

The Corporation of the Township of Ignace

By-law 59.2021

Being a By-law to Adopt a Video Surveillance Policy for Township Owned and Operated Properties and Facilities for Public Safety, Crime Prevention and Stewardship of Publicly Owned Assets

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, s.8(1) grants the Municipality broad general powers to govern its affairs as it considers appropriate and to enhance the Municipality's ability to respond to Municipal issues;

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, s.10(1) authorizes the Municipality to provide any service or thing the Municipality considers necessary or desirable for the public;

WHEREAS The Municipal Act, 2001, S.O. 2001, c.25, s.10(2)(6)(8) grants the Municipality the authority to pass By-laws respecting the health, safety and well-being of person(s) and for the protection of person(s) and property, including consumer protection.

WHEREAS The Council of the Corporation of the Township of Ignace deems it advisable to adopt the attached policy "Video Surveillance", which will set out appropriate terms and guidelines for the use of video surveillance on Municipal property, in accordance with the Municipal Freedom of Information and Protection of Privacy Act, R.S.O., 1990, c.M.56;

NOW THEREFORE the Council of the Corporation of the Township of Ignace hereby enacts as follows:

1. That a Policy to govern the responsible use of Video Surveillance at Township owned and/or operated properties and facilities, is hereby established pursuant to the Municipal Act, 2001; and
2. That the "Video Surveillance Policy" as set out in Schedule "A" along with the "Video Surveillance Request for Disclosure" form Schedule "B" and attached hereto, shall form part of this By-law; and
3. This By-law shall hereby rescind By-law 18.2018.
4. That in accordance with the Township of Ignace, this By-law shall take effect and come into force upon the Third and Final Reading thereof.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Final Time this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

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Policy
The Corporation of the Township of Ignace
Policy Manual

Section: Safety	Subject: Video Surveillance Policy
Effective: _____	Previous Policy Repealed: 18.2018
Approved By: Council	By-law: 59.2021
Motion: _____	Catalogue: _____

Preamble

The Corporation of the Township of Ignace recognizes the need for synergies between an individual's right to privacy and the Township's duty to promote and maintain public safety, crime prevention, and stewardship of publicly owned assets.

While video surveillance cameras are installed for safety and security reasons, the Township's video surveillance systems must also be designed to minimize the intrusion privacy. Proper video surveillance, where deemed necessary, is one of the most effective means of helping to keep the Township's facilities and properties operating in a safe, secure and privacy protective manner.

Further, it is the policy of the Township to ensure that before video surveillance equipment is installed on a Township owned or leased facility or property, the use of the video surveillance system shall be justified on the basis of:

- ❖ Enhancing the protection and safety of employees and the general public;
- ❖ Reducing, deterring and detecting crime and anti-social behavior such as vandalism, theft and unauthorized entry; and
- ❖ Protecting property and assets.

Purpose

This policy has been developed to govern the responsible use of video surveillance at Township owned and leased properties in accordance with the privacy provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA, the Act).

Scope

This policy applies to all employees, agents and volunteers of the Township, in the use and installation of all types of camera surveillance systems, surveillance monitors and camera recording devices at Township owned and leased properties for security purposes.

The guidelines identified in this policy do not apply to covert surveillance used for law enforcement purposes. In those circumstances, either a statutory authority exists

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and/or the authority for the surveillance is lawfully obtained through a search warrant. Covert surveillance is conducted through the use of hidden devices. If covert surveillance is not implemented pursuant to the conditions in the preceding paragraph, extra diligence in considering the use of this technology is required. However, covert surveillance is beyond the scope of this policy.

Definitions

MFIPPA mean the Municipal Freedom of Information and Protection of Privacy Act.

Municipality means the Corporation of the Township of Ignace.

OHRC means the Ontario Human Rights Code.

Personal Information is defined in Section 2 of the Act, as recorded information about an identifiable individual, which includes, but is not limited to, information relating to an individual's race, colour, national or ethnic origin, sex and age. If a video surveillance system displays these characteristics of an identifiable individual or the activities in which he or she is engaged, its contents will be considered "personal information" under the Act.

Reception Equipment refers to the equipment or device used to receive or record the personal information collected through a video surveillance system, including a camera or video monitor or any other video, audio, physical or other mechanical, electronic or digital device.

Record means any record of information, however recorded, whether in printed form, on film, by electronic or otherwise and includes a paragraph, a film, a microfilm, a videotape, a machine-readable record, and any record that is capable of being produced from a machine-readable record.

Storage Device refers to a videotape, computer disk or drive, CD ROM, computer chip or other device used to store the recorded data or visual, audio or other images captured by a video surveillance system.

Video Surveillance System refers to a video, physical or other mechanical electronic or digital surveillance system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals in open, public spaces (including streets, highways, parks).

Responsibilities

The Corporation of the Township of Ignace shall maintain control of and responsibility for its video surveillance system at all times. Collection and storage of, and access to, information recorded from video surveillance shall conform to published guidelines and specific direction as may be provided by the Information and Privacy Commissioner of Ontario (IPC) from time to time.

Clerk

- ❖ The Clerk shall be responsible for implementation, administration, and evaluation of the Township's Video Surveillance Policy and Procedures.

- ❖ The Clerk shall also be responsible for ensuring that information obtained through video surveillance is used exclusively for lawful purposes.

