

TOWNSHIP OF WOOLWICH

BY-LAW NUMBER 34-89

A BY-LAW TO AMEND BY-LAW NUMBER 82, BEING A BY-LAW TO PROHIBIT THE PARKING OR LEAVING OF MOTOR VEHICLES ON PRIVATE PROPERTY WITHOUT AUTHORITY FROM THE OWNER OR OCCUPANT OF SUCH PROPERTY OR ON THE PROPERTY OF THE MUNICIPALITY WHERE PARKING BY THE PUBLIC IS NOT AUTHORIZED, AND PROVIDING FOR THE REMOVAL OR IMPOUNDING OF ANY MOTOR VEHICLE SO PARKED OR LEFT, AT THE EXPENSE OF THE OWNER THEREOF.

WHEREAS, the Council of the Township of Woolwich passed By-law Number 82 on the 25th day of June, 1974;

AND WHEREAS it is deemed expedient to amend By-law Number 82.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

THAT By-law Number 82, as amended, be further amended by deleting Sections 1, 2, 3, 4 and 5 and substituting the following sections 1, 2, 3, 4, 5, 6, 7, and 8 in place thereof:

1. a) "Authorized Sign" means any sign manufactured and installed to the satisfaction of the enforcing official under the authority of this by-law for the purpose of regulating parking. Such signs shall be clearly legible and state the following:
 - i) The regulation being enforced.
 - ii) The By-law Number.
- b) "Enforcing Authority" means the Regional Municipality of Waterloo Police Force or the Corporation of the Township of Woolwich.
- c) "Enforcing Official" means an officer or constable of the Waterloo Regional Police Force or a By-law Enforcement Officer of the Township, and in respect to specified properties, a specially appointed By-law Enforcement Officer whose name appears in Schedule "A" of this By-law.
2. a) No person shall park or leave a motor vehicle on private property without authority from the owner or occupant of such property.
- b) No person shall park or leave a motor vehicle on property of the Corporation of the Township of Woolwich, or any local board thereof, where parking by the public is not authorized.
3. The driver or owner of a motor vehicle parked or left on private property or on property of the municipality, or any local board thereof, is not liable to a penalty or to have the motor vehicle removed from such property or impounded for a contravention under Section 2 unless:
 - a) Such property is clearly marked with authorized signs erected, or cause to be erected, by the owner or occupant of the property.

- b) A written complaint is given to the enforcing authority or an enforcing official from:
- i) in the case of private property, the owner or any occupant thereof,
 - ii) in the case of municipal property, an authorized employee of the municipality, or
 - iii) in the case of property of a local board, an official of the local board,

authorizing and directing the said enforcing authority or enforcing official to enforce the provisions of the by-law on the property set out and described in the notice for the time or period of time indicated therein.

4. An officer or constable of the Waterloo Regional Police Force, upon discovery of any vehicle parked or standing in contravention of the provisions of this by-law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Mechanics' Lien Act.
5. Every person who contravenes any provisions of this by-law is guilty of an offence and is liable, upon conviction, to a fine not exceeding \$2,000.00, exclusive of costs, for each offence, recoverable under the Provincial Offences Act.
6. Notwithstanding any other provisions of this by-law in respect to penalties for violation of the provisions of this by-law, any person may, upon presentation of a parking infraction notice issued by an enforcing official alleging commission of any of the offences under this by-law, pay out of court within seven days of the issuance of the said parking infraction notice an early voluntary payment in the amount of ten dollars (\$10.00). Upon such payment, no further proceedings shall be taken under this by-law in respect to the said alleged offences.
7. If an early voluntary payment is not made in accordance with the procedure provided in Section 6 of this by-law, the procedures of the Provincial Offences Act, or any successors thereof, shall apply.
8. By-law Number 85 of the Corporation of the Township of Woolwich and any other by-law inconsistent with the provisions of this by-law is hereby repealed.
9. This by-law shall come into force and take effect on September 1, 1989.

PASSED this 25th day of April, 1989

Robert Waters
Mayor

Kris Fletcher
Clerk

Set Fine Schedule

TOWNSHIP OF WOOLWICH

Part 2 Provincial Offences Act
By-law No. 34-89: Private Parking By-law

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Park on private property illegally	Section 2 (a)	\$18
2	Park on property of the Township of Woolwich illegally	Section 2 (b)	\$18
NOTE: The penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P. 33			