

Notes of OPP-Lake Associations Meeting

Lanark OPP/ Lake Associations Annual Meeting

Wed. 23 September 2016 – 9:30 a.m.

TVT Council Chambers, 217 Harper Road

Next meeting – Friday, 22 September, 2017 at 9:30am. Location to be confirmed.

Attending

OPP – Inspector Derek Needham, Lanark County OPP Detachment Commander
Sergeant Byron Newell, OPP Provincial SAVE Unit, Marine Operations

Lake Associations

Bennett & Fagan Lakes Association

Big Rideau Lake Association

Black Lake Property Owners Association

Christie Lake Association

Dalhousie Lake Association

Farren Property Lake Owners Association

Little Silver & Rainbow Lakes property Owners Association

Long Lake Association

Mississippi Lakes Association

Otty Lake Association

Pike Lake Community Association

General: Larry Bowen opened the meeting with a welcome and brief introduction. All were then requested to introduce themselves and to sign the attendance sheet. Sergeant Newell then briefed on current marine related topics within the purview of the Lanark County OPP Detachment. Of note was that questions submitted by lake associations were collated and sent to Inspector Needham prior to the meeting.

1. Lanark County OPP Update

- a. The OPP have been going through a province wide restructuring process over the past year to gain efficiencies. Their operations now rely heavily on analytical assessments. Two full time staff are dedicated to analytics. In other words they do not select lakes or communities for patrolling based on a routine or systematic rotation.
- b. They made a point of saying that, relatively speaking, they do not get a high number of “marine service calls” (43 calls YTD for Central Zone). The OPP Communications number is 1-800-310-1122.
- c. Lanark County falls within the jurisdiction of OPP East Region. Within East Region Lanark County is in the Central Zone. Marine operations in our area consist of four zones each having four dedicated marine officers. Two boats are available per zone; a small 16’ fishing boat and larger Boston whaler. There is also a modern wake board type boat that can be deployed. During the summer months some marine patrols are accompanied by a ‘marine student’ which is part of a provincial program whereby students gain marine experience. They are not employed in any policing capacity. The biggest challenge marine operations now face is that, after an incident on parliament hill, changes to safety issues resulted in the OPP were no longer able to deploy one officer with a student but now require two occupants of the boat be OPP officers. During the winter months the patrol duties migrate to snowmobile operations. ATV operations are ongoing year around.

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- d. Social media & cell phones now play a key role in their work. An example of this working against them in the marine sector is that when they arrive on a lake, word gets around quickly.
- e. A key message from the OPP was that in their culture they would rarely refuse to send someone out on a call. The OPP Communication Centre has a low filter (contrary to other police services) meaning that if you have a reason to call, they will pursue it without questioning you for a justification.

2. Lake Association Points

NOTE: The discussion started to merge with various association questions. The meeting therefore moved on to lake association questions which were provided to Inspector Needham prior to the meeting. Several of the questions posed by associations were linked and therefore have been grouped into like categories below.

Questions

- a. Can you provide us with some information about the summer and winter patrols? Where and how - by car, boat, snowmobile, ATV, etc? The OPP used to conduct winter patrols and leave a dated tag on a cottage door. Do you still do that?
- b. What are the OPP resources available to us and how are the resources allocated to the various lakes in the region?

Answers

- The OPP no longer conduct summer or winter patrols as in the past. The primary reason for this is that they have moved to an analytical system of violations which saves significant time, is more effective, has proved to be more accurate and targets those areas in need. With regard to marine patrols, as previously mentioned, there are four patrols, one in each of the detachment's four zones. However they do not systematically move from lake to lake but rather target a lake or area based on analytical data of identifying concentration of violations.
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Questions

- c. Neighbourhood Watch Bulletins have not been distributed for several years (since 2012?). Constable Sean Trahan, Community Services Officer, used to be the contact person for preparation and distribution of such bulletins. The recently received OPP Media Releases from Constable David Bird, though informative, do not replace the usefulness of timely Neighbourhood Watch bulletins.
- d. We would be interested in a summary of crime stats in lake communities and what residents and cottagers can do to help prevent incidents.
- e. Will you make available marine statistics for the various lakes covering this past summer?
- f. In the past, the Lanark County OPP has provided safety and security tips/trends in vandalism around the local lakes. Is it possible that lake associations could again receive this information? This concern is linked to the timely distribution of Neighbourhood Watch Bulletins if re-instituted.

