

TORONTO PORT AUTHORITY PRACTICES AND PROCEDURES

WITHIN THE LIMITS OF THE PORT & HARBOUR OF TORONTO

as at **June 2000**

PREAMBLE

These Practices **and** Procedures are made pursuant to the Canada Marine Act Section 56, Subsection (1) (b), and are intended to promote safe and efficient navigation, and environmental protection in the waters of the Port of Toronto.

Under Section 59 Subsection (1) (a), it is an offense if a person or ship does not follow these practices and procedures.

The waters of the Port of Toronto are those waters within the port limits as defined in the Letters Patent for the Port of Toronto as shown on Canadian navigation chart 2085.

These Practices and Procedures are to be followed by all vessels entering, manoeuvring, berthed, or anchored within the port limits.

SHORT TITLE

1. These Practices & Procedures may be cited as the **Toronto Port Authority Practices and Procedures.**

INTERPRETATION

2. **In these Practices & Procedures:**

“**ACT**” means the Canada Marine Act.

“**AUTHORITY**” means the Toronto Port Authority.

“**DESIGNATED AREA**” means an area designated by the Authority in respect of an activity.

“**OFFICER**” means a person employed or designated by the Authority to direct some phase of operation or use within the port limits.

“**OVERALL LENGTH**” means the horizontal distance measured between perpendicular lines drawn at the overall extreme after ends of a vessel.

“**PLEASURE CRAFT**” means a vessel, however propelled, that is used exclusively for pleasure and that does not carry passengers who paid a fare for passage.

“REPRESENTATIVE” means the Master, Owner or Charterer of a vessel or an agent of either of them and includes any person who in the operation of that vessel within the port limits of the Authority accepts responsibility for payment of fees under the Act to be assessed against that vessel.

“SHIP” under the **Act** means as for **“VESSEL”** or **“CRAFT”** every description of water craft or floating object, structure, or device used, or capable of being used as a means of navigation on water, including non-displacement craft, and seaplanes on the water, without regard to method, or lack of propulsion. A vessel may be classified into three general categories, namely:

- (a) **Industrial** - Cargo vessels and associated such craft, including tugs & barges, foreign flag passenger vessels, naval, and government owned.
- (b) **Commercial** -Vessels other than the above used **for** commercial purposes.
- (c) **Recreational** --Craft used solely for recreational purposes.

“SEAPLANE” includes any aircraft designed to manoeuvre on water.

“TOWED” means pushed or pulled through the water.

PART 1 – GENERAL

Licensing

3. No person shall operate any vessel within the Port and Harbour of Toronto, until such vessel is licensed or registered in compliance with International or Canada Shipping Act requirements.
4. Identification marking, provided for under the Canada Shipping Act shall be displayed and plainly visible at all times on the vessel for which such was issued.
5. No person shall operate a power driven vessel in the Port and Harbour of Toronto unless in the possession of Marine Certification recognized by Transport Canada and the authority, or the holder of a valid Toronto Port Authority Operators Permit for Power Driven Vessels (“Operators Permit”).
6. No Person under the age of 14 years shall be granted an Operators Permit.
7. No person under the age of 18 years shall be licensed to operate, nor operate a power vessel in the Port and Harbour of Toronto while engaged in the carriage of passengers for hire.
8. No person shall be granted an Operators Permit until such person has passed mandatory examinations (written and practical) to the satisfaction of the Authority, or that person designated by the Authority. Each applicant for such a permit will be required to comply fully with all regulations governing issuance, and to pay the designated fee.

Insurance

9. All vessels utilizing port amenities must carry adequate Protection & Indemnity (P & I) insurance, or other suitable wreck removal insurance, proof of which available on request of the Authority.

Collision Regulations

10. All vessels must comply with “International Regulations for Preventing Collisions at Sea, (1972), with Canadian Modifications”.

Small Vessel Regulation

11. All applicable vessels operating within the Port and Harbour of Toronto must comply at all times with the provisions set out in the Canada Shipping Act, Small Vessel Regulations.

Anchorage

12. Anchorage within “Inner” and “Outer” Harbours to be confined to designated areas as defined on Chart 2085 as directed by the Harbour Master.
13. Anchorage outside the “Inner” and “Outer” Harbours designated areas permitted at the Harbour Master’s discretion.

Speed Limits

14. Unless otherwise authorized by the authority:
 1. No vessel shall exceed a speed of 5 knots (10 km/hr) within 150 metres of any shoreline or breakwater.
 2. Except as provided for above, no vessel shall exceed 10 knots (19 km/hr) elsewhere within the ‘Inner’ and “Outer” Harbours.
 3. No vessel shall produce a wake within Toronto Island lagoons, nor navigable waters between the shoreline and Western Breakwater.
15. The foregoing provisions shall not apply to any craft engaged in life saving, the police patrol service, or any craft when used for fire fighting purpose.
16. Notwithstanding the above, no vessel shall be operated on any of the waters of the Port and Harbour of Toronto in a reckless manner, or at an excessive speed so as to endanger life or property.

