

Private Buoys

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Legislation

- ▶ Private Buoy Regulations (under the Canada Shipping Act)
 - ▶ The Canadian Aids to Navigation System
- ▶ The NPA (Scheduled waters)
 - ▶ Minor Works Order
- ▶ Vessel Operating Restriction Regulations (also under the CSA)
 - ▶ Buoys prescribed in a VORR to mark VORR areas
- ▶ The Province of BC – FLNRO
- ▶ Regional District Bylaws
 - ▶ CSRD Bylaw 900
- ▶ Municipalities
 - ▶ Bowen Island example

Private Buoy Regulations

- ▶ Applies to all buoys not placed by the Province or Federal government
 - ▶ Except buoys marking fishing gear (Fisheries Act)
- ▶ Describes size and marking requirements for buoys
 - ▶ Refers to the Canadian Aids to Navigation System (CCG publication)
- ▶ Should not interfere with navigation
- ▶ Should have suitable anchors
- ▶ The Minister may require changes (TC)

Buoys for Navigation Purposes

- ▶ Lateral Buoys
 - ▶ Port and port-bifurcation, starboard and starboard-bifurcation, fairway, and isolated danger
- ▶ Cardinal buoys
 - ▶ North, South, East & West
- ▶ No NPA approval required if they meet the PBR requirements
 - ▶ Assuming they are actual floating buoys
 - ▶ Fixed aids are works



Special buoys

- ▶ Provide information - not always for navigation
- ▶ May be part of a vessel operating restriction regulation (VORR)
 - ▶ Swim buoys / keep out buoys / control buoys
- ▶ May be prescribed in conditions of an approval/authorization
 - ▶ Cautionary buoy
- ▶ May meet the PBRs and not need an approval/authorization
- ▶ May be a work and require an Approval/authorization
 - ▶ ODAS buoys
 - ▶ Mooring buoys

Mooring Buoys

- ▶ Used to secure a vessel - not for navigation
 - ▶ They are a "work"
- ▶ On Scheduled Waters - Notice of works required
UNLESS
- ▶ Minor works order - mooring systems
- ▶ Must adhere to the PBR's



Mooring Buoys

What they're supposed to look like

- ▶ Top 1/3 orange
- ▶ Bottom 2/3 white
- ▶ PRIV
- ▶ Name
- ▶ Phone number
- ▶ Address***



Mooring Buoys

What we find out there

- ▶ American buoys (very different from Canada)
- ▶ Rubber tires
- ▶ Fishing gear markers
- ▶ Kegs
- ▶ Milk and Laundry detergent bottles
- ▶ Boat fenders
- ▶ Lateral or Cautionary buoys
- ▶ Creativity abounds!



Mooring Buoys

Typical concerns we hear about

- ▶ Neighbour has placed a buoy in front of complainant's house
- ▶ Neighbour placed a buoy too close to complainant's buoy
- ▶ Neighbour's boat is ugly (and it's on a buoy)
- ▶ There are too many buoys here

- ▶ Some complaints can be dealt with case-by-case
- ▶ Some require a larger plan of attack at the community level
 - ▶ Engage with local government
 - ▶ Educate users
 - ▶ Conduct large-scale compliance and enforcement



Mooring Buoys Compliance and Enforcement

- ▶ Step 1 - Determine the risk
 - ▶ Initial site inspection, history of site, partner agencies,
- ▶ Step 2 - Public education
 - ▶ Emails, notices, signs, bulletins, partner agencies
- ▶ Step 3 - Place compliance notices
 - ▶ Pick a reasonable deadline.
 - ▶ Document notices - spreadsheet with photos
- ▶ Step 4 - Follow up with owners
 - ▶ They often have many questions
 - ▶ Encourage voluntary compliance
- ▶ Step 5 - Enforcement
 - ▶ Hire someone to remove them
 - ▶ Have a plan for those with boats attached
 - ▶ Be present for the removals



Buoy Marinas

- ▶ A group of buoys owned and managed by a single entity
 - ▶ Strata, resort, homeowner's association, municipality, etc
- ▶ May be considered as a single work - NPA sec 5(5)
- ▶ Notice of Works required
 - ▶ Send Sample Plans - guidance only
 - ▶ Refer to FLNRO - land tenure?
 - ▶ Buoys are "works" and could deviate from the PBRs.



Mooring Buoy FAQ's

- ▶ What do I need to do to place a buoy?
- ▶ Can my neighbour just put his buoy anywhere?
- ▶ How do I register my buoy?
- ▶ Someone else is tied to my buoy. What can you do about it?
- ▶ I want to report my buoy as stolen
- ▶ My neighbour's buoy is illegal. What are you going to do about it?