Manager of Infrastructure and Recreational Services

- ❖ The Manager of Infrastructure and Recreational Services shall be responsible for ensuring that all sites included in the scope of work of the Public Works Department with a video surveillance system is in compliance with this policy, as well as any site-specific policies that may be required.
- ❖ The Manager of Infrastructure and Recreational Services shall be responsible for the life-cycle management of the authorized video security surveillance systems [specifications, equipment standards, installation, maintenance, replacement, disposal and related requirements (e.g. Signage)] including:
 - Maintaining a record of the locations of the reception equipment.
 - Maintaining a list of personnel who are authorized to access and operate the system(s).
 - Maintaining a record of the times when video surveillance will be in effect.
 - Posting of a Notice of Collection of Personal Information (refer to the *notification* clause of this policy)

Employees and Service Providers

- ❖ Township employees and service providers shall review and comply with the policy and the Act in performing their duties and functions related to the operation of the video surveillance system.
- ❖ Township employees may be subject to discipline if they knowingly or deliberately breach the policy or the provisions of the Act or other relevant statutes.
- ❖ Where the Township has a contract with a service provider, the contract shall provide that failure by the service provider to comply with the policy or the provisions of the Act is considered a breach contract leading to penalties up to and including contract termination. Employees of institutions and employees of service providers should sign written agreements regarding their duties under the policy and the Act, including an undertaking of confidentiality.

PROCEDURES

Placement/Installing Surveillance System

- ❖ All video surveillance systems must be placed/installed in areas where surveillance is deemed necessary for a use of deterrence of criminality.
- ❖ All internal/external video surveillance systems must be placed in a position, in which only Municipal property is being recorded. At no time shall a video surveillance system be positioned towards another building.

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- ❖ Video surveillance systems shall not be positioned where staff/public have expectations of privacy, such as washrooms and change rooms.
- ❖ Video monitors shall not be placed in position where the public has easy access to view what is being displayed.

Video Surveillance Awareness

The public should be notified of the existence of video surveillance equipment by clearly written signs prominently displayed at the entrances, exterior walls, interior of buildings and/or perimeter of the video surveillance areas.

Signage must satisfy the notification requirements under section 29(2) of the Act, which include:

- ❖ When video surveillance is installed, any Municipality buildings that are being recorded must display signs, stating that video recording devices are present and in use. If an individual chooses to enter the establishment, they are agreeing to the terms of the recording, and allowing the Municipality to use their personal information for lawful deterrence.
- ❖ If a sign is not displayed, the Municipality can be prosecuted under law for invasion of privacy.
- ❖ The Municipality must display such signage at every location a video surveillance camera is located. However, one sign at a main entrance which gives locations of the video surveillance cameras throughout the building will suffice as appropriate signage.
- ❖ The signage shall conform to the prescribed sample, attached as Appendix "A".

Access/Release of Video Surveillance Records/Information

- ❖ Records obtained through the video surveillance system shall be released only according to the standards set by MFIPPA, other applicable laws and upon the authorization of the Municipal Clerk.
- ❖ The Corporation of the Township of Ignace owns all recordings, and custody shall remain with the Municipality. Only duplicates shall be disclosed.
- ❖ Access to the recorded information is only permitted in accordance with MFIPPA. Access to the records shall be restricted to the Municipal Clerk for the administration of the video surveillance system and to:
 - Municipal employees who require access to the records for the purposes of risk management, investigating complaints from the public, and the processing of personal injury claims and claims to the damage of assets.
 - Law enforcement agencies by official request where the records could assist in an investigation in accordance with MFIPPA

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- Any individual whose image has been recorded and retained who make a request and are granted access to information under MFIPPA.
- ❖ When responding to incidents where video surveillance records have to be viewed or are disclosed to law enforcement, the following information must be recorded on Request for Disclosure Form (Schedule "B"):
 - The date of the incident
 - The time of the incident
 - The date of the request
 - Then name of the requester
 - Name of the agency (if applicable)
 - A copy of the warrant issued by a court of competent jurisdiction

Storage of Records and Storage Devices

- ❖ Access to the storage devices is limited to the Municipal Clerk.
- ❖ All storage devices that are not in use shall be stored in a locked receptacle in a controlled area. All storage devices that have been used, shall be numbered and dated.
- ❖ The retention period for information that has not been viewed for law enforcement, public safety purposes, or security of public property shall be seven (7) calendar days for digital systems. Once the retention period is met, all storage devices must be erased and reused or securely disposed of (shredded, burned or degaussed).
- ❖ When recorded information has been viewed for law enforcement or public safety purposes, the retention period shall be a minimum of one (1) year from the date of the viewing, unless the Police Investigation is active and ongoing beyond this retention period.
- ❖ The Corporation of the Township of Ignace will store and retain storage devices required for evidentiary purposes according to standard procedures until law enforcement authorities request them.

Considerations

Prior to installation of video surveillance equipment, the Corporation of the Township of Ignace must consider the following:

- ❖ The use of each video surveillance camera should be justified on the basis of verifiable, specific reports of incidents of crime or significant safety concerns or for crime prevention.

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- ❖ An assessment of the effects that the proposed video surveillance system may have on personal privacy should be conducted in an attempt to mitigate any adverse effects.
- ❖ Privacy intrusion should be minimized to that which is absolutely necessary to achieve its required, lawful goals.
- ❖ A requirement that any agreements between the Corporation of the Township of Ignace and service providers state that the records dealt with or created while delivering a video surveillance program are under the Corporation of the Township of Ignace's control and subject to privacy legislation (MFIPPA).
- ❖ A requirement that employees and service providers (in written agreement) review and comply with the policy and the Act in performing their duties and functions related to the operation of the video surveillance system.

Access and Disclosure

Access to the storage devices should only be by authorized personnel. Logs should be kept of all instances of access to, and use of, recorded material to enable a proper audit trail. The personal information recorded by video surveillance is subject to access and privacy legislation. An individual whose personal information has been collected by a video surveillance system has the right of access under Section 36 of the Municipal Freedom of Information and Protection of Privacy Act. Access will depend upon whether an exemption applies and if exempt information can be reasonably severed from the record.