Air Pollution

17. No vessel shall emit exhaust fumes or smoke other than that required strictly for immediate engine startup.

Exhaust Noise

18. Except when provided for under written authorization from the Authority, every motorized vessel navigating the waters of the Port and Harbour of Toronto shall be equipped with a stock factory muffler, under water exhaust or other improved device capable of adequately muffling engine sound, and that such will be employed, and kept in proper working order at all times.

Swimming

19. No person shall bathe or swim in the waters of the Port and Harbour unless in an area designated for such activity as authorized by posted signs, or provided for by written authorization of the Authority.
20. Unless in an area contiguous to beaches of the City of Toronto that have been designated by the City of Toronto as beaches where nude sunbathing is permitted, for such period of time as the applicable City of Toronto by-law permitting such nude sunbathing remains in effect, no person shall bathe, swim or wash in such waters except when wearing proper bathing attire sufficient to prevent indecent exposure.

Diving

21. No person shall conduct diving activities, recreational or otherwise, in a navigable channel without written authorization from the Authority. Diving may be permitted elsewhere as authorized by posted signs.
22. No diving, commercial or otherwise, may be undertaken by any individual without first notifying the Authority and executing the appropriate documents.
23. All diving operations must be clearly identified, marked by the display of required signals designating such an activity in progress.

Fishing

24. No person shall fish from shoreline unless in an authorized area designated by posted signs.
25. Afloat Recreational/Commercial fishing is not to be undertaken in a navigable channel, or areas designated for other activities swimming, diving, etc

Deleterious Matter

26. No deleterious matter (including ballast water obtained outside the Great Lakes system) shall be dumped, or caused to be dumped, thrown, or discharged, alone, or in combination with any other substance into the waters of the Port and Harbour.

Spills

27. All vessels shall report to the Authority immediately upon knowledge of any overside spill of a nature to cause pollution, and immediately take such steps as are available to contain such spill pending the arrival of help.

Moorings

28. No vessel shall be moored alongside any dock wall, slip, or to any mooring buoy without permission from the appropriate authority.

Navigation Aids

29. No aid to navigation, buoy, mooring, float, picket, mark or sign, shall be placed, or caused to be placed, altered, removed or re-located without specific written authorization from the Authority.

Accident Reporting

30. The owner, master, pilot or person in charge of a vessel involved in an accident which causes death or injury, or loss, destruction or damage to property, a collision; or a grounding, shall deliver immediately to the Authority or the Toronto Police Services Marine Unit, notification giving full details.

Heavy Weather

31. In times of heavy weather, mooring lines are to be doubled up and inspected frequently.

Bridges

32. Request for bridge lifts (other than emergency) must be made through the Authority at least 2 hours before the lift is required for times when bridges are manned. In addition to required whistle signals, the bridge operator may be contacted directly on VHF 12 while on site.
33. Vessels are prohibited from proceeding sternfirst through bridge openings.

Height Restriction

34. Vessels in excess of 18 metres overall height, , truck to waterline, are required to notify Toronto City Centre Airport, Control Tower (VHF 12) prior to transiting the Western Gap.

Pyrotechnics

35. Unless otherwise specifically authorized in writing by the Authority, setting off flares, and other signaling devices, is permitted only in areas authorized by posted signs.

Explosives/Dangerous Goods

36. Placing, storing, handling or transportation of hazardous, explosive and dangerous goods may only be undertaken in full compliance with Transport Canada, Transportation of Dangerous Goods (TDG) Act requirements, and under specific written authorization of the Authority.
37. Any activity to cause a fire or explosion, the conducting of blasting, or setting off fireworks, may only occur under specific written authorization of the Authority.
38. Every person having charge of or acting as master or mate of any craft used in carrying explosives and pyrotechnics to and/or from the shore for the purposes of special effects, displays, filming activities etc, may only do so with written authorization of the Authority.
39. Every vessel having on board explosives, shall by day fly a red flag of not less than 1.2 metres square, and by night an all round red light at a height where can best be seen.
40. No vessel as above shall navigate in the harbour between sunset and sunrise.
41. No passenger shall be carried on any such vessel undertaking the above.

Special Events

42. No sailing race, regatta, motor vessel race, demonstration, exhibition speed boat trial, or other organized event impacting navigation shall be held wholly or partly within the Port and Harbour of Toronto without first, upon written application, obtaining written authorization from the Authority. Each applicant for such an authorization will be required to comply fully with all regulations governing issuance, and to pay the designated fee.
43. Such authorization, issued in the form of a Permit will indicate specifics relating to such authorization, including any course designation which may by means of buoys mark off areas for the holding of such event.