Answers

- The Neighbourhood Watch Bulletins are no longer being formulated or distributed. This took one officer a day and a half per week to prepare. The time and effort expended was deemed not worth the outcome. Data which was contained in the bulletins has now been replaced with a more efficient analytical method. However, if the Lanark County OPP Detachment determines a concentration of violations of importance to lake communities then they will contact the LNG to so advise and distribute.
- Cottages are subject to theft by boat and or snowmobiles in winter. Avoid leaving valuable sporting equipment outside in plain sight while you are away from the cottage. Always lock your cottage door when you leave the property. When you plan to be away for long periods of time, consider taking the expensive equipment home or store it in a protected facility in the local town near the cottage. Always

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remove all firearms and alcohol when the cottage is closed for the winter. Small boats, canoes and personal watercraft should not be left near the shore. Instead, bring them higher up on the property and beyond the line-of-sight of passing boats/snowmobiles. Some cottagers leave their aluminum boat right on top of the dock during the off season – not a good idea. Do not restrict visibility to the insides with curtains; better to display that nothing of value is within.

- The traditional Neighbourhood Watch has been effectively surpassed by lake association's use of immediate contact and access to residents by e-mail and website communications. However the OPP feels that Neighbourhood Watch programs organized at the local level remain worthwhile.
- Lake associations asked if we could get a monthly report on the type of cases they are working on. This could be very useful to get the word out quickly to the collective lake association membership on specific activity going on in the region that members would like to know. Inspector Needham indicated he would have his analyst prepare a B/E activity map for us.
- Marine statistics may be made available dependent on the issue(s) but require collation by an officer which may not be an efficient use of time and resources.

Post Script Points

- ✓ *Form neighbourhood watch groups on your private roads leading to your cottage.*
- ✓ *Hire someone to do cottage checks in your absence.*
- ✓ *Take all prized valuables home with you when you leave for the winter - boat motors, water toys etc..*
- ✓ *Leave a sign attached to your bunkie, cottage or shed that you have removed all valuables and have taken them home with you.*
- ✓ *Trail-Cams (video cameras) work well for deterrent and evidence for conviction as well as signage posted advising of your surveillance.*
- ✓ *Seek help from the OPP & Ontario websites for property security and safeguarding your home - see links below*
- ✓ **OPP Safeguard Ontario Property Program** -
<http://www.opp.ca/index.php?id=115&lng=en&entryid=570bf1a58f94ac983906709c>
- ✓ **Ontario Home Security Home Audit Guide** -
http://www.mcscs.jus.gov.on.ca/english/police_serv/HomeSecurityAuditGuide/home_security.html

Questions

- g. Several residents have expressed concerns with regard to Right-of-Way issues. This has been an ongoing concern.
- h. What are the restrictions on the use of property surveillance cameras?

Answers

- Right-of-Way use is subject to numerous variables. For example: if the owner(s) of a private road allows public use and if a perceived public parking lot of more than 2000 sq ft may be accessed on the hitherto private road and if allowance to public lake access, then the road no longer falls within the regulation determining a private road. If you have lawful use of a Right-of-Way, you can use whatever vehicle you have to drive on it. The OPP needs specific authority from municipalities to enforce Municipal By-Laws. They do not have the authority to enforce traffic regulations on 'private roads'.
- Surveillance cameras set up on a dwelling have no restrictive sightline as they are deemed to be for the security of the applicable building and/or property. A camera(s) set up on the perimeter of a property which is directly aimed at another dwelling may be interpreted as an invasion of privacy and as such may be determined as improper use of the surveillance equipment.

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Questions

- i. Earlier this spring/summer, Pike Lake was being targeted for boat motor theft, and approximately three motors were stolen. In response, the Pike Lake community raised awareness of the string of thefts through their email distribution list. What can Lake Associations do to help residents protect their private property? In the event of a theft, what can/should Lake Associations do?
- j. A situation brought to our attention concerned abuse of privacy on Mississippi Lake. Is this type of behaviour illegal in any way? Who can an individual facing this kind of problem get help from?
 - Numerous boats parked within 20'-30' of private property shoreline
 - Set-up of chairs in water as well as a picnic table on the shallow sand bar etc
 - Property owners must wade through tubes, boats, lines, tables and chairs to swim
 - Food, beer and other drinks are obvious
 - Refuse is not picked up
 - Safety is a concern by the property owner(s)
 - This activity is constant every nice weekend in the summer

Answers

Report all incidents immediately to the OPP with as much information as possible such as date/time, repetitiveness, photos, make and type of boats with registration numbers if possible etc. Drinking while boating is an offence.