The Corporation of the Township of Ignace shall only permit the use of video surveillance records for the purpose of safety and security of person(s) and property. Information collected by way of video surveillance systems may only be used for the purposes of the stated rationale and objectives set out to protect public safety or to detect and deter criminal activity and vandalism. Accordingly, video surveillance records will only be used by the Corporation of the Township of Ignace to:

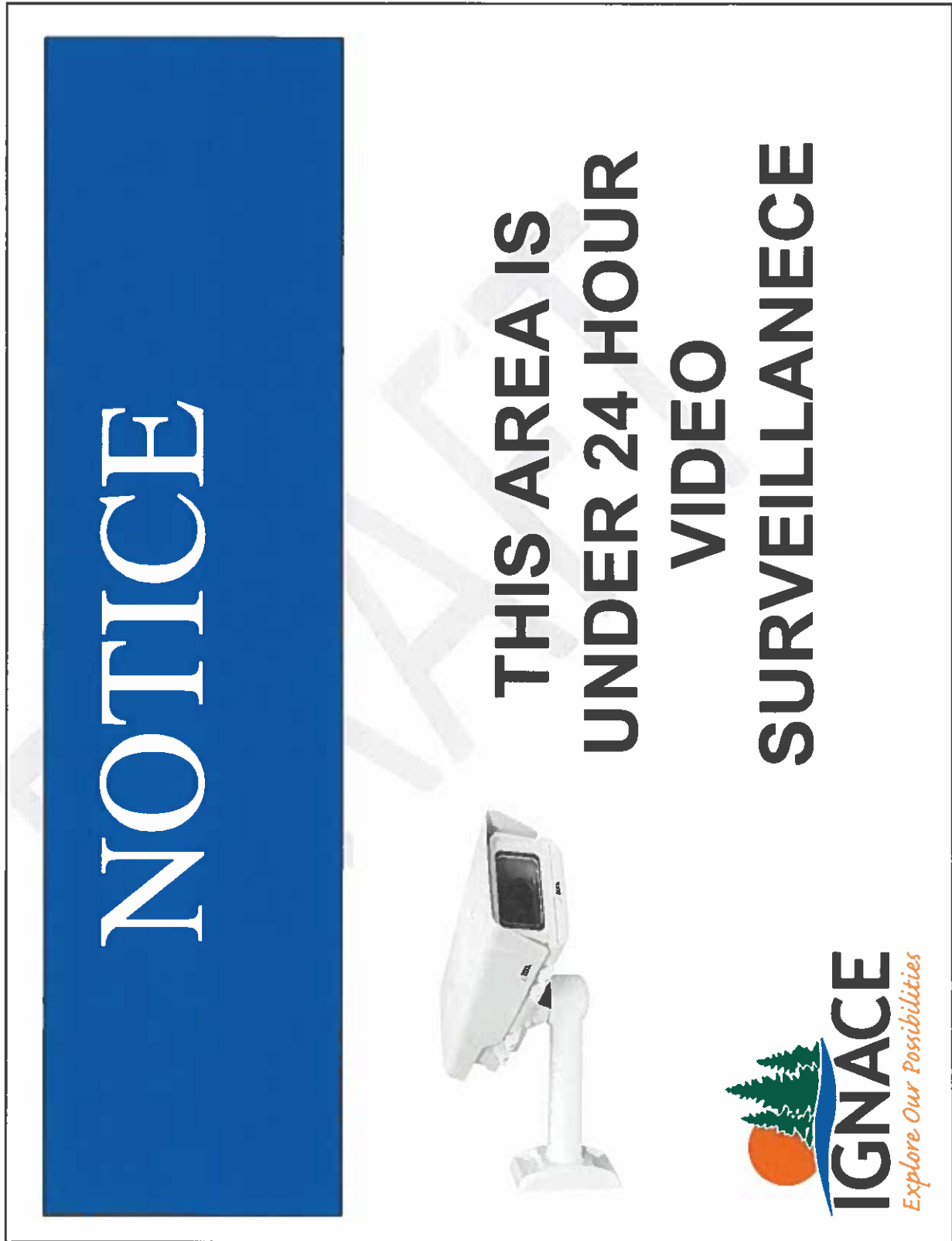
- ❖ Provide a record of unlawful acts and breaches of Township policies, such as the various Codes of Conduct.
- ❖ Prevent or deter such activities; and
- ❖ Aid in the investigation of such breaches.

Information should not be retained or used for any other purposes. All storage devices that are not in use should be dated, labeled and stored securely in a locked container located in controlled areas.

Only the Municipal Clerk, Township Solicitor, Department Manager (with the authorization of the Clerk) or a delegated alternate may review the information. Circumstances, which would warrant review, will normally be limited to an incident that has been reported/observed or to investigate a potential crime.

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Example of Posted Signage





The Corporation of the Township of Ignace
Schedule "B"
By-law _____

Video Surveillance Request for Disclosure

Under the Municipal Freedom of Information and Protection of Privacy Act, the Corporation of the Township of Ignace is required to disclose recorded footage to a public body that is deemed eligible under lawful circumstances.

Please complete the information requested below:

Name of individual requesting disclosure: _____

Location of incident: _____

Date of the incident: _____

Time of the incident: _____

Date of disclosure request: _____

Name of agency (if applicable): _____

Name of Requester (print): _____ Signature: _____

For Office Use Only

Name of person reviewing the request: _____

Date of the review: _____ Footage found: Yes No

How was the footage preserved for requested review:

USB CD Jpg File Prepared by: _____

If the footage was released, please fill in the information below:

Released to: _____ Date of Release: _____

Time of Release: _____

Authorized Signature of receiving party: _____

The Corporation of the Township of Ignace

By-law 60.2021

Being a By-law to Adopt the Municipal Reserve and Reserve Funds of the Corporation of the Township of Ignace

Whereas the Municipal Act, 2001, s.8(1) grants the Municipality broad, general powers to govern its own affairs; and

Whereas the Municipal Act, 2001, s.224, outlines the role of Council, which includes developing and evaluating the policies and programs of the Municipality and maintaining the financial integrity of the Municipality; and

Whereas the Council of the Corporation of the Township of Ignace deems it a critical component of a Municipality's financial plan to establish framework and outline requirements for maintaining reserve and reserve funds, authorizations required for use of reserve and reserve funds, as well as reporting requirements to Council.

