple 12:21 PM



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



DK

^^

12:21 PM

Both wtv u need 🦴 🦴

12:22 PM



12:22 PM

DK

We out here

12:22 PM

mteesyy

yessir

12:22 PM



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



my g black rn 12:24 PM

it got diff rims on tho 12:24 PM

it got some silver rims on it rn 12:24 PM

Ayden joined the group via invite link

mteesy
ignore the a million zipties on it
😭😭 12:29 PM



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



3K.JDW

atleast theres a rear bumper now 😂

1 12:29 PM

azhaar

is it auto or manual?

3 12:29 PM



12:29 PM

3K.JDW

atleast theres a...

azhaar

is it auto or manual?

auto and open diff sadly

12:30 PM

D K

Bought not built vs built not bought 😂😂

1 12:30 PM

mteesy

mteesy

auto and open diff sadly

she still gets sturdy asf tho 😭

12:30 PM



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



3K.JDW

see this man slide that shit fr couldnt tell its open diff



1 12:30 PM

azhaar

mteesyy

auto and open diff sadly

damn bruh 😂😂 12:30 PM

mteesyy

DK

Bought not built vs built not bought...

😭 i bought it dead stock then ran through just a few issues



12:30 PM

3K.JDW

see this man slide that shit fr couldn... everyone tells me that 😭😭



12:31 PM

DK

We bringin the big bitch out this year



Message



Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



DK

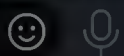
We bringin the big bitch out this year



12:31 PM



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



12:32 PM

3K.JDW

thats wild 12:32 PM



Wasn't finished last year she's dialed in now 12:32 PM

mteesy
gawd damn 12:33 PM



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



DK

Super pumped to bring it out

12:33 PM

mteesyy

then there's jus me in my stock g 😭😭

12:33 PM

u got that whip then a stock g



12:33 PM

3K.JDW

sayin that lambo is urs???

12:33 PM

DK

Everyone starts somewhere g

12:33 PM

My pops 12:33 PM

The rs is mine 12:33 PM

3K.JDW

crazy asf that thing sick 12:33 PM

both of em^ 12:33 PM

DK

1200 wheel in the lam 12:33 PM



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



Rwd 12:33 PM



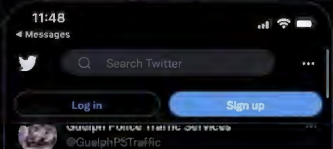
They both eat pretty good lol

12:35 PM

3K.JDW

wild fr

12:35 PM



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



Guelph police feel the need to flex on me 12:36 PM

mteesy
imma g1 driva 😭😭 12:37 PM

DK
Ain't no way 12:37 PM

3K.JDW
whattttt 12:37 PM

Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



3K.JDW

whattttt 12:37 PM

mt u only got g1?? 12:37 PM

mteesyy
sturdiest g1 driver 12:37 PM

yea 12:37 PM

D K
That boy wild 12:37 PM

3K.JDW
how old ru man 😭 12:37 PM

mteesyy
youngest in the scene 12:37 PM

D K
My boy playing w lava nvm fire 12:38 PM

3K.JDW
^^ 12:38 PM

didnt u get ur g1 suspended a month ago too? 12:38 PM

mteesyy
youngest in the scene



Message





Pinned Message #2

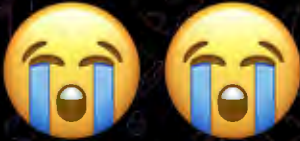
Photo



mteesyy

youngest in the scene 12:38 PM

and yea 12:38 PM



12:38 PM

DK

Next thing he gonna say no insurance either 12:38 PM

mteesyy

indeed^ 12:38 PM

3K.JDW

ngl i dont be driving wt insurance 12:38 PM

i got a G tho 12:38 PM

DK

Your a menace 12:38 PM

My car stays parked w no insurance



Message



Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



your a menace 12:38 PM

My car stays parked w no insurance 12:39 PM

mteesy mod 12:41 PM

idek if imma bring my car for h20 12:41 PM

if i do it has to be repainted 12:41 PM

and idek what color to do next 12:41 PM

6ixshots.to Pink 12:41 PM

mteesy snm hot pink?

👍👍👍 12:41 PM

DK Pride month long over 12:41 PM

mteesy barbie whoo? 12:41 PM

DK

H20i wasaga 2023

87 members



Pinned Message #2

Photo



DK

Relax on the pink 12:42 PM

mteesyy

hot pink wit a blonde hoe

12:42 PM

6ixshots.to

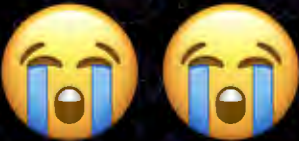
But yo realistically the cops just gotta take a coin and scratch the paint to see your silver, blue and black



12:42 PM

mteesyy

shhhhhh 12:42 PM



12:42 PM



Message



Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



mteesy

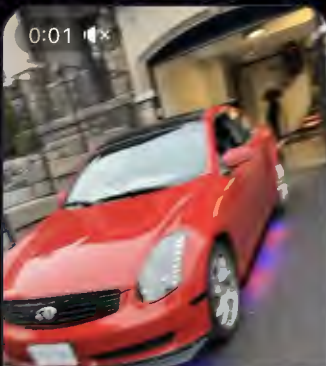
that's exactly why i never bring my car out

12:45 PM



hiding

12:54 PM



0:01



A



Message



Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



mteesy

relaxxxxx 12:56 PM

Stuburn

That car needs to be alot lower for underglow 12:56 PM

mteesy

lg 12:56 PM

ong 12:56 PM

Ayden

lk 😂 12:56 PM

Stuburn

Bro on stock suspension w underglow is wild 12:56 PM

Ayden

One thing at a time 12:56 PM

Stuburn

Suspension should always be first 12:57 PM

Ayden

Still a daily for now 12:57 PM



Message



Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



A Cant be too slammed 12:57 PM

Stuburn

I daily mine



12:57 PM

mteesy

stuburn is urs vq35de? 12:58 PM

Stuburn

Is now 12:58 PM

I swapped to de from revup

12:58 PM

mteesy

yea that's what i thought tbh from why i seen the de lasts longer 12:59 PM



Message



H20i wasaga 2023

87 members



Pinned Message #2

Photo



12:59 PM

Ayden 1:00 PM

Ayden
Hahaha 😂 1:00 PM

A She's low 1:00 PM

🤡 Stuburn 🤡
Just a little 1:00 PM

Ayden



Message





Pinned Message #2

Photo



Ayden

You on coils or springs? 1:00 PM

Stuburn

Coils 1:00 PM

Springs cant go that low 1:01 PM



1:01 PM

Ayden

What brands the best for g35 1:01 PM

Stuburn

Depends on ur price range bro 1:01 PM

Godspeed is good 1:01 PM

I have hsd 1:01 PM

Japan Mazda

Can't wait to bring my slammed miata out anyone



Message



< Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



Japan Mazda

Can't wait to bring my slammed miata out anyone heading out from cambridge?

1:01 PM

Stuburn

Tein is good

1:01 PM

Ayden

Okay ima look into coils soon

1:02 PM

Stuburn

Yuh

1:02 PM

mteesyy

i'm boutta jus full send and cut my springs 😎



1 1:02 PM

3K.JDW

im going outta elora kinda close to cambridge




1:02 PM

spliff



Message



 Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



spliff

mteesyy

i'm boutta jus full send and cut my s...

hockey pucks

1:02 PM

mteesyy

exacty 1:03 PM

hockey pucks then boom

1:03 PM

Japan Mazda

That's what I'm on 1:03 PM

mteesyy

deadass? 😭 1:04 PM

Japan Mazda

Pretty much rides like a bitch
but looks sick I got a 2 hour
ride up there on em

1:05 PM

mteesyy

rn on stock suspension my g
scrapes 😭

1:06 PM

on speed bumps 1:06 PM

[Sixshots.to](https://www.sixshots.to)

Message





Pinned Message #2

Photo



6ixshots.to

It's your hanging exhaust
scraping 1:07 PM

mteesy

shhh 1:07 PM

6ixshots.to

Nothing else 😭 1:07 PM

mteesy

i needa cut it more 1:07 PM

🤪 Stuburn 🤪

Just hang it back on the
hanger 1:07 PM

6ixshots.to

You need to invest in a muffler
1:07 PM

mteesy

i can't get it back on i tried
1:07 PM

6ixshots.to

Is everyone in here going h20?



← 2 1:08 PM



Message





Pinned Message #2

Photo



1:08 PM

supa low 1:08 PM

Japan Mazda

6ixshots.to

Is everyone in here going h20?