Questions

- k. What can lake associations do to enable an enforceable No Wake restriction? It is acknowledged that currently the OPP cannot enforce such a regulation as No Wake is not currently found in the Canada Shipping Act or other regulations.
- l. What is the OPP's position on maintaining water safety in light of the increasing boat speeds overall and would the OPP support the introduction of speed limits where safety now could be an issue? Advances in boat technology is allowing much higher speeds in all boat classes. [i.e. Bass boats now use 250HP engines with speeds that exceed 75MPH. New bass design boats can hit 100MPH].
- m. In terms of engine noise, how is the current *Transport Canada Regulation TP1332E - Appendix 3.0 Noise Reduction* enforced by OPP? Currently on Big Rideau, there are an increasing number of high powered cigarette and even huge offshore boats (offshore boats have no place on an inland lake). Many are running in the "off muffler position" at high speed at all hours with no regard to the impact on residents. These boat owners know they are running illegally and have no concerns about being challenged. What can a resident do about this when they experience the infraction?

Answers

- With regard to engine noise, mufflers cannot be legally modified or equipped with a 'cut-out' or 'bypass'. An outboard motor, such as those used on bass boats, has legal mufflers built into the engine. The OPP confirmed that the key for them is getting ID on a boat that is running off muffler. This could be in the form of video along with boat ID # linked to a formal complaint being called in. A related item was clarified. The TP 1332E Transport Canada regulation is not specifically a "DB" regulation. It is a standard designed to stop owners of certain types of boats from running "off muffler" which causes high DB. This off muffler option is typical of cigarette and offshore boats.
- In terms of boat speed, the OPP confirmed that Transport Canada is the regulating body and that as long as the boat is more than 100 ' offshore, there is no speed limit in effect. Transport Canada data on their website states that there is an unposted speed limit of 10kph within 30M (100') of the shore line.

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- They agreed that they would support new legislation aimed at limiting speed but this is not their responsibility. The implication here is that it would take a major coordination effort between the lake associations to start a movement that would get signatures to support speed limit legislation. A point made in the meeting was that lakes are not going to getting any bigger and the ability to absorb this ever increasing speed is clearly a safety issue.
- When someone sees an infraction with speeding within 100' of shore, it is important to try and record the incident. Wake size at the shore can also be used to determine the speed. Hard to prove in court but getting information on the boat [ID] along with photo or video is key for OPP's ability to prosecute.

Post Script Points

- ✓ *Shoreline Sound Level Measurement Procedure for Recreational Motorboats SAE J1970. This SAE Recommended Practice establishes the procedure for measuring the sound level of recreational motorboats in the vicinity of a shore bordering any recreational boating area during which time a boat is operating under conditions other than stationary mode operation. It is intended as a guide toward standard practice and is subject to change to keep pace with experience and technical advances.*
- ✓ *SAE J1970 was originally developed for the specific purpose of measuring boat noise at the shoreline of recreational boating areas. Shoreline noise from recreational boats has now become a major public health and safety issue as a result of large "offshore-style" boats that are now being used on small inland lakes and rivers. The original version of SAE J1970 did not adequately define the applicable measurement restrictions (Section 4) and, as a result, the exact meaning of "shoreline noise" was often restricted to the point of rendering the procedure unusable in perhaps a majority of shoreline situations. This revision allows measurements to be made, for instance, at virtually any distance inland from the shoreline, thereby facilitating measurements to be performed under conditions where, for example, wave noise at the water's edge produces unacceptably high ambient noise levels thereby rendering the original version to be unusable. Subsequent modifications regarding the required vertical distance from the waterline to the microphone have been included in the revised version thereby allowing sound level measurements to be performed that are much more realistic in terms of exposure of shoreline residents to boat noise.*

Questions

- n. Would the OPP support signage at launch ramps describing the regulations in force with respect to Regulation TP 1332 - Appendix 3.0? (This is done in other jurisdictions)

Answers

The simple answer is yes. Signage is supported but the OPP will not maintain them.

Questions

- o. We need a better understanding of OPP's jurisdiction on Big Rideau?

Answers

It was clear that the OPP have the sole responsibility to enforce marine regulations on Big Rideau.

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- 3. **Next meeting** - Tentatively scheduled for 22 September 2017 at 09:30am. Confirmation and location to be announced.
 - 4. **Meeting Adjournment** – The meeting ended at 11:15am.