Now Therefore the Council for the Corporation of the Township of Ignace hereby enacts as follows:

1. THAT the "Reserve and Reserve Funds Policy" as set out in Schedule "A" and attached hereto, shall form part of this By-law; and
2. THAT in accordance with the Township of Ignace, this By-law shall take effect and come into force upon the third and final reading thereof.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Final Time this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

Policy
The Corporation of the Township of Ignace
Policy Manual

Section: Finance	Subject: Reserve and Reserve Funds Policy
Effective: _____ 2021	Previous Policy Repealed: 08.2019
Approved By: Council	By-law: 60.2021
Motion: _____	Catalogue: _____

Purpose

The purpose of this policy is to establish principles, standards and guidelines for the maintenance, management and accounting of reserve and reserve funds,

Definitions

Deferred Revenue means revenue that is considered a liability on the Town's financial statements until it becomes relevant to current operations, such as prepayment received for goods or services that have not yet been provided. Some Deferred Revenue is set aside in obligatory reserve funds for a specific purpose as required by legislation, regulation or agreement such as development charges, cash-in-lieu of parkland, and federal and provincial gas tax.

Discretionary Reserve Fund means Reserve funds created at the discretion of Council whenever revenues are earmarked to finance future expenditures of a purpose designated by Council.

Obligatory Reserve Fund means Reserve funds that are required by legislation or agreement to be segregated from the Town's general revenues for a special purpose or for works to be undertaken on behalf of the Contributor. These funds are classified in the financial statements as Deferred Revenue.

Reserve means an allocation of accumulated net revenue that makes no reference to any specific asset and does not require the physical segregation of money. Established primarily for the purpose of providing working funds. A reserve cannot have a revenue or expense of itself, like a reserve fund.

Reserve Fund means a fund that is segregated and restricted to meet a specified purpose and includes both an obligatory reserve fund and a discretionary reserve fund.

Guiding Principles

The primary objectives for reserves and reserve funds shall be in priority order:

- a) Adherence to statutory requirements
- b) Promotion of financial stability and flexibility

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c) Provision for major capital expenditures

Adherence to Statutory Requirements

It shall be the Corporation's practice to establish and maintain segregated funds and/or reserves that meet all statutory obligations. Appendix "A" identifies the current statutory reserve funds as well as reference to their applicable legislation.

All reserves and reserve funds will be managed in accordance with provincial legislation. Included in the Municipal Act, are the following requirements:

- Section 417(4) that money raised for a reserve fund shall be paid into a special account and shall be invested only in securities or classes of securities prescribed.
- Section 418(3) as allowed by the Corporation, shall combine money held in any fund (including General, Capital and Reserves and Reserve Funds) for investment purposes.
- Section 418(4) those earnings from combined investments shall be credited to each segregated fund in proportion to the amount invested in it.

Furthermore, it will be the Corporation's practice to establish all reserves and reserve funds by By-law and that all appropriations be approved by Council either through the annual budget or by specific resolution or By-law. Notwithstanding revolving reserves such as working capital, insurance and employee benefits may be used at any time for the purpose approved by Council.

Promotion of Financial Stability and Flexibility

It will be the Corporation's practice to maintain adequate non-capital reserves to achieve long-term financial stability and flexibility.

To meet these objectives, the following types of funds will be established and adequately funded:

- Reserves for known and recurring material cash flow deficiencies (e.g., Working Capital)
- Reserves for large or lumpy periodic or one-time payments (e.g., General Capital)
- Reserves for long-term contingencies (e.g., Sick Leave)
- Reserves for potential liabilities
- Reserves for unanticipated expenditures (e.g., Tax Stabilization)

The Corporation will strive to maintain reserves and reserve funds at levels that are at least comparable to those held by similarly rated Municipalities with comparable

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responsibilities and/or levels that meet established best practices among Municipalities.

Provision for Major Capital Expenditures

It will be the Corporation's practice to maintain adequate reserves to replace and rehabilitate major capital assets, as required, and to provide for new capital assets that have been identified in the long-term corporate strategy.

To achieve this, the following principles will apply where practicable:

- Reserves for the full cost of replacement or rehabilitation of major assets will be funded from ongoing operations at a rate which reflects the consumption of that asset by current ratepayers. Contributions to this reserve will commence in the fiscal year that the asset is acquired or put in service and will be based on an estimate of the useful life of the underlying asset.
- The Operating Budget will include an annual contribution for the replacement of major capital assets as determined by Council. These contributions will be allocated to asset replacement reserves based upon reserve adequacy analyses.

Establishment of Reserve and Reserve Funds

Reserves can be maintained to meet the following purposes of the Municipality, where applicable:

1. Asset Replacement – established to smooth the spikes in capital budgets and smooth out property tax changes;
2. Project Reserves – established to provide cost effective self-borrowing mechanisms to reduce risks associated with interest rate fluctuations;
3. Economic Stability Reserves – established to buffer against significant fluctuations in the economy;
4. Contingency Reserves – established to accommodate contingent, unfunded or known liabilities (where the amount is unknown) for current and/or future years;
5. Working Fund Reserves – established to provide cash flow for operations to eliminate the requirement to borrow funds to meet immediate obligations; and
6. Self-Insurance Reserves – established to provide self-insurance provisions.