I am

1:08 PM

mteesyy

6ixshots.to

Is everyone in here going h20?

most likely

1:08 PM

6ixshots.to

If this shits dead we might as well just all get fucked up 😭




← 2 1:08 PM



Message



 Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



mteesy

i'm tryna find a ride 1:08 PM

if i don't bring the g 1:08 PM

3K.JDW

6ixshots.to

If this shits dead we might as well ju...

thats regardless 😂 1:08 PM

mteesy

anyone wanna give me a ride there 😎 1:08 PM

i'm on the way 1:08 PM

6ixshots.to

3K.JDW

thats regardless 😂

Rs

1:08 PM

mteesy

somehow everytime i get super ducked 1:10 PM

i end up falling off cars 1:10 PM



Message



< Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



i end up falling off cars 1:10 PM



elbow is mcfucked 1:10 PM

3K.JDW
what 1:12 PM

how are you falling off cars?
1:12 PM

mteesyy
if i'm being honest 1:12 PM

i don't remember 1:12 PM



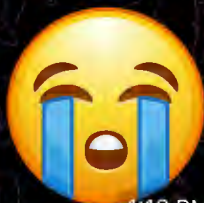
Message





Pinned Message #2

Photo



1:13 PM



1:22 PM



mteesy

anyone have a spare trunk lock thing for a g35

1:37 PM

mine kinda

1:38 PM



Message





Pinned Message #2

Photo



mine kinda 1:38 PM

broke 1:38 PM

so my trunks held on with zipties 1:38 PM

Stuburn
Who the fuck would have a spare dude 1:38 PM

Find a partout 1:38 PM

Theres tons 1:38 PM

mteesy
yea i'm asking if anyone in here is parting out one
3 1:38 PM

idk what happened 1:38 PM

my trunk just wouldn't open 1:38 PM

it was weird 1:39 PM

it was stuck locked 1:39 PM

Stuburn
Im sure thats what happened



Message





Pinned Message #2

Photo



mteesy

i'm being so deadass 1:42 PM

bro i tried to unlock it nothing

1:42 PM

i crawled into the back 1:42 PM

to use the emergency one

1:43 PM

it ain't work 1:43 PM

anyone need a g35 front left fender 1:45 PM



Message



< Back

H20i wasaga 2023

87 members



Pinned Message #2

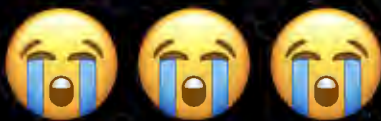
Photo



it's got a dent in it buh if u want it i'll give it for free 1:45 PM

DK
Where my Jewish guys at 1:45 PM

lk y'all seen free 1:46 PM



2:08 PM

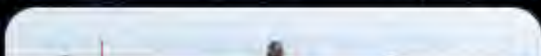


We'll see you all out there :)



2:37 PM

JF



Message



< Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



JF

2:37 PM



See you all there



3:36 PM

Matt Vdub

And leaving from mount forest or mount forest area

5:45 PM

Would love to get a cruise going up there

← 3 5:47 PM

raz b

| mteesyy

| yea i'm asking if anyone in here is p...

Lol shouldve asked last year when mine blew up

6:05 PM

| Matt Vdub



Message



[Back](#)

H20i wasaga 2023

87 members



Pinned Message #2

Photo

**Matt Vdub**

Would love to get a cruise going up...

Why dont we all gather
somewhere and cruise up

6:05 PM

would be sick 6:05 PM

mteesy**raz b**

Lol shouldve asked last year when...

i got my g this year

6:06 PM

Mitchell Gonzales joined the group via
invite link**Blitz MK5****raz b**

Why dont we all gather somewhere...

I'm headed up from Toronto on
Saturday

7:03 PM

mteesysomeone should scoop me on
the way 🤔

7:04 PM

i'm on the way 7:04 PM

Adam B joined the group via invite link



Message



< Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



Adam B joined the group via invite link


Adam B

Anyone heading up from london?

7:58 PM

Theo B joined the group via invite link

Yaqub joined the group via invite link

 invited Stefano

E joined the group via invite link

Samantha Jackson-terry joined the group via invite link

Даниил joined the group via invite link

Jacob None Your Business joined the group via invite link

Jacob None Your Business

I hope to God no one does stupid take over shit this year



3 11:21 PM

mteesy

Jacob None Your Business

I hope to God no one does stupid ta...

never takeovers are bad #fuck takeovers

11:21 PM


raz b

I...



Message



 Back

H20i wasaga 2023

87 members



Pinned Message #2

Photo



mteesy

Jacob None Your Business

I hope to God no one does stupid ta...

never takeovers are bad #fuck
takeovers

11:21 PM

raz b

mteesy

i got my g this year

G's always gonna have a
special place in my heart

11:41 PM

mteesy

me too

11:41 PM

raz b

Blitz MK5

I'm headed up from Toronto on Satu...

Shi im around richmond hill
vaughan

11:42 PM

mteesy

i'm proly going to 350z next

11:42 PM

gonna make it a track drift car

11:42 PM



Message



< Back

H20i wasaga 2023

87 members



Pinned Message

Quick FYI no takeovers bullshit Whatever y'all...



raz b

Fire i always wanted one of those

11:42 PM

mteesy

thinking of finding a rolling shell and swapping my vq35de

11:42 PM

Today



admin

Quick FYI
no takeovers bullshit
Whatever y'all do on the streets it's on you anything at the meets we have people writing plates down and reporting it to authorities. Y'all go destroy the streets not the meets.



3:00 AM



pinned "Quick FYI no t..."

Aiden (Stock TDI) joined the group via invite link

Dom Zatylny joined the group via invite



Message



< Back

H20i wasaga 2023

87 members



Pinned Message

Quick FYI no takeovers bullshit Whatever y'all...



5

3:00 AM

pinned "Quick FYI no t..."

Aiden (Stock TDI) joined the group via invite link

Dom Zatylny joined the group via invite link

Riley Legault joined the group via invite link

sab willems joined the group via invite link

Anshul joined the group via invite link

D joined the group via invite link

M. joined the group via invite link

David joined the group via invite link

325imaretard joined the group via invite link

joined the group via invite link

325imaretard

mteesyy

never takeovers are bad #fuck take...

Ain't no way

1:03 PM

D joined the group via invite link

S Anthony joined the group via invite link


S4_NoHesi joined the group via invite link

Duck Q joined the group via invite link



Message





 Back

H20i wasaga 2023

87 members



Pinned Message

Quick FYI no takeovers bullshit Whatever y'all...  Ain't no way

1:03 PM

D joined the group via invite link

S Anthony joined the group via invite link

S4_NoHesi joined the group via invite link

Dush.2x joined the group via invite link

Ben Rancourt joined the group via invite link

Sb joined the group via invite link

T.J joined the group via invite link

Tia Reece joined the group via invite link

Jay * joined the group via invite link

Mikhail haniffa joined the group via invite link

Aj joined the group via invite link

mteesyy

325imaretard

Ain't no way

shhhh 2:25 PM

Karol B58 joined the group via invite link

Arsh Dugg joined the group via invite link

C Mori joined the group via invite link

chincheckpapi joined the group via invite link

Dave D joined the group via invite link

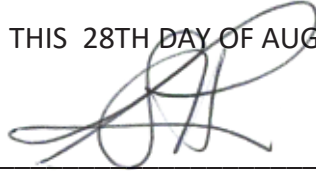


Message



THIS IS EXHIBIT "Ff" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be "DR", written over a horizontal line.

PERMITS FOR PARKING
LOTS ARE IN THE WORKS!

H201 WASAGA 2023

STANCE VS
BAGGED
SEPT 3RD
3PM
LOCATION TBA

@H201_WASAGA

@h201_wasaga

@H201_WASAGA



H20I_WASAGA Posts

Permits For Lots Are In The Works 🔄

Lots of Dope Meets Planned 📅

REMEMBER RESPECT THE LOTS & MEETS

H20I MERCH LINK IN BIO ALSO 🔄

Comments



canadiansubiedad 1w



Cutting it pretty close to get those permits eh

1 like Reply



h20i_wasaga 1w



@canadiansubiedad still in the works w/ the city and certain lot owners we reached out too but progress is slowly being made

1 like Reply

— View 1 more reply



jared_mar.tell 1w • ❤️ by author



Can we get a bike meet?

2 likes Reply

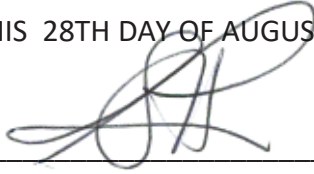


Add a comment for h20i_was...



