



THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2022- 041

A BY-LAW TO AMEND BY-LAW 2005-36 AND BY-LAW 2016-103 TO PROVIDE FOR ADMINISTRATIVE MONETARY PENALTIES FOR VIOLATIONS OF THE TOWNSHIP OF KING PARKING BY-LAWS

WHEREAS the Township has approved By-law Number 2022-040, which establishes an administrative monetary penalty system for by-law offences, in accordance with Section 102.1 of the *Municipal Act, 2001*, and O. Reg. 333/07;

AND WHEREAS the Township wishes to amend By-law 2005-36 and By-law 2016-103 to designate certain provisions for the purposes of section 3 of O. Reg. 333/07 as provisions to which administrative monetary penalties shall apply;

NOW THEREFORE the Council of The Corporation of the Township of King enacts as follows:

1. By-law 2005-36, as amended, is hereby amended by adding the following sections:
 - 1.1.1 “Administrative Penalty By-law” means By-law 2022-040 of the Township of King, as amended from time to time, or any successor thereof;
 - 1.5.1 “Designated Provision” means any section of this By-law designated in accordance with section 36;
 - 1.21.1 “O. Reg. 333/07” means Ontario Regulation 333/07, made under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time or any successor thereof;
2. By-law 2005-36, as amended, is hereby amended by deleting section 36 and replacing it with the following new section 36:

PART 36 PENALTIES

36. (a) Any person who contravenes any of the provisions of this By-law, except a designated provision, is guilty of an offence and upon conviction, is liable to a penalty as provided for in the *Provincial Offences Act*, R.S.O. 1990, c.P. 33, as amended from time to time, or any successor thereof.

(b) Sections 7.1, 7.3, 8, 9, 9.1, 10.1, 11.1, 12.1, 12.2, 13.1, 14.1, 15.1, 16.2, 17, 20, 21, 22, 23.4, 24, 26, 27.1, 30.1, 31.5 and 32, of this By-law are hereby designated for the purposes of section 3 of O. Reg. 333/07 as parts of this By-law to which the Administrative Penalty By-law applies.

(c) If a vehicle has been left parked standing or stopped in contravention of a designated provision, the owner of the vehicle shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any administrative fees, in accordance with the Administrative Penalty By-law.

(d) The *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended from time to time, or any successor thereof, does not apply to a contravention of designated provision of this By-law.

(e) Except as set out in sections 36(a) and (d), all other provisions of this By-law and of any other applicable legislation shall continue to apply to the designated provisions, in addition to the Administrative Penalty By-law.

3. By-law 2005-36, as amended, is hereby amended by deleting Part 37 and replacing it with the following new Part 37:

PART 37 ENFORCEMENT PROCEDURES

37.1 The Fire Chief and the Fire Prevention Officer of the Corporation of the Township of King are hereby appointed as Municipal Law Enforcement Officers for the Corporation of the Township of King for the purpose of enforcing parking infractions in “Designated Fire Routes” or other parking offences as required, pursuant to Parking By-law 2005-36, as amended, by By-law 2005-117.

4. By-law 2005-36, as amended, is hereby amended by deleting Part 38 and replacing it with the following new Part 38:

PART 38 OWNER LIABLE

38. The owner of a vehicle who has received a Penalty Notice under this By-law and where the Administrative Penalty set out in the Penalty Notice has been confirmed, the owner is liable for the Administrative Penalty, unless, at the time the Penalty Notice was issued, the vehicle was in possession of some person other than the owner, without the owner's consent.

5. Section 2 of By-law 2016-103, as amended, is hereby amended by adding the following sections:

2.1.1 "Administrative Penalty By-law" means By-law 2022-040 of the Township of King, as amended from time to time, or any successor thereof;

2.12.1 "Designated provision" means any section of this By-law designated in accordance with section 8.10;

2.27.2 "O. Reg. 333/07" means Ontario Regulation 333/07, made under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time or any successor thereof;

6. By-law 2016-103, as amended, is hereby amended by deleting section 8.10. and replacing it with the following new section 8.10.:

Offence

8.10. (a) Any person who contravenes any of the provisions of this By-law, except a designated provision, is guilty of an offence and upon conviction, is liable to a penalty as provided for in the *Provincial Offences Act*, R.S.O. 1990, c.P. 33, as amended from time to time, or any successor thereof.

(b) Section 6, of this By-law is hereby designated for the purposes of section 3 of O. Reg. 333/07 as part of this By-law to which the Administrative Penalty By-law applies.

(c) If a vehicle has been left parked standing or stopped in contravention of a designated provision, the owner of the vehicle shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any administrative fees, in accordance with the Administrative Penalty By-law.

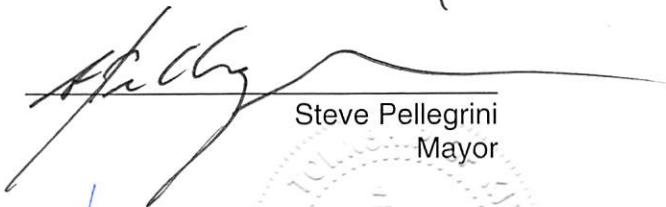
(d) The *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended from time to time, or any successor thereof, does not apply to a contravention of designated provision of this By-law.

(e) Except as set out in sections 8.10 (a) and (d), all other provisions of this By-law and of any other applicable legislation shall continue to apply to the designated provisions, in addition to the Administrative Penalty By-law.

This By-law shall come into force and effect on February 1, 2023.

READ a FIRST and SECOND time this 30th day of May 2022

READ a THIRD time AND FINALLY PASSED this 30th day of May 2022



Steve Pellegrini
Mayor



Kathryn Moyle
Director of Corporate Services
Township Clerk

(Growth Management Services Dept. – By-law Enforcement
Division Report GMS-BY-2022-02 on May 9th
and GMS-BY-2022-03 on May 30th, 2022)