Reserves can be established through the following processes:

1. Inclusion in the annual operating or capital budget which is approved by Council; or
2. Through resolution of Council

The budget document or resolution will clearly identify the name of the reserve being created and the purpose for the reserve. A reserve may be amended through resolution.

Reserve Funds will be maintained in the following categories:

1. Discretionary – subdivided into:

- a) Operating
- b) Capital
- c) Specific Use

2. Obligatory – subdivided into:

- a) Operating
- b) Capital

Council, on the recommendation of the Treasurer may establish a discretionary reserve fund and shall establish an obligatory reserve fund.

A reserve fund can be recommended only if at least one of the following applies:

- a) A mandatory obligation exists, either pursuant to legislation or contract
- b) The funds are intended for purchasing or maintaining capital assets
- c) The funds are donated for a specific purpose
- d) The funds are intended to fund a future liability

A report which recommends the establishment of a reserve must include the following:

- a) Statement of purpose
- b) Rationale for the appropriate level to be maintained or targeted in the reserve
- c) Initial contribution
- d) Contribution policy

A Discretionary Reserve Fund will be established through By-law. The By-law will clearly identify the name of the reserve fund, the funding method and the purpose for the reserve fund. A reserve fund can only be used for the identified purpose, unless Council amends or repeals the establishing By-law.

An Obligatory Reserve Fund is established through either term of an agreement which is entered into by the Town or through legislation from a higher level of government. Obligatory Reserve Funds will be added to the summary of Reserve Funds.

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Approval of Funding Allocations to and from Reserves and Reserve Funds

Approval of funding to and from the reserves and reserve funds will be in accordance with the Town's established Budget Policy and reports to Council as referred to above.

Closing Reserves and Reserve Funds

If the purpose or purposes for which the reserve or reserve fund was created have been accomplished and the reserve or reserve fund is determined to be no longer necessary, the Treasurer, in consultation with the Department Director, shall report to Council with the recommendation on:

- a) The closure of the reserve or reserve fund
- b) The disposition of any remaining funds
- c) The necessary amendment to the Reserve By-law

A resolution of Council will be required to close a reserve. The By-law establishing the Reserve Fund will be required to be repealed in order to close a Reserve Fund.

Total Reserve Target

The Treasurer will review the targets annually and propose changes to the target levels as required.

Temporary Reserve Fund Borrowing

Temporary borrowing to cover a reserve short-term deficit, interim servicing requirements or internal financing is permitted, when justified, adequately supported and authorized by Council.

However, the following conditions must be met in order to allow borrowing from reserve funds:

1. Borrowing must not adversely affect the intended purpose of the reserve
2. A plan to repay the reserve within a reasonable timeframe is required and must be documented
3. Interest, equivalent to the Town's interest on reserve fund bank accounts, will be applied to outstanding amount borrowed
4. Where applicable, legislative requirements may apply. For example, the Development Charges Act, permits inter-fund borrowing only between development charge reserve funds and prescribes a minimum interest rate (i.e., Bank of Canada prime rate as the document approval date, updated on the first business day of every January, April, July and October).

Annual Reporting

Reporting of Reserves and Reserve Funds will occur through the following processes:

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1. A year-to-date continuity schedule will be included in quarterly variance reports to Council
2. As required under development charge legislation, if and when a Development Charges By-law is enacted by Council, the Treasurer will provide Council with a financial statement related to the Development Charge By-law and include information regarding development charge reserve funds. This statement will then be forwarded to the Minister of Municipal Affairs and Housing within sixty (60) days after Council receipt.
3. Year-end audit and financial statements – balances of reserves, both obligatory and discretionary reserves and reserve funds will be presented with note disclosure and comparative figures as required to meet PSAB reporting standards.
4. Where required, reporting to Council or other agencies may exist for reserved residual balances related to grants or other contributed funds (e.g. Federal and Provincial Grants).

Responsibilities

Municipal Council shall:

- a) In accordance with the Municipal Act, 2001, Section 224 develop and evaluate policies, ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place and maintain the financial integrity of the Municipality.
- b) Approve transactions to and from reserves and reserve funds through the budget process or by specific resolution (for reserves) and By-laws (for reserve funds).

Municipal Clerk shall:

- a) Support the Treasurer in ensuring the principles and mandatory requirements contained in this policy are applied consistently across all Township departments.

Treasurer shall:

- a) Develop and update this policy as necessary and present changes to Council.
- b) Ensure that the principles and requirements contained in this policy are applied consistently across all departments.
- c) Perform the transfers to and from reserves and reserve funds as authorized by Council.
- d) Recommend strategies for the adequacy of reserve levels; and
- e) Report to Council the reserve balances and forecast as part of the annual budget approval process.

Department Manager(s) shall:

- a) Provide the Treasurer with the most current capital asset information to be used in the assessment of the adequacy of capital lifecycle reserves.
- b) Inform the Treasurer when reserve or reserve fund transfers are required; and
- c) Consult with the Treasurer when reserve funds are required for unbudgeted transactions.

