

BY-LAW NO. 88-171

OF THE
CITY OF KITCHENER

To designate private roadways as fire routes, and to prohibit parking thereon

The Council of the Corporation of the City of Kitchener enacts as follows:

1. In this by-law,

- (1) enforcing official means an officer or constable of the Waterloo Regional Police Force, a By-law Enforcement Officer of the City, the Fire Chief, a Fire Prevention Officer and, in respect of certain specified properties, a specially appointed By-law Enforcement Officer whose name appears in Schedule "A" hereto;
- (2) owner of property means the person shown as the owner of property on the last revised assessment roll of the City;
- (3) person includes a corporation;
- (4) vehicle includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

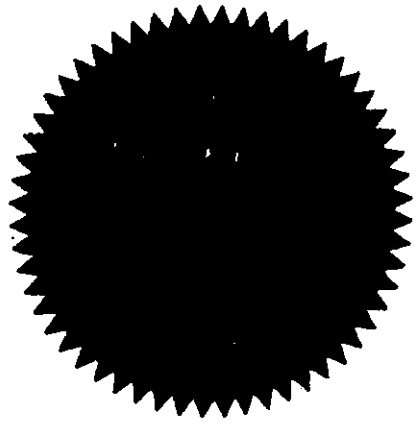
2. (1) The Commissioner of Transportation Services for the City or designate, following the date upon which Council adds the municipal address of a property to Schedule "B" of this by-law, shall cause a notice to be mailed by prepaid registered post to the owner of such property.
- (2) Such notice shall indicate when the municipal address of the property was included in or added to Schedule "B" of this by-law and which private roadways thereon shall be marked as fire routes by signs.

- (3) In the case of a property upon which there is a condominium, notice under this section shall be mailed to the corporation incorporated by The Condominium Act, as amended, and notice to such corporation shall be deemed to be notice to the owner of every unit of such condominium.
3. (1) The owner of a property, before erecting signs pursuant to a notice under section 2, shall obtain direction from and the approval of the Commissioner of Transportation Services or designate to give such direction and approval, for all such signs, the wording thereon and the location thereof.
(2) The owner of a property shall erect signs marking private roadways thereon as fire routes in accordance with the approval under subsection (1) within thirty (30) days following the date upon which a notice under section 2 is mailed.
4. Each private roadway
 - (1) which is on a property of which the municipal address is listed in Schedule "B" hereto, and
 - (2) beside or near which there are signs marking it as a fire route, is hereby designated as a fire route.
5. The owner of a property upon which there is a private roadway that has been designated as a fire route.
 - (1) shall maintain the signs marking it as a fire route, and
 - (2) shall keep such private roadway
 - (a) in good repair,
 - (b) clear of snow and ice, and
 - (c) free of all obstructions

6. No person shall park or leave a vehicle at any time on or along any part of a private roadway designated as a fire route.
7. A specially appointed By-law Enforcement Officer whose name appears in Schedule "A" hereto may enforce the provisions of section 6 of this by-law only on a property of which the municipal address is listed beside the officer's name in said Schedule "A".
8. 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 Mechanic's Lien Act.
9. Every person who contravenes any provision of this by-law is guilty of an offence and is liable upon conviction, to a fine not exceeding Two Thousand (\$2,000) Dollars, exclusive of costs, for each offence, recoverable under The Provincial Offences Act.
10. 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 Twenty (\$20.00) Dollars. Upon such payment, no further proceedings shall be taken under this by-law in respect of the said alleged offence.

- 11. By-law No. 87-276 of the Corporation of the City of Kitchener, and all by-laws amending the same, are hereby repealed as of the effective date set out in Section 12.
- 12. This by-law will come into force and take effect on March 1, 1989.

PASSED at the Council Chambers in the City of Kitchener this *22nd* day of *August* A.D. 1988.



D. V. Cardillo

MAYOR

J. P. House

CLERK
DEPUTY

BY-LAW NO.

of the

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 88-171 being a by-law to designate private roadways as fire routes, and to prohibit parking thereon)

WHEREAS it is deemed expedient to amend By-law 88-171;

NOW THEREFORE the Council of the Corporation of the City of Kitchener hereby enacts as follows:

1. By-law 90-235 is hereby repealed.
2. Section 8 of By-law 88-171 is hereby repealed and the following substituted therefor, namely:

"8. 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 Part III of The Repair and Storage Liens Act, 1989."
3. Section 9 of By-law 88-171 is hereby repealed and the following substituted therefore, namely:

"9. Every person who contravenes any provision of this by-law is guilty of an offence and is liable, upon conviction, to a fine not exceeding Five Thousand Dollars (\$5,000.00), exclusive of costs, for each offence, recoverable under The Provincial Offences Act."
4. Section 10 of By-law 88-171 is hereby repealed.
5. This amending by-law is to come into effect September 1, 1991.

PASSED at the Council Chambers in the City of Kitchener this
day of _____, A.D. 1991.

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MAYOR

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CLERK