

## **The Corporation of the City of Guelph By-law Number (2003)-17224**

A By-law to regulate the parking of vehicles in public parks and to adopt Municipal Code amendment #307, which amends chapter 210 of the Corporation of the City of Guelph's Municipal Code and to repeal By-law (1991) - 13798 and all amendments thereto.

### **The Council of the Corporation of the City of Guelph enacts as follows:**

#### **Interpretation**

1. For the purposes of this By-law the following terms shall have the corresponding meanings:

"Authorized Emergency Vehicle" means,

- i. a motor vehicle of any fire department;
- ii. a motor vehicle of any police service; and
- iii. an ambulance;

"By-law Enforcement Officer" means a person appointed by the City to enforce the Parking and Stopping provisions of this By-law;

"City" means The Corporation of the City of Guelph;

"Park" when prohibited, means the standing of a motor vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, and "Parked" and "Parking" shall have a corresponding meaning;

"Police Officer" means a police officer employed by the Guelph Police Service or the Ontario Provincial Police;

"Stop" when prohibited, means the halting of a motor vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or of a traffic control device, and "Stopped" and "Stopping" shall have a corresponding meaning;

#### **General regulation**

2. No person shall Stop or Park any motor vehicle on any grassed or earth surface in any park that is operated by the Corporation of the City of Guelph, without the express written permission of the Commissioner of Community Services or their designate.

## **Exemptions**

3. Section 2 of this By-law does not, if compliance therewith would be impractical, apply to an Authorized Emergency Vehicle or to a motor vehicle operated on behalf of the City by a City employee, while actually engaged in work authorized by the organization for whom such vehicle is operated.

## **Offence**

4. Every person who contravenes any provision of this By-law is guilty of an offence.
5. The owner of a motor vehicle that is found Parked or Stopped in contravention of this By-law is guilty of an offence and, upon conviction, shall be subject to the governing penalties, unless the owner of the motor vehicle proves to the Court that, at the time of the offence, the motor vehicle was in the possession of another person without the owner's consent, express or implied.

## **Penalties**

6. Every person who is convicted of an offence under any provision of this By-law shall be liable to a penalty as set out in Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended from time to time, or any successor thereof.

## **Removal of vehicle**

7. Where a motor vehicle is found Parked or Stopped in contravention of this By-law, a By-law Enforcement Officer or Police Officer may cause such vehicle to be moved or taken to and placed or stored in a suitable place, at the vehicle owner's expense, and all costs and charges for this removal and for any care and storage of the vehicle, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act.

## **Early payment for parking infraction notices**

8. Where a Parking Infraction Notice is issued in respect of an offence committed under this By-law, the Commissioner of Environment and Transportation of the City or any person designated by him or her to accept such payments on behalf of the City may, within seven (7) calendar days of the date indicated on the Parking Infraction Notice, accept a lesser fine payment than the Set Fine amount, which payment shall be deemed to be an Early Payment of the penalty in full satisfaction of the offence, and a receipt therefor shall be given to the person making payment.

## **Effective date of By-law**

9. This By-law shall come into effect on the date when the set fines for this By-law are approved by the Regional Senior Justice.

**Prior By-laws repealed**

10. By-law Number (1991)-13798 and all amendments thereto are hereby repealed as of the date that this By-law comes into effect in accordance with Section 9.

**Municipal Code amendment**

11. This By-law is hereby adopted as Municipal Code Amendment #307, which amends Chapter 210 of the Corporation of the City of Guelph's Municipal Code.

**Passed this Eleventh day of August, 2003.**

Original signed by:

Karen Farbridge - Mayor

V. Charlene Lavigne - Deputy City Clerk