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The Corporation of the Township of Ignace

By-law 61.2021

Being a By-law to Establish Reasonable Notice Procedures Pertaining to the General Public Policy

Whereas Section 224(d.1) of the Municipal Act, 2001, S.O. 2001, c.25, provides that it is the role of Council to ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality; and

Whereas Section 270(1)(4) of the Municipal Act, 2001, S.O. 2001, c.25, as amended makes provision in part, that Municipalities adopt and maintain policies for circumstances in which the Municipality shall provide notice to the public and if notice is to be provided, the form, manner and times notice shall be provided; and

Whereas Section 270 (1)(5) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides the manner in which the Municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the Municipality will try to ensure that its actions are transparent to the public; and

Whereas Sections of the Municipal Act, 2001, S.O.2001, c.25 as amended, requires a municipality to give notice to the public generally of its intention to pass certain By-laws, notice of the holding of certain required public meetings and notice of other matters;

Now therefore be it resolved that the Council of the Corporation of the Township of Ignace enacts as follows:

1. **That** the "Provision of Public Notice Policy" as set out in Schedule "A" attached hereto and forming part of this By-law is hereby approved.
2. **That** this By-law does hereby rescind By-law 22.2019.
3. **That** this By-law shall come into force and effect on the date as it is passed.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

POLICY
The Corporation of the Township of Ignace
Policy Manual

Section: Council	Subject: Provision of Public Notice Policy
Effective: _____	Previous Policy Repealed: 22.2019
Approved By: Council	By-law: 61.2021
Motion: _____	Catalogue: _____

1.0 Policy Statement

This policy is to establish public notice provisions for matters directly affecting the public that are prescribed by legislation or deemed by the Township of Ignace to warrant public notice.

2.0 Purpose

To allow for the giving of notice to the public of matters that may affect them and to afford them the opportunity to make submissions, attend, and delegate before Council and their Committees.

3.0 Definitions

Act means the Municipal Act, 2001, as amended.

Clerk means the Clerk of the Corporation of the Township of Ignace.

Council means the Council of the Corporation of the Township of Ignace.

Municipality means the Municipality of the Corporation of the Township of Ignace.

Newspaper means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than one (1) week, consisting in great part of news on current events of general interest and sold or distributed free of charge to the public and to regular subscribers, and includes the “on-line” version as posted on the internet.

Notice means written, printed, published, posted, or announced notification.

Published means published in a daily or weekly newspaper that, in the opinion of the Clerk, has such circulation within the Municipality as to provide reasonable notice to those affected thereby, and includes posting on the Municipal website. “Publication” has a corresponding meaning.

Registered Mail means prepaid mail that requires the recipient to sign for it and is delivered by Canada Post or a courier service.

Responsible Department Manager means the Manager of the department responsible for giving the required notice for an activity as set out in the attached schedules.

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Social Media means websites and applications that enable users to create and share content or to participate in social networking.

4.0 Procedure

4.1 Where notice of a matter is required to be given or where notice of intention to pass a By-law or notice of a public meeting is required to be given, the Responsible Department Manager shall cause such notice to be provided in the time frame prescribed in the Act or its regulations, and if not so prescribed, notice shall be given in the type and manner of giving reasonable notice as set out herein for application in the different circumstances for which notice is required, as follows.

4.1.1 Notice Type #1

Notice shall be sent by registered mail to the last known address or hand-delivered. (This area of notice refers to the personal notice to an individual or a limited number of people, agencies or organizations. It targets a very select group.)

4.1.2 Notice Type #2

Notice shall be published in a newspaper once (1) a week for three (3) consecutive weeks, with the final notice being published no later than the day of the Public Meeting.

4.1.3 Notice Type #3

Notice shall either be:

1. Published in a newspaper or on social media at least once (1) a minimum of one (1) week prior to the passing of the By-law.
2. Declared at an open meeting of Council that the subject will be placed on the agenda of the next regularly scheduled meeting of Council, such declaration shall be recorded in the Minutes of the meeting at which it was made.

4.1.4 Notice Type #4

Written notice of the passing of the By-law shall be given to parties having a direct interest in the matter (i.e., school boards, assessment office, etc.)

4.2 The following schedules forming part of this By-law are hereby adopted as reasonable minimum procedures for the giving of notice as required under the Act:

- ❖ **Schedule “B”** – Part III – Specific Municipal Powers
- ❖ **Schedule “C”** – Part IV – Licensing and Registration
- ❖ **Schedule “D”** – Part V – Municipal Reorganization
- ❖ **Schedule “E”** – Part VI – Practices and Procedures

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- ❖ **Schedule “F”** – Part VII, VIII, IX, X, and XI – Financial Administration
- ❖ **Schedule “G”** – Part XII – Fees and Charges
- ❖ **Schedule “H”** – Part XIII – Debt and Investment
- ❖ **Schedule “I”** – Part XIV – Enforcement
- ❖ **Schedule “J”** – Regulations

4.3 The form, manner and timing for the giving of notice as set out in the attached schedules shall be deemed to be the minimum standards required and nothing in the By-law shall prevent Council, the Clerk or the Responsible Department Manager from using more comprehensive methods of notice providing for a longer notice period.

4.4 If the proposed By-law is not passed at the Council Meeting specified in a notice in Section 4.1 above, but consideration of the matter is deferred, nor further notice is required under Section 4.1 if a public statement is made at the meeting that the matter has been deferred and that the Council intends to deal with the matter at a specified later Council meeting, such statement shall be recorded in the Minutes of the meeting at which it was made. This section applies to any further deferrals of the matter.

5.0 General

Where separate By-laws have been enacted in accordance with provisions contained in the Act, the notice provisions set out in such By-laws shall prevail.

6.0 Emergency Provision

If a matter arises, which in the opinion of the Clerk in consultation with the Mayor or Acting Mayor, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the Township of Ignace or of neighbouring Municipalities, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this By-law may be waived and Council shall provide as much prior notice as is reasonable under the circumstances, or will provide notice of the action as soon as possible following the action, in the type and manner as directed by Council.

7.0 Alternate Method by Council Resolution

Notwithstanding the notice requirements set out in this By-law, Council may reduce or amend such requirements upon passage of a motion at a duly called meeting of Council, provided the motion dictates an alternate method of giving notice deemed to be in a form and manner and timing adequate to the circumstances.