THIS IS EXHIBIT "Gg" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be "DR", is written over a horizontal line. The signature is stylized and cursive.



h20i_wasaga 26m

officialphatfarmcarmeets



H20I WASAGA 2023 INFO

**THE BYLAWS
ARE FOR
WASAGA...
NOT
SURROUNDING
AREAS**

H20I WASAGA

**MEETS WILL BE
HELD ALL AROUND
THE AREA MAINLY
OUTSIDE WASAGA
BUT VERY CLOSE
BY IN OTHER
TOWNS**

H20I WASAGA

**NO TAKEOVER
ACTIVITIES AT
MEETS PERMITS
FOR LOTS ARE
SLOWLY BEING
APPROVED**

H20I WASAGA

@h20i_wasaga

@H20I_WASAGA

Send message





h20i_wasaga

Wasaga Beach, Ontario



🎵 Byron Messia · 90z 📺



H20I WASAGA 2023

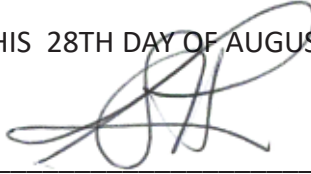
THE BY LAWS AND ALL THAT EMERGENCY LEVEL BULLSHIT IS FOR
ONLY WASAGA... NOT SURROUNDING AREAS
MEANING OTHER BEACHES AND TOWNS CLOSE BY ARE GONNA BE
OPP FREE

GOT ONLY 3 MEETS IN WASAGA BUT THE REST ARE LOCAL AND
AROUND TO AVOID ALL THAT OPP BULLSHIT PLUS PERMITS F
LOTS IN SURROUNDING AREAS STARTED BEING APPROVED



THIS IS EXHIBIT "Hh" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', written over a horizontal line.

https://www.simcoe.com/news/extraordinary-volume-of-traffic-creates-gridlock-in-wasaga-beach/article_724b04c7-d7f5-539e-b2fa-b5a163ceab24.html

Home / News

NEWS

'Extraordinary volume' of traffic creates gridlock in Wasaga Beach

According to police, traffic is moving very slow near the main beach area

By **Andrew Mandler** Wasaga Sun

Aug 6, 2023

Article was updated Aug 6, 2023



Wasaga Beach - Ian Adams/Torstar

Long weekend traffic has slowed down access to the main beach areas in the Town of Wasaga Beach considerably, according to Huronia West OPP.

As of 2 p.m. on Sunday afternoon (Aug. 6), police were reporting traffic slowdowns due to an "extraordinary volume of visitors" in town for the long weekend.

It is reportedly taking two hours or more to navigate through the main beach area.

“The Huronia West OPP is asking everyone to please plan their routes accordingly, and remember to make room for emergency vehicles responding to calls,” stated the OPP Central Region on social media.



Andrew Mendler is a reporter at *The Midland Mirror*. He writes about a wide range of issues in Midland, Penetanguishene, Tiny and Tay. You can reach him at amendler@simcoe.com. Follow him on [Twitter](#) and [Simcoe.com](#) on [Facebook](#)

Read more about

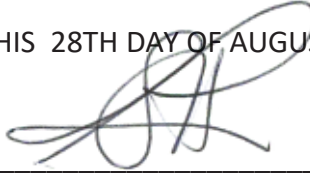
[REPORT AN ERROR](#)

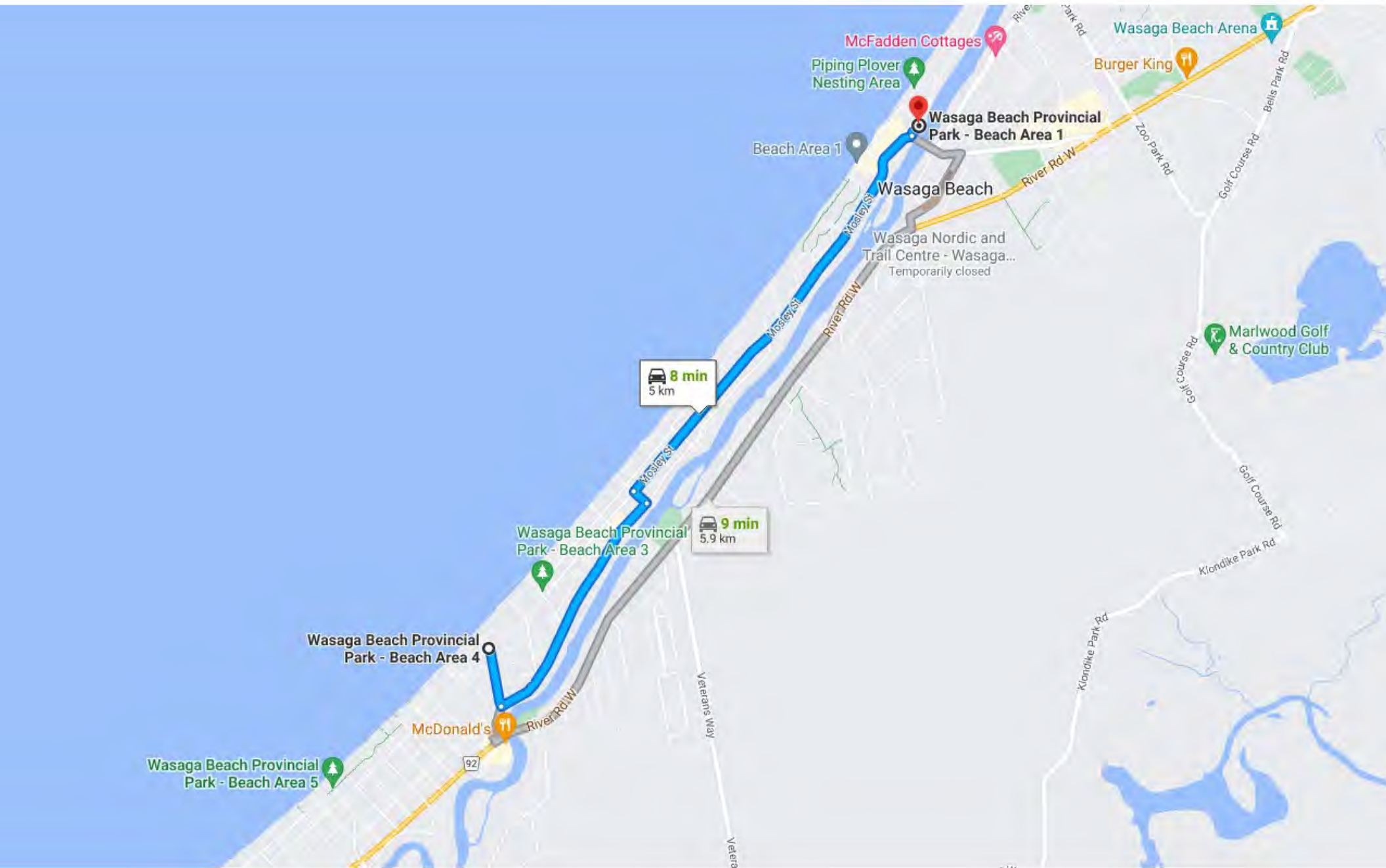
[JOURNALISTIC STANDARDS](#)

 [ABOUT US](#)

THIS IS EXHIBIT "ii" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', written over a horizontal line.



McFadden Cottages

Piping Plover Nesting Area

Wasaga Beach Arena

Burger King

Wasaga Beach Provincial Park - Beach Area 1

Beach Area 1

Wasaga Beach

Wasaga Nordic and Trail Centre - Wasaga...
Temporarily closed

Marlowd Golf & Country Club

8 min
5 km

Wasaga Beach Provincial Park - Beach Area 3

9 min
5.9 km

Wasaga Beach Provincial Park - Beach Area 4

McDonald's

Wasaga Beach Provincial Park - Beach Area 5

92

Veterans Way

Klondike Park Rd

Klondike Park Rd

Golf Course Rd

Golf Course Rd

Golf Course Rd

Zoo Park Rd

Park Rd

River Rd W

River Rd W

Mosley St

Mosley St

Mosley St

Mosley St

Mosley St

Mosley St

Mosley St

Mosley St

Mosley St

Mosley St

Mosley St

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Mosley St

Mosley St

Mosley St

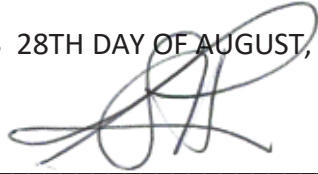
Mosley St

Mosley St

Mosley St

THIS IS EXHIBIT "Jj" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be 'DR', written over a horizontal line.



Community Calendar

Summer Sets Music- Jamie Drake and The Thunderstealers

Event Details

Summer Sets is still pumping out the tunes on our brand new Summer Sets Stage. Join the fun and amazing music at 6pm on Sept the 1st. Jamie Drake and The Thunderstealers will be rocking out on the Beachfront stage!

Jamie Drake has been an active part of the music scene in the Barrie & Orillia area since the mid 2000's, participating and hosting various jam nights and open mics. He can be seen and heard playing at various restaurants, bars and other event venues such as Malones Pinthouse, the Queens Hotel (Barrie), Fionn Maccools (Orillia) , and many private events.