Advertising

44. Except as provided for in a written authorization from the Authority, no craft, float, or other waterborne structure or device shall be moored, anchored or in any other way positioned in the waters of the Port and Harbour for the sole purpose of advertising.

Exclusion Zones

45. No vessel shall enter a marked exclusion zone for any purpose without authorization of the Authority.

Fire Signal

46. In the event of a fire occurring at a dock at which any vessel is moored, or on board any vessel (except when underway) such vessel shall with her whistle or siren give five (5) long blasts of from 4 to 6 seconds duration each as an alarm to indicate such fire. This signal shall be repeated at intervals, and shall be used in addition to, but not in substitution for other means of reporting, and shall not be used for any other purpose.

PART 2 INDUSTRIAL VESSELS

Berthing

47. All vessels desiring a berth at the Port of Toronto shall, as far in advance of the date of docking as possible, make application to the Authority for such berth, specifying the date and estimated time of arrival, departure, and the nature and quantity of cargo, if any, to be handled. Such requests may, in the discretion of the Authority, be required in writing.
48. Berthing will be allocated to the assigned terminal on a first arrival basis. However, where a berth has been allocated to a vessel and labour for her working has been ordered in accordance with the labour agreement, the Authority reserves the right to maintain such allocation.
49. Whenever a berth is not available at the required location, the Authority will endeavour to provide alternative berthing, but where such alternative berth is accepted, the Authority shall not be responsible for any costs which may incurred.
50. The Authority reserves the right to refuse a berth to any vessel carrying explosives or hazardous goods, or in the event that proper notification of arrival has not been given.
51. The Authority reserves the right to give priority of berthing to any vessel which has made proper application for Berth 357, for the sole and specific purpose of using the services of the Authority's 300-ton heavy lift crane.

52. Any vessel requesting or accepting Berth 357, for any purpose other than working with the crane shall, at the risk and expense of that vessel and on receipt of written notice from the Authority, vacate the berth to make way for a vessel solely and specifically requiring the services of the 300-ton crane. Such notice shall be given to the vessel or her agent at least 24 hours in advance of the time that Berth 357 is to be vacated.
53. Nothing above shall give to any vessel working with the heavy lift the right to occupy the berth after such work is completed.

Traffic Control

54. All vessels within this Part shall comply with normal port arrival and departure procedures and shall obey port instructions relating to restrictions or other traffic.
55. Upon arrival, a vessel shall provide the Authority by VHF 12 with adequate ETA's, general vessel information, obtain clearance prior to entering the port, and maintain constant VHF watch throughout maneuvering activities within the port area.
56. For departure, a vessel shall request the Authority for clearance by VHF 12 prior to departing the berth or anchorage, maintain constant VHF watch throughout maneuvering activities within the port area, and notify once clear of port limits.
57. For shifting, a vessel shall request the Authority for clearance by VHF 12 prior to move, and notify upon completion of shifting berth, with VHF watch maintained throughout.
58. Specific authorization must be obtained from the Authority prior to undertaking any of the following: hot work; immobilization of main engines; overside wash, chip, sanding and/or painting; shifting on lines alone; fire drills; boat drills (including lowering and/or letting go of lifeboats); turning main engines alongside (applicable vessels in excess of 2000 GRT); rafting; overhanging berth; towing dead ships; or ship to ship transfers.

Laying up

59. Laid-up vessels shall be at all times have prepared an offshore towing line properly secured on deck, at both fore and after end, each bite or eye led down overside in such manner as to facilitate ready towing in the event of emergency.

PART 3 COMMERCIAL VESSELS

60. All vessels operating as tour boats or other craft providing passage for hire, within the Port and Harbour of Toronto shall do so only when in full compliance with Transport Canada and other governmental requirements for the type, class and size of vessel in question.
61. No owner, operator, charterer or master of any vessel shall make, cause or permit to be made or cause undue noise in excess of 85 decibels when measured 15 metres from source of noise.

PART 4 RECREATIONAL VESSELS

62. No craft shall be operated in the waters of Toronto Harbour in a negligent manner to unnecessarily or unreasonably interfere with the free and proper use of the waters by other persons or craft, or which endangers others, their craft, or those in the water.
63. No craft shall be operated in an overloaded or overcrowded condition, nor shall any person operate any craft that is not seaworthy or safe.
64. Vessels shall not moor alongside dockwalls without proper authorization. Vessels contravening this shall be requested to move. Where the owner or operator of such craft fails to comply with such request, or cannot be reached, the Authority has the right to move such craft to another location, at the sole cost, risk and hazard of the owner, without recourse.