8.0 Notwithstanding Provision

Where notice of intention to pass a By-law or notice of a public meeting is required to be given and the timeframe for such notice is not prescribed in the Act or its Regulations or otherwise addressed in this By-law, notice shall be given at least once (1) by publication in a newspaper

no less than five (5) days or more than thirty (30) days prior to the proposed passing of the By-law or holding of the public meeting.

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Part III – Specific Municipal Powers

Section	Subject Matter	When Notice is Required	Time Limits	Type of Notice Required	Notice Requirements
Section 34(1)	Permanent Closure of a Highway	Before passing a By-law for permanently closing a highway, a municipality shall give public notice of its intention to pass the By-law.		Public Notice.	Type 2
Section 34(2)	Permanently Altering a Highway	Before passing a By-law for permanently altering a Highway, if the alteration is likely to deprive any person of the sole means of motor vehicle access to and from the person's land over any highway, a municipality shall give public notice of its intention to pass the By-law.		Public Notice.	Type 2
Section 36(3)(a)	Intention to pass By-law to owner and public	Give notice of its intention to pass the By-law to the public and to the owner of any land abutting the highway.		Give Notice.	Type 3
Section 36(3)(b)	Passage of By-law	Serve the notice under sub-section (a) on the owner of the public and to the owner of any land abutting the highway.		Serve Notice.	Type 1
Section 37(1)	Closure of Private Road	If a Municipality requires the owner of any land to permanently close up any private road, entrance, gate or other structure that is constructed or is being used as a means of access to a controlled access highway or other highway in contravention of a By-law, it shall give notice to the owner of the land personally or by prepaid registered mail to the last known address of the owner.		Give Notice.	Type 1
Section 47	Change - Naming of Highway	Before passing a By-law naming a highway or changing the name of a		Public Notice.	Type 1

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		highway, a municipality shall give public notice of its intention to pass the By-law.			
Section 48	Change – Naming of Private Roads	A local Municipality may name or change the name of a private road after giving public notice of.		Public Notice.	Type 3
Section 81(1)	Shut off of Public Utilities	Upon proposed shut-off by Municipality of a public utility.	Reasonable Notice.	Prepaid mail or notice on the land in a conspicuous place. Public Notice.	Type 1 Type 3
Section 99(1)	By-law – Advertising Devices	Before passing the By-law, the Municipality shall give public notice of its intention to pass the By-law.		Public Notice.	Type 3
Section 110(8)	Municipal Capital Facilities: By-law – Tax Exemption	Upon the passing of a By-law under subsection (6) the Clerk of the Municipality shall give written notice of the contents of the By-law to: a) The assessment corporation b) The clerk of any other Municipality that would, but for the By-law, have had authority to levy rates on the assessment for the land exempted by the By-law, and c) The secretary of any school board includes the land exempted by the By-law.		Written Notice.	Type 4
Section 144(5)(c)	Power of Entry – Order to Repair	A notice stating that if the work is not done in compliance with the order within the period it specifies, the Municipality may have the work done at the expense of the owner. Before the Municipality enters on land to do the work, the order shall be served on the owner of the land personally or by prepaid registered	In accordance to the Order given.	Notice – Clarification.	Type 1

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		mail to the last known address of the owner of the land. If the Municipality is unable to effect service on the owner under subsection (8), it may place a placard containing the terms of the order in a conspicuous place on the land and may enter on the land for this purpose.			
Section 144(8)(9)(11)	Authority of Municipality	Notice under subsection (8) or (9) shall be deemed to be sufficient notice for the purpose of Section 431 (a) of the proposed entry on the land.		Order to Comply.	Type 1
Section 150 (4)(b)	Notice of Public meeting before By-law is passed to license or impose any condition on any business or class of business – except in case of emergency.	Before passing a Licensing By-law.	None Specified.	Notice – published within newspaper with general circulation hold at least one (1) public meeting at which any person has an opportunity to make representation with respect to the matter.	Type 3
Part IV – Licensing and Registration					
Section 150(5)	Emergency – Public meeting – Licensing power (post activity)	If a By-law is passed under this section in the case of an emergency without complying with subsection (4), the Council shall, as soon as it practicable after its passage, hold the meeting and give the notice referred to in subsection (4) and may, after that meeting, amend or repeal the By-law without	Emergency Basis.	Give Notice – published within newspaper or social media with general circulation.	Type 3

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	<p>the requirement of a further meeting. Before passing any By-law.</p>	<p>Non specified – at least one week prior.</p>	<p>Notice - published within newspaper or social media with general circulation. Hold at least one (1) meeting at which any person has an opportunity to make representation with respect to the matter.</p>	<p>Type 3</p>	
<p>Part V – Municipal Reorganization</p>					
<p>Section 173(3)</p>	<p>Restructuring Proposal</p>	<p>Shall: Before the Council votes on support or opposition to restructuring proposal consult with the public by giving notice of and by holding at least one public meeting and consult with such persons or bodies as the Minister may prescribe.</p>	<p>Prior to Council Voting.</p>	<p>Shall consult – consultations with public by holding one (1) public meeting.</p>	<p>Type 3 Also, through Minister regulations</p>
<p>Section 174(12)</p>	<p>Commission on Restructuring</p>	<p>Opportunity to make representations and advise where Municipality can inspect written submissions received by the Commission on restructuring.</p>	<p>Set by the Commission.</p>	<p>Shall give notice to the public in the prescribed geographic area advising them of the opportunity to inspect the restructuring proposal.</p>	<p>Type 3 Set by the Commission</p>
<p>Section 187</p>	<p>Municipality wishes to Change Name</p>	<p>Prior to passing a By-law changing its name.</p>		<p>Public notice and hold one (1) public meeting</p>	<p>Type 3</p>