When looking for more than background music, Jamie partners up with one or more band members to create the duo, trio or full band experience you are looking for! Drummer Regan Muller, bassist Mauri Liimatainen, and lead guitarist Jakob Pearce join Jamie for a 4-piece that rocks it out with a great selection of tunes from various decades including oldies rockabilly, classic 70's & 80's rock, to more contemporary folk-rock and pop. In addition to our core group, we are often joined by various other musicians for whatever fits your need!

<https://thunderstealers.ca/home>



[See less](#)

Contact

Lisa Linhares

[Email](#)

[Website](#)

Dates & Times

September 1, 2023

6:00 p.m. - 8:00 p.m.

[Add to Calendar](#)

Location:

87 Beach Drive Wasaga Beach - Beach Area One

[View on Google Maps](#)

Event Categories

Concerts

Share This Event

[← Back to Calendar](#)

Stay Connected

Stay up to date on Wasaga Beach activities, events, programs and operations by subscribing to our many eNewsletters.

[Sign Up](#)

Town of Wasaga Beach

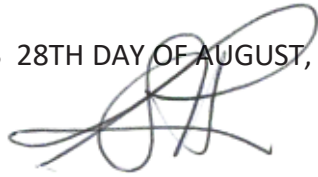
30 Lewis Street, Wasaga Beach ON L9Z 1A1

Phone: [705-429-3844](tel:705-429-3844), Fax: [705-429-6732](tel:705-429-6732), [Email Us](#)

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AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

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Community Calendar

Summer Sets Music-Mariachi Fuego

Event Details

Saturday Sept. 2 Mariachi Fuego will be entertaining the crowds with a first of its time show here in Wasaga Beach on the new Beachfront Stage. Join us from 6pm-8pm to enjoy the amazing music and dancing of Mariachi Fuego.

<https://www.mariachifuego.com/...>

<https://www.facebook.com/mariachifuego1/>



...

[See more](#)

Contact

Lisa Linhares

[Email](#)

[Website](#)

Dates & Times

September 2, 2023
6:00 p.m. - 8:00 p.m.

[Add to Calendar](#)

Location:

87 Beach Drive Wasaga Beach - Beach Area One
[View on Google Maps](#)

Event Categories

Concerts

Share This Event

[← Back to Calendar](#)

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Town of Wasaga Beach

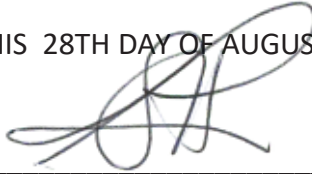
30 Lewis Street, Wasaga Beach ON L9Z 1A1

Phone: [705-429-3844](tel:705-429-3844), Fax: [705-429-6732](tel:705-429-6732), [Email Us](#)

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THIS 28TH DAY OF AUGUST, 2023

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WASAGA BEACH
PRESENTS

MEMORIES OF SUMMER

FEATURING

APRIL WINE

With an opener by GRACE
and, THE CARPET FROGS



SEPT | **BEACH** | **FREE**
3RD | **AREA 1** | **ADMISSION**

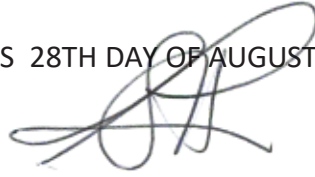
Join us as we celebrate the end of another incredible summer.
Featuring family entertainment and games for all ages begins at 10am.
Enjoy live music with GRACE at 6pm and THE CARPET FROGS at 7:20pm.
The legendary APRIL WINE takes the main stage at 8:40pm.
Top it all off with our spectacular fireworks show at 10pm.



wasagabeach.com/events

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2023 TOUR DATES

MARCH

Mar 02/23 [Rath Eastlink Community Centre](#) Truro, NS

APRIL

Apr 22/23 [Deerfoot Casino](#) Calgary, AB **SOLD OUT**

Apr 29/23 [Arcada Theatre](#) St Charles, IL

MAY

May 05/23 [London Music Hall](#) London, ON **SOLD OUT**

May 13/23 [Little River Casino](#) Manistee, MI **SOLD OUT**

May 25/23 [Centre in the Square](#) Kitchener, ON **SOLD OUT**

JUNE

Jun 10/23 [Corona Theatre](#) Montreal, PQ **SOLD OUT**

Jun 14/23 [McPherson Playhouse](#) Victoria, BC **SOLD OUT**

Jun 15/23 [Port Theatre](#) Nanaimo, BC **SOLD OUT**

Jun 16/23 [Commodore Ballroom](#) Vancouver, BC **SOLD OUT**

Jun 18/23 [Rock the District](#) Edmonton, AB

JULY

Jul 29/23 [Miramichi Rock n' Roll Festival](#) Miramichi, NB

AUGUST

Aug 04/23 [Kee to Bala](#) Bala, ON **SOLD OUT**

Aug 05/23 [Kee to Bala](#) Bala, ON **SOLD OUT**

Aug 12/23 [Cariboo Rocks The North](#) Prince George, BC

Aug 13/23 [Cranbrook Rocks The Kootenays](#) Cranbrook, BC

Aug 19/23 [Rock the River](#) Saskatoon, SK

Aug 26/23 [Aurora Ribfest](#) Aurora, ON

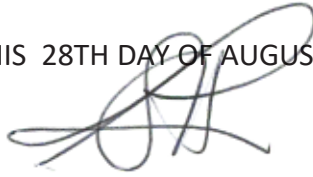
SEPTEMBER

Sep 03/23 [Wasaga Beach \(Beach 1\)](#) Wasaga Beach, ON

Sep 15/23 [The Blue Note](#) Harrison, OH **TICKETS**

THIS IS EXHIBIT "Nn" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

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THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2016-25

**A BY-LAW TO ADOPT A MUNICIPALLY SIGNIFICANT PUBLIC SPECIAL EVENTS
POLICY AND GUIDELINES
FOR THE TOWN OF WASAGA BEACH**

WHEREAS pursuant to section 9 of the *Municipal Act*, 2001 S.O. 2001, chapter 25 a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to section 8. (1) of the *Municipal Act*, 2001 S.O. 2001, chapter 25 the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS the Corporation of the Town of Wasaga Beach wishes to encourage the holding of municipally significant public special events in the Town of Wasaga Beach and deems it advisable to create the Municipally Significant Public Special Events Policy and Guidelines to govern the holding of municipally significant public special events on public property and guidelines;

NOW THEREFORE the Council of the Corporation of the Town of Wasaga Beach HEREBY ENACTS as follows:

1. THAT the Municipally Significant Public Special Events Policy and Guidelines, Appendix "A", attached hereto and forming part of this By-law be adopted.
2. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF FEBRURAY, 2016.



Brian Smith, Mayor



Holly Bryce, Town Clerk



THE CORPORATION OF THE TOWN OF WASAGA BEACH
POLICY MANUAL

SECTION NAME: Community, Tourism & Special Events	POLICY NUMBER: 9-4
POLICY: Municipally Significant Public Special Events Policy and Guidelines	REVIEW DATE: February 2021
EFFECTIVE DATE: February 16, 2016	REVISIONS:
IMPLEMENTATION: February 16, 2016	ADMINISTERED BY: Special Events Coordinator

PURPOSE

Council is interested in supporting municipally significant public special events in the Town of Wasaga Beach that are provided in a safe environment having regard for Provincial regulations pertaining to the inclusion of alcohol related activities.

SCOPE

This policy and guideline has been developed to provide staff with the ability to deem an event as municipally significant, as per the guidelines of the Alcohol and Gaming Commission of Ontario.

POLICY

1. Definitions

- a. **“Council”** means the Council of the Corporation of the Town of Wasaga Beach;
- b. **“Municipally Significant Public Special Event”** means an exhibition, event, or function held within the Municipality of the Town of Wasaga Beach that is defined as;
 - i. Enhance or promote a community asset (i.e. waterfront, parks, organization);
 - ii. Encourage, attract and promote community involvement, participation at little or no cost;
 - iii. Partner with and/or provides a venue for local businesses, organizations and residents to form part of the activities (i.e. vendors, facilitate an event activity).
- c. **“Municipal”, “Municipality”, or “Municipal Corporation”** means the Corporation of the Town of Wasaga Beach;
- d. **“Permit”** shall mean any permit issued in accordance with the provision of this By-Law;

- e. **“Person”** shall include a corporation, business entity or group;
- f. **“OPP”** shall mean Ontario Provincial Police;
- g. **“Town or Public Facility”** means road allowances, parks, property or buildings controlled by the Town or other government agencies.

2. Processing of Applications

In accordance with Regulation 389/91 of the Liquor License Act (Special Occasions Permits), all public events to be deemed "Municipally Significant", the applicant must give written notification before the event is to take place to the Clerk:

- 30 days before the event is to take place, if it is expected that fewer than 5,000 people will attend the event; or
- 60 days before the event is to take place, if it is expected that 5,000 people or more will attend the event.

3. Application Requirements:

Applications must include the following items in order to be processed in a timely manner. Incomplete applications will not be processed and will be returned to the applicant.

- Name and contact information of the event organizer, association, organization;
- Description of the event including target audience, entrance fees and activities;
- Logistics: Location, set up including area where alcohol is to be served, security, number of servers;
- Date and time of the event and times when alcohol will be served;
- Purpose of the event and how it benefits the community of Wasaga Beach
- Proof of insurance naming the Town of Wasaga Beach as an additionally insured in the amount of no less than \$5 Million, as per the Special Events Bylaw #2016-03

4. Delegation & Dispute:

The Town Clerk of The Corporation of the Town of Wasaga Beach is delegated the responsibility to process applications in accordance with this policy and shall notify Council of all applications. Any dispute from the public regarding application which do not meet the requirements of this policy and as such are denied, shall address Council in accordance with the Town's Procedural By-law pertaining to Delegations. Council will then make a determination regarding the issue.

POLICY REVIEW AND PROCEDURE

This Policy will be review as required, but in any case no later than five (5) years from the date of the most recent review.

The Special Events Coordinator will be responsible for initiating the review of this Policy.

Explanatory Note

To

By-Law No. 2016-24

The purpose of this By-Law would allow the Town to proceed with the construction of Bay Colony Area (i.e. "Phase 2") as a Local Improvement in accordance with the *Municipal Act*, Ont. Reg. 586/06.

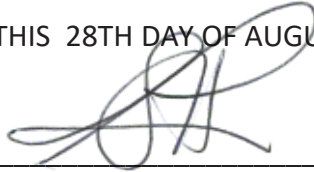
The effect of this by-law is to outline the terms and conditions of the special area rate that will be levied to the owners of land who will or may derive a benefit from the said works, in the amount sufficient to pay for the capital costs.

The proposed servicing rates are as resolved by the Public Works Committee in July 2012 and subsequently approved by Council.

This By-Law is properly before Council for consideration.

THIS IS EXHIBIT "Oo" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

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**Major Tourism Special Event
Application Form
2020**

Special Event Application Process and Required Forms

The information requested by the Special Events Application will be used to determine your eligibility for the permit requested. Special Event Permits are required in accordance with bylaw No. 2016-03.

The application deadlines are outlined as follows:

- **New Community events**, lasting one (1) day or less and not requiring the approval or assistance of the external agencies, held on Town Property, the application **be submitted to the Town at least 60 days prior to event;**
- **New Community event or Tourism event**, lasting two (2) or more days and not requiring the approval or assistance of the external agencies, held on Town Property, the application **be submitted to the Town at least 90 days prior to the first day of the proposed event;**
- **New Major Tourism event** lasting one (1) day or more, with one or more of the following situations: held on Ontario Parks Property (i.e. Beach Area 1) and/or with AGCO, OPP requirements (such as a beer garden), with economic benefit to the Town, the application **be submitted to the Town at least 180 days prior to the event;**
- Any **Returning Community events** with no major changes from past years, lasting one (1) day or less, held on Town Property, the application **be submitted to the Town at least 60 days prior event;**
- Any **Returning Major event**, with one or more of the following situations: held on Ontario Parks Property (i.e. Beach Area 1) and/or with AGCO, OPP requirements (such as a beer garden), with economic benefit to the Town, the application **be submitted to the Town at least 90 days prior to the first day of the event;**

Approved permits must be posted at the event site for the entire duration of the event. Events not compliant with this may be subject to fines and/or removal of event materials at organizers cost.

Application Fees:

Non-profit event - \$50.00

For profit (<5,000 attendees) - \$300.00

For profit (5,000 – 14,999 attendees) - \$450.00

For profit (15,000+ attendees) - \$600.00

If your organization would like to apply for event funding through a Town of Wasaga Beach grant, please contact the undersigned. Please note: grant applications must be provided by August 31st of the year prior to the event.

Please answer all questions, indicate N/A if the question does not apply to your event.

For more information or assistance in completing the form, please contact:

Special Events

30 Lewis St.

Wasaga Beach, ON

L9Z 1A1

705.429.3321 x 2202

events@wasagabeach.com

Event Basics

Event: _____

Run by: _____

Event Date(s): _____

Rain Date(s): _____

Event Start Time: _____ Event End Time: _____

Event Locations: _____

Organizational Information

Organization Name: _____

Is your organization registered as Not for Profit?

YES

NO

If NO, please list the recipient(s) of any proceeds _____

If YES, please provide number _____

Organization Address: _____

City/Town: _____ Postal Code: _____

Website: _____

Organization Contact Person: _____

(For internal office use only)

Organization Contact Phone: _____ Fax: _____

Email: _____

Organization Day of Event Contact Person: _____

Organization Day of Event Contact Cell: _____

Event at a Glance

Please provide a description of your event, including entertainment & how it will benefit our community. Please make reference to your marketing strategies, i.e. print, TV, radio, etc..., list of sponsors and if any revenue is anticipated to be generated by the activity, note the individuals or entity that will benefit. Use additional pages as Necessary.

The event is a (please check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> PARADE/RUN/WALK/BIKE OR AUTO PROCESSION * please complete (A) Section | <input type="checkbox"/> SPORTING EVENT |
| <input type="checkbox"/> FESTIVAL | <input type="checkbox"/> BEACH EVENT |
| <input type="checkbox"/> CONCERT | <input type="checkbox"/> WEDDING/RECEPTION/DANCE |
| <input type="checkbox"/> BLOCK/STREET PARTY | <input type="checkbox"/> SHOW/EXHIBITION |
| | <input type="checkbox"/> OTHER _____ |

The event is:

- | | |
|---|--|
| <input type="checkbox"/> Private (invitation only) | <input type="checkbox"/> Ticketed – Cost \$_____ |
| <input type="checkbox"/> Open to the General Public | <input type="checkbox"/> 19+ |

Will you need special arrangements/invitations for dignitaries?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |
|------------------------------|-----------------------------|

If Yes, Please provide additional details such as who, when, where, etc.:

Anticipated number of attendees (including spectators and participants) _____

How many times has this event been hosted in Wasaga Beach? _____

Has this event been hosted elsewhere?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

If yes, please list the number of times and the locations:

Please indicate the various event activities (license & other permits may be required):

- | | |
|--|--|
| <input type="checkbox"/> ALCOHOL* Please complete (B) Section | <input type="checkbox"/> TENTS |
| <input type="checkbox"/> BLEACHERS | <input type="checkbox"/> VENDORS (NON FOOD/BEVERAGE)* Please complete (C) Section |
| <input type="checkbox"/> MECHANICAL RIDES/DEVICES | <input type="checkbox"/> ROAD CLOSURE* Please complete (E) Section |
| <input type="checkbox"/> BANNERS/SIGNS | <input type="checkbox"/> PARKING LOT |
| <input type="checkbox"/> FOOD VENDING/SAMPLING* Please Complete (D) Section | <input type="checkbox"/> FUNDRAISING |
| <input type="checkbox"/> SHUTTLES/SATELLITE PARKING | <input type="checkbox"/> FIREWORKS* Permit required |
| <input type="checkbox"/> BEACH ACTIVITY | <input type="checkbox"/> OTHER: _____ |
| <input type="checkbox"/> LIVE MUSIC/BANDS* Please see (F) section | |
| <input type="checkbox"/> STAGING* Permit may be required | |

Location

Where will the event be hosted?

Locations	Notes	Requested Area	Required Date(s)	Required Time(s)	Event Space Rental Fees <i>*For complete fees see Consolidated Rates and Fees Bylaw</i>
Playland Park Square – 40 Mosley Street					For Profit \$5.00 per space/day NFP \$2.50 per space/day
Wasaga Beach Provincial Park - Beach Areas 1 - 6, Allenwood & New Wasaga	Ontario Parks Approval & Agreement may be required				Various – depending on scope of event and space requirements
RecPlex –Hall 1 (A & B), Oakview Room, Parking Lot, Bandshell, Oakview Gazebo	Manager of Recreation, Events & Facilities approval & booking required				Various – depending on NFP status and equipment used
Wasaga Stars Arena – Hall & Ice Surface	Manager of Recreation, Events & Facilities approval & booking required				Various – depending on NFP status and equipment used
Wasaga Sports Park – 5 Ball diamonds, 4 Senior Soccer, 6 Mini Soccer Pitches	Manager of Recreation, Events & Facilities approval & booking required				Various – depending on NFP status and equipment used
Stonebridge Town Centre	Gazebo				
Parade Locations – Please indicate assembly, disassemble areas & route					
Other					

(A) Parade/Run/Walk/Bike or Auto Procession

Please complete the following and attach map of route

Assembly area/time: _____

Disassembly area/time: _____

Route:

(B) ALCOHOL

The Town of Wasaga Beach will not apply for a Special Occasion Permit (SOP) on behalf of any event organizer. SOP applications can be obtained at the LCBO. Please review the Municipal Alcohol Policy with a Town representative. All indoor and outdoor events with alcohol service must comply. This document is available from the Special Events office or the Recreation Department. Servers and events organizers must comply with the Municipal Alcohol Policy.

Will it be sold?

YES

NO

SAMPLED

Size of service area is: _____

Liquor will be provided on the following:

Date(s): _____

Time(s): _____

Alcohol being served is (please check all that apply):

DRAFT BEER

WINE

CANNED BEER

LIQUOR

BOTTLED BEER

SPIRITS

(C) VENDORS

A vendor is anyone who is serving, selling or sampling food, beverages or merchandise. Restrictions and/or a municipal business license may apply, please check with the Special Events Office.

Non Food Vendors' onsite are:

SELLING MERCHANDISE

GIVING OUT FREE SAMPLES

SELLING EVENT BRANDED
MERCHANDISE

FOOD * Please complete (D) Section

SELLING DRINKS/WATER

Please provide as much information as possible regarding the number, type etc. of vendors that will be in attendance at the event.

(D) FOOD

All special event food vendors must obtain Simcoe Muskoka District Health Unit approval to operate at Special Events. Please visit www.simcoemuskokahealth.org and click on Tops-Food Safety-Special Event Planning and download the SMDHU Event Permit Application. Please submit to the Simcoe Muskoka District Health Unit Collingwood office, at minimum 30 days prior to the event for review and processing.

Food handler training requirement: Every operator of a food service premise shall ensure that there is at least one food handler or supervisor on the premise who has completed food handler training during every hour in which the premise is operating.

Food will be:

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> SOLD | <input type="checkbox"/> SERVED COLD |
| <input type="checkbox"/> SAMPLED | <input type="checkbox"/> PREPARED, COOKED OR REHEATED |
| <input type="checkbox"/> CATERED | OUTDOORS* Cooking system may |
| <input type="checkbox"/> SERVED HOT | require inspection |

(E) ROAD CLOSURE

Please provide specific details regarding which roads, lanes need to be closed including dates and timelines.

(F) SOCAN FEES

The Society of Composers, authors & music publishers of Canada under federal license area authorized to charge a fee under tariff 8 for using pre-recorded music. SOCAN fees will be charged where applicable. For more information, please visit www.socan.ca/contact.

Parking and Transportation

How will people get to/from the event?

- | | |
|---|--|
| <input type="checkbox"/> SHUTTLES | <input type="checkbox"/> PERSONAL VEHICLES |
| <input type="checkbox"/> OTHER, PLEASE EXPLAIN: _____ | |

Where will the event attendees/participants park? _____

Do you require special parking permission?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |
|------------------------------|-----------------------------|

If YES, please explain and provide number of passes required _____

Town Equipment Requirements

Item (quantity available)	Size	Quantity Required	Rental Fee <i>*For complete fees see Consolidated Rates and Fees Bylaw</i>	Notes	Office use only*
Festival Stage (1)	SL100 - up to 24' x 40'		FP - \$1500/1 st day + \$500/2+days NFP - \$750/1 st day + \$250/2+ days	Variety of configurations, lighting & sound not included	
Risers (3)	8' x 4'			Plywood risers, 1 foot off the ground with ramp	
PA System (1)				Includes 1 microphone and 2 speakers *wired	
4' Fencing (50)	4'h x 7'w		FP - \$5/panel/day NFP - \$2.50/panel/day	Steel event fencing	
6' Fencing (50)	6'h x 8'w		FP - \$5/panel/day NFP - \$2.50/panel/day	Steel event fencing	
Large Tent (1)	30' x 60'		FP - \$1000/day + \$300/2+days NFP - \$500.00/day + \$150/2+ days	includes sides and set up	
Event Tent (12)	10' x 10'		FP - \$20/each/day NFP - \$10/each/day	blue pop up tents – no sides	
Tables (15)	6'		FP - \$7/each/day NFP - \$3.50/each/day	Rectangular	
Plastic Chairs (300)			FP - \$1/each/day NFP - \$0.50/each/day	White / Green	
Garbage Cans				Must provide own bags & removal	
Recycling bins				Must provide own bags & removal	
Traffic Barrels				Large, orange & black construction cones	
Barricades				Sawhorse barricades	
Pylons				Small orange pylons	
Street Cleaning			As per Sch. M	To arrange with P.W.	
Parking Lot Cleaning			As per Sch. M	To arrange with P.W.	
Access to Potable water			As per Sch. M	Metered access to Fire Hydrant	
4 yard garbage bin				To arrange with P.W. limited availability	
Beach Raking				To arrange with P.W.	

- NOISE BYLAW EXEMPTION *in accordance with Bylaw #2016-97
- SIGNAGE *up to 7 days in advance, reasonable signage approval Bylaw Department required
- LOTTERY LICENSE * only by pre-licensed groups
- FIREWORKS BYLAW EXEMPTION *in accordance with Bylaw #2007-28

External Equipment Requirements

If you are using your own suppliers for the following items – please supply details on additional pages as necessary

- STAGING*
 - Supplier _____
 - Size _____
 - Quantity _____
- GENERATOR (See Electrical Safety below)
 - Supplier _____
 - Size _____
 - Quantity _____
- BLEACHERS
 - Supplier _____
 - Size _____
 - Quantity _____
- EVENT TENT(S)*:
 - Supplier _____
 - Size _____
 - Quantity _____
- TABLES:
 - Supplier _____
 - Size _____
 - Quantity _____
- CHAIRS:
 - Supplier _____
 - Size _____
 - Quantity _____
- GARBAGE CANS
 - Supplier _____
 - Size _____
 - Quantity _____
- RECYCLING BINS
 - Supplier _____
 - Size _____
 - Quantity _____
- EVENT FENCING:
 - Supplier _____
 - Size _____
 - Quantity _____
- OTHER: _____
 - Supplier _____
 - Size _____
 - Quantity _____

* building permit may be required

Electrical Safety

Under the provisions of the Ontario Electrical Safety Code (OESC), an Application for Inspection must be filed with the Electrical Safety Authority for any electrical equipment installed in Ontario, temporary or otherwise. This includes all Television, Film, Commercial, Live Performance, Carnivals, or Event Productions including but not limited to Live Productions regardless of site or location. Failure to comply could result in unsafe working sites, production downtime and/or fines. The Town of Wasaga Beach will not apply for any permit on behalf of any event organizer.

Have you completed the Entertainment Industry Application for Electrical Inspection?

- YES
- NO

Security & Emergency Services

Security is often required for large-scale events and specifically when alcohol is being served/sold. It is often required when materials/equipment is left overnight and when live entertainment is provided. We suggest consulting with the Huronia West Detachment of the Ontario Provincial Police (OPP) to determine if paid duty officers are required for your event. Event applications are often dependant on OPP approval. For more information, please contact the Ontario Provincial Police at 705.429.3575. *YOU WILL REQUIRE AGCO & OPP APPROVAL OF YOUR OPERATIONAL PLAN IF YOU PLAN ON HAVING A LICENSED EVENT.

Please describe you security and public safety plan, continue on separate sheet, if necessary:

Uniformed presence provided by:

- POLICE* PRIVATE SECURITY

Time frame of uniformed presence:

***Please note:** OPP paid duty request form must be completed and submitted to the Huronia West Detachment, please contact 705.429.3575 for more information. **Paid duty requests submitted less than two (2) weeks prior to the event will NOT be considered.**

Will you require Paramedic Services onsite?

- YES *request through Simcoe County Private EMS Group Hired NO

*Please contact County of Simcoe Paramedic Services at 705.726.9300 x 1091. **Please notify Simcoe Paramedic regardless of a paid duty request.**

Will you require Fire Personnel onsite?

- YES NO

Will you have a lost child/emergency station?

- YES NO

Please attach a copy of your Emergency Plan and 24hour Emergency Contact Numbers to this application. All events must have an Emergency Plan submitted to the Town of Wasaga Beach at least **30 days prior** to event.

Restrooms & Waste Disposal

Additional facilities should be provided where local knowledge of event attendance deems it necessary.

Will you require portable restrooms?

YES

NO

If YES, have you been in contact with a company?

YES

NO

If YES, please provide the following information:

Name of Company: _____

Delivery date: _____

Please list the number and location of portable restrooms:

Number

Location

Please indicate the number of trash receptacles you require: _____

Please note: Event organizers are required to arrange their own garbage removal after the event is completed. If utilizing the 4 yard bin rental from the Town, additional fees may apply.

Accessibility

Have you reviewed Ontario's Accessible Festivals & Events Guide and the Town's Planning Accessible Meetings and Events policy?

YES

NO

Will you have any of the following?

RAMPS/WALKWAYS ON THE BEACH

DESIGNATED VIEWING AREAS

ACCESSIBLE SHUTTLES

ACCESSIBLE TOILETS

Site Diagrams

Please request the site diagrams templates pertaining to the municipal locations you will be utilizing; some maps are included in the Special Events Tool Kit or access Simcoe County Maps via www.simcoe.ca. Use these to create your own event specific site diagrams. Include all physical components of your event and aim to provide this diagram "to scale."

Site diagram(s) attached:

YES

NO

Insurance/Liability

Insurance for all events is mandatory; the municipality must receive a copy of insurance with the Town named as an additional insured. If your event takes place on Ministry of Natural Resources & Forestry property*, they too must be named as additional insured. **Certificates must be submitted no later than 30 days prior to event.** *MNR may require additional liability coverage amount

Non-Alcohol event (\$2,000,000 liability)

Alcohol at event (\$5,000,000 liability)

Public Contact & Marketing Information

The Town would like to be able to provide the public with contact information regarding the event. This information will be used to market your event.

Do you wish to have your event included in FREE marketing opportunities with the Town?

- YES *Please provide electronic poster NO

Public Contact Name: _____

Public Contact Phone: _____

Public Contact Email: _____

Event Website: _____

Facebook: _____

Twitter: _____

YouTube: _____

Other: _____

Please describe other means of advertising, including posters, print media, etc.:

Event Date(s): _____ Time: _____

Event Date(s): _____ Time: _____

Event Location: _____

Public Event Description & Information:

Special Event Checklist

Please check complete and sign the following:

- Event Application Form Complete
- Route Map/Site Map attached
- Signed copy of Municipal Alcohol Policy Application attached, if required
- Copy of Liquor License attached, if required
- Business License Application Form attached, if required.
- Copy of Simcoe Muskoka District Health Unit Food Permit attached, if required
- The applicant will ensure that all indoor and outdoor food and beverage service areas and licensed areas (including but not limited to covered or uncovered outdoor patios and beer gardens) are smoke-free in accordance with the requirements of the provincial *Smoke-Free Ontario Act*. Fines commence at \$250.00 plus applicable court costs and victim fine surcharge.
- Operations Plan attached
- Emergency Plan attached
- Safety Plan attached
- Certified Certificate of Insurance attached
 - Town of Wasaga Beach listed as additional insured
 - Ministry of Natural Resources listed as additional insured, if required
- Description of Event attached
- Copy of poster or other marketing materials attached
- Application Fee attached?

Signature

Date

Contact Numbers & Information

Name	Phone	Fax	Email	Website
Simcoe Muskoka District Health Unit "Health Connection"	1.877.721.7520	705.445.6498		simcoemuskokahealth.org
Wasaga Beach Provincial Park (Ontario Parks)	705.429.2516	705.429.7983		ontarioparks.com/park/wasagabeach
Simcoe County Paramedic Services	705.726.9600 x 1091			simcoe.ca
Huron West OPP	705.429.3575	705.429.3616		opp.ca
Electrical Safety Authority	1.877.372.7233	800.667.4278		www.esasafe.com
Fire Station #1	705.429.5281	705.429.0432	firechief@wasagabeach.com	wasagabeach.com
Bylaw Department	705.429.2511	705.429.1151	mleo@wasagabeach.com	wasagabeach.com
Public Works	705.429.2540	705.429.8226	operationsmanager@wasagabeach.com	wasagabeach.com
Recreation – RecPlex	705.429.3321	705.429.3327	facilitybookings@wasagabeach.com	wasagabeach.com
Recreation – Arena	705.429.0412	705.429.0413		
Parks	705.429.0415		parksforeman@wasagabeach.com	wasagabeach.com
Special Events Office	705.429.3844 x 2202	705.429.7603	events@wasagabeach.com	wasagabeach.com
Alcohol & Gaming Commission of Ontario	1.800.522.2876	416.326.5555	Customer.service@agco.ca	agco.on.ca

Thank you for your application.

The Town of Wasaga Beach has the right to refuse an application or issue a permit.



705.429.3844 x 2202



705.429.7603



events@wasagabeach.com



[WasagaEvents](https://www.facebook.com/WasagaEvents)



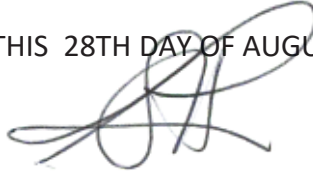
[@WasagaEvents](https://twitter.com/WasagaEvents)



[Wasaga_beach_events](https://www.instagram.com/Wasaga_beach_events)

THIS IS EXHIBIT "Pp" REFERRED TO IN THE
AFFIDAVIT OF DANNY RODGERS SWORN

THIS 28TH DAY OF AUGUST, 2023

A handwritten signature in black ink, appearing to be "DR", written over a horizontal line.



Unsanctioned Car Rally Events

Posted on Thursday, August 24, 2023

Council Takes Action to Strengthen Town's Emergency Preparedness and Improve its Highly Coordinated Town-OPP Response to Illegal Car Rallies

Town of Wasaga Beach adopts new emergency framework that includes proactive, full-scale road closures, a proposed Community Safety Zone, and a highly coordinated, tiered emergency response in cooperation with Ontario Provincial Police (OPP)

WASAGA BEACH – The Town of Wasaga Beach is taking the next step to strengthen its approach to dealing with illegal car rallies. Council has approved a plan that will see the Town adopt a proactive, coordinated municipal emergency response, in partnership with the OPP.

The Town's Strict but Fair approach to illegal nuisance events will continue to focus on prevention-first. It will now also adopt a proactive, tiered municipal emergency response plan that includes:

- Greater Town-OPP coordination and information sharing
- Activating an Incident Management Team that will determine the risk to public safety and a tiered-level of response to any potential or active, illegal event

Key parts of the new, tiered emergency response include, but are not limited to:

Proactive, Tiered Emergency Response Plan

At the lowest tier, when the Town and OPP become aware that an illegal event is likely to occur, the coordinated response will include:

- Activating the Incident Management Team
- The Town issuing orders to cease and desist to organizer(s) of illegal car rallies under the authority of the Municipal Act with the intent to pursue maximum penalties in all cases

At a higher tier, when there is a high level of risk to public safety or an illegal event is imminent, the coordinated response may also include:

- Activating the Emergency Operations Centre
- Vehicle inspection stations where unsafe vehicles will be towed and impounded
- Maximum “illegal car rally” towing and impound fees in effect
- Proactive, full-scale road closures that would see the Town’s main access points limited to local traffic only
- Traffic diversion zones in effect
- Parking lot closures
- Beach Drive open to pedestrian traffic only (especially on long weekends or during special events)
- Coordinated Town-OPP communications on Town and OPP social media channels, and through local media, to keep local residents, businesses and visitors informed

At the highest tier or highest level of risk to public safety, the coordinated response would include all of the above, plus:

- Increased OPP presence
- Additional road closures and traffic diversion zones in effect

Community Safety Zone

The Town is adopting this highly coordinated, tiered emergency response plan in addition to pursuing new measures – including a **Downtown Community Safety Zone** that would impact specific areas of concern.

While the emergency response plan aims to prevent illegal events from taking place by issuing orders and conducting vehicle inspections on organizers and participants outside the municipality – the proposed **Downtown Community Safety Zone** will make it easier for law enforcement to fine and charge anyone that is speeding or

stunt driving within the Town of Wasaga Beach. It will also double minimum fines and penalties for speeding and stunt driving.

Quotes

Mayor Brian Smith: "Today we are taking further action to protect our residents, visitors and businesses from people who break the law and threaten public safety. The Town of Wasaga Beach is home to the world's longest freshwater beach. We are a beautiful, safe, coastal community in South Georgian Bay that welcomes millions of visitors from across Canada and around the world each year. Tourism and special events are what we do best, and Wasaga Beach has a storied history of love for cars – fast ones, old ones, rare ones, you name it. I've seen all the Fast and Furious films, I know what Fuel Fest is – and I can tell you the Town would love to help organize an event that Vin Diesel and Cody Walker would want to show up to. But illegal events, and illegal car rallies organized by people that do not have permits and do not respect the law, are not welcome in Wasaga Beach. They threaten the safety of our residents, visitors and local businesses. They damage our brand as a safe, iconic tourist destination as well as our economy, municipal infrastructure and private property – and they risk people's lives."

Craig Williams, Fire Chief: "In support of the often dangerous work that our first responders, including the OPP, need to do during illegal events including illegal car rallies, the Town has now adopted a proactive, highly coordinated and tiered Emergency Response Plan. In partnership with the OPP, this will help us to do our jobs – and it will help us protect our teams while we help ensure the safety of residents and visitors."

Leah Gilfoy, Detachment Commander, Huronia West OPP: "The safety of our communities remains a top priority for the OPP. We are proud to partner with the Town of Wasaga Beach, By-Law and our partners in public safety in a coordinated response to those who choose to jeopardize the safety and wellbeing of residents and visitors to the Town. Officers will be actively patrolling and anyone who participates in unlawful behaviour may be charged and their vehicle impounded."

Kenn Voss, Owner, Wasaga Beach Canadian Tire: "We support the Town and Council in taking this proactive, coordinated approach to dealing with illegal car rallies. These large nuisance events damage private property, threaten the safety of our customers and local residents, and are completely unnecessary."

Dave Cubitt, Co-owner, BeachBar: "As a beachfront business owner in Wasaga Beach, BeachBar supports the Town's proactive, strict but fair approach to illegal events that threaten the fun, safe vibe of our community and our beachfront commercial area. It's one thing to come here and participate in an event that is authorized and organized to deliver an amazing, thrilling and safe experience. It's another thing to come here and rip up our Beach Drive, municipal roads, parking lots and interfere with the events and nightlife we offer our tourists and local residents on long weekends and throughout the summer. These types of illegal

events are not welcome in Wasaga Beach – they damage and disrupt our business, our customers and this beautiful community we call home.”

Mark Crowe, President of Stonebridge Building Group Inc.: “As a developer and community builder in Wasaga Beach, I completely support the Town’s proactive, strict but fair approach to illegal events and car rallies that threaten to disrupt the community and its businesses. In the past, municipal and private property has been damaged because of these illegal car rallies and these large, illegal events disrupt our wonderful community. The organizers do not have permits. They break the law, and they damage and disrupt our business, our customers and our community.”

Paul Frederico, President of Sterling Homes: “As a proud community builder in the Town of Wasaga Beach, Sterling Homes supports the Town’s strict but fair, proactive approach to dealing with illegal car rallies and any other illegal events. We appreciate the strong level of cooperation between the Town and OPP. We know that ultimately, the goal is to protect residents, visitors and local businesses – and to deter and prevent these illegal events from targeting our community in the first place. They are not welcome in Wasaga Beach.”

Peter Gibbins, President of the Wasaga Beach Rate Payers Association: “The Wasaga Beach Rate Payers Association supports the Town’s proactive, strict but fair approach to illegal events that threaten our residents, visitors and businesses. We appreciate the strong level of cooperation between the Town and OPP. These illegal and often volatile events damage municipal and private property and put lives at risk. They cost the municipality and local businesses money by disrupting the flow of traffic, and threatening pedestrian safety in public spaces and private parking lots. We know the goal is to protect our full-time residents, valuable visitors and local businesses – and to deter and prevent these illegal events from targeting our community in the first place.”

Quick facts

- The proposed Downtown Community Safety Zone would impact the main arterial roads in the Downtown area. These would include:
 - River Road West: East of Blueberry Trail to Village Gate Drive
 - Mosley Street: East of 18th Street North to Main Street
 - Old Mosley Street: East of 18th Street North to 13th Street South
 - Main Street
 - Beach Drive
 - 3rd Street North
 - Spruce Street
 - River Road East: East of Main Street to Zoo Park Road

- Recently, the Town also passed a new bylaw to unlock additional powers under Bill 128 of the Municipal Act, that permits it to close roads and enact other measures during declared nuisance events that typically, municipalities cannot do.
- The maximum penalty for violating the Town of Wasaga Beach Car Rally Bylaw is \$25,000

Media contact:

Sandra Watts

Director of Strategic Communications & Intergovernmental Affairs

sandra.watts@wasagabeach.com

Stay Connected

Stay up to date on Wasaga Beach activities, events, programs and operations by subscribing to our many eNewsletters.

[Sign Up](#)

Town of Wasaga Beach

30 Lewis Street, Wasaga Beach ON L9Z 1A1

Phone: [705-429-3844](tel:705-429-3844), Fax: [705-429-6732](tel:705-429-6732), [Email Us](#)

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THE CORPORATION OF THE TOWN OF WASAGA BEACH
Moving Party

-and-

PERSONS UNKNOWN
Responding Party

Court File No. CV-23-1434

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
BARRIE

AFFIDAVIT

BARRISTON LLP
Barristers and Solicitors
151 Ferris Lane, Suite 202
Barrie ON L4M 6C1

Sarah Hahn (LSO 64064L)
shahn@barristonlaw.com
Tel: (705) 792-9200

Lawyers for the Moving Party

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
)
JUSTICE) THE
 DAY of AUGUST, 2023

B E T W E E N:

(Court Seal)

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Applicant/Moving Party

and

PERSONS UNKNOWN

Respondents/Responding Parties

ORDER

THIS MOTION, made by the Corporation of the Town of Wasaga Beach was heard by video conference this day at the Court House, 75 Mulcaster Street, Barrie, Ontario.

UPON READING the Motion Record of the applicant and upon hearing oral argument of counsel for the applicant, and having regard to the urgency of the situation,

1. **THIS COURT ORDERS** that the time for service, filing and confirmation of the

Notice of Motion and the Motion Record is hereby abridged so that this Motion is properly returnable today.

2. **THIS COURT ORDERS** that an interlocutory and *quia timet* injunction is granted, pursuant to section 440 of the *Municipal Act*, and section 101 of the *Courts of Justice Act*.

3. **THIS COURT ORDERS** that any persons having notice of this Order are hereby restrained and enjoined from directly or indirectly, by any means whatsoever breaching the Town of Wasaga Beach: By-law No. 2023-74, A By-Law to Prohibit Vehicular Nuisance Events.

4. **THIS COURT ORDERS** that any persons having notice of this Order are hereby restrained and enjoined from attending and/or participating in the H2Oi car-rally, or any unauthorized car-rally scheduled to occur in the Town of Wasaga Beach from September 1-4, 2023.

5. **THIS COURT ORDERS** that any police officer with the Ontario Provincial Police (“OPP”) shall have authorization to arrest and remove any person who has knowledge of this Order and who the OPP have reasonable and probable grounds to believe is contravening or has contravened any provision of this Order, subject to the discretion of the OPP with respect to the timing and means of enforcement.

6. **THIS COURT ORDERS** that the terms of this Order shall remain in force until varied or discharged by a further Order of the Court.

7. **THIS COURT ORDERS** that notice of this Order shall be given by the creation of a

URL on the Town of Wasaga website whereby this Order can be viewed and downloaded, and the Town issuing a press release containing the URL linking to the Order. Additional notice of this Order may be given by:

- a. posting copies of this Order in or around Wasaga Beach;
- b. publishing this Order online on any social media accounts promoting and/or advertising the H2Oi car rally or related contraventions of the Town's by-laws;
- c. reading the Order to any person, including but not limited to reading the Order over an amplification system; and
- d. any other manner deemed appropriate by the Town of Wasaga beach or OPP.

8. **THIS COURT ORDERS** that this Order shall not apply to persons acting in the course of or in the exercise of a statutory duty, power or authority.

9. **THIS COURT ORDERS** that the terms of this Order bind the respondents and every other person or legal entity who is subject to this Order and is given notice of the Order, as of the time such respondents, person or legal entity first receives notice of the Order, and whether or not such respondents, person or legal entity has been served with a copy of the Order.

(Signature of Judge)

THE CORPORATION OF THE TOWN OF WASAGA BEACH
Moving Party

-and-

PERSONS UNKNOWN
Responding Party

Court File No. CV-23-1434

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
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ORDER

BARRISTON LLP

Barristers and Solicitors
151 Ferris Lane, Suite 202
Barrie ON L4M 6C1

Sarah Hahn (LSO 64064L)

shahn@barristonlaw.com

Tel: (705) 792-9200

Lawyers for the Moving Party

THE CORPORATION OF THE TOWN OF WASAGA BEACH
Applicant

-and- PERSONS UNKNOWN
Respondent

Court File No. CV-23-1434

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
BRACEBRIDGE

MOTION RECORD

BARRISTON LLP

Barristers & Solicitors
151 Ferris Lane, Suite 202
Barrie, Ontario L4M 6C1

Sarah Hahn (LSO 64064L)

shahn@barristonlaw.com
Tel: (705)792-9200
Fax: (705)792-6911

Lawyers for the Applicant/Moving Party
The Corporation of the Town of Wasaga Beach