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Section 206	Powers to Establish Business Improvement Areas (BIA)	Prior to holding a meeting to vote in its directors and prior to approving its fiscal budget.	Date and Time set my Municipality.	to consider the matter. To General Membership.	Type 1
Section 210	BIA By-law	Prior to passing a By-law and prior to designating an area as an improvement area and establish a board of management and to set levy upon rateable property in the improvement area.		Prepaid mail to the Board of Management of improvement area and every person assessed for rateable property within improvement area.	Type 1
Section 211	BIA – Repealing By-law	Council shall give notice to repeal a By-law (s.204) if Municipality received resolution or request.	Before passing the By-law changing the name.	A Municipality shall give notice before passing a By-law and shall hold at least one (1) public meeting.	Type 1
Section 216(4)	Dissolution of Local Boards (except Police Services)	Any Municipality shall give notice of its intention to pass a By-law to dissolve or make changes to local boards.	Before passing the By-law.	The By-law does not come into force until at least half of the Municipalities give their approval by resolution.	Type 3
Section 217	Council Composition	A Municipality shall give notice of its intention to pass a By-law to change the composition of Council.	Before passing the By-law. The By-law does not come into force until the day the new Council is organized.	A Municipality shall give notice before passing a By-law and shall hold at	Type 3

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					least one (1) public meeting.	
Section 219	Upper-Tier Council Composition	A Municipality shall give notice of its intention to pass a By-law to change the composition of the Upper-Tier Council.	Before passing a By-law a majority of votes required s.s. 219(2). The By-law does not come into force until the new Council is organized.	A Municipality shall give notice before passing a By-law and shall hold at least one (1) public meeting.	A Municipality shall give notice before passing a By-law and shall hold at least one (1) public meeting.	Type 3
Section 222	Establishment of Dissolution of Wards	A Municipality shall give notice of its intention to pass a By-law to (re)divide or dissolve existing wards, notice shall be given specifying the last date for appealing.	Notice shall be given before the passing of the By-law and within fifteen (15) days after passing the By-law.	A Municipality shall hold at least one (1) public meeting.	A Municipality shall hold at least one (1) public meeting.	Type 3 Minister may prescribe criteria.
Part VI – Practices and Procedures						
Section 238(2)	Procedural By-laws	Before passing the By-law, the Municipality shall give notice of its intention to pass the Procedural By-law.	Before the passing sufficient notice to ensure general public is informed date, time and location clearly stated.	Public Notice.	Public Notice.	Type 3
Section 251	Giving of Notice	Reasonable notice in a form and in the manner and at the times that the Council considers adequate to give reasonable notice under the provisions.	As approved by the Council.	Public Notice as approved by Council.	Public Notice as approved by Council.	Type 3
Section 260 and 262	Council Member Resignation	Notice in writing filed with the Clerk (not effective if it would reduce the number of members to less than a quorum).	The Council shall at its next meeting declare the vacancy, if the vacancy occurs as a result of death the declaration may be made at the next two (2) Council meetings. Vacancy must be filled within sixty (60) days of the declaration. If vacancy occurs within ninety (90) days of an election the Municipality is not required to fill the vacancy.	Public Notice – in writing filed with the Clerk. In accordance with the Municipal Elections Act.	Public Notice – in writing filed with the Clerk. In accordance with the Municipal Elections Act.	N/A
Section 268	Sale of Land Procedures	Prior to the sale of Proposed Land.	As defined in the established policies and procedure.	Public Notice.	Public Notice.	Type 3

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Part VII – Financial Administration

Section 291	Budget – Adopt or Amend (Note: interpretation of “amend” is to change the tax rates and issue	Prior to adopting or amending the budget the Municipality shall give public notice of its intentions.	Prior to the specified Council meeting in order to ensure sufficient notice to the general public.	Public Notice.	Type 3
Section 295	Financial Statements – Publication	Within sixty (60) days after receiving the audited financial statements of the Municipality for the previous year.	Sixty (60) days after receiving the audited financial statements.	Public Notice.	Type 3
Section 297	Auditor’s right to attend – Right of Access	Auditor’s entitlement to attend any meeting and receive all notices relating to the meeting and to make representation as required.	On request, Auditor to be provided with a listing of Council dates for information purposes.	Reasonable Notice.	Type 1
Section 300	MPMP – Municipal performance measures program Improvements in Service	Improvements in service, Municipality must provide notice to the general public of improvements in the efficiency and effectiveness of the delivery of services by the Municipality and also identify barriers that impaired achieving service goals.	At least once each calendar year.	Public Notice.	Type 3 Minister may designate manner and from in which notice shall be given.

Part VIII – Municipal Taxation

Part IX – Limit on Taxes

Section 331(2)	Taxes on Eligible Properties	When eligible properties as defined in 331(20) are added to the roll (i.e., Properties with additional assessments, properties that cease to be exempt, properties that are added to the roll be severance, or properties for which there is a change in classification).	Within sixty (60) days after the date the list of comparable properties is received by the Municipality.	The list of comparable properties.	Type 1
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Part X – Tax Collection

Section 348	Determination of Tax Status	Upon making the determination of every tax account as of December 31 st of the preceding year.	By February 28 th in each year.	Notice of Tax Arrears & related late	Type 1
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					payment charges.	
Section 350	Obligations of tenant – Taxes Owed	Taxes owed in respect of any land occupied by a tenant.			To tenant in writing requiring tenant to pay rent in respect of the land.	Type 1
Section 351	Seizure of personal property – Public Auction	When Treasurer sells all or part of seized personal property to recover taxes & costs of seizure.		At time set by Treasurer.	Public Notice.	Type 1 and 3
Section 357(5)(b)	Cancellation/Refund of taxes as a result of "Change Event" in accordance to subsection 34(3.2) of the Assessment Act.	Upon receiving an appeal from applicant.		At least fourteen (14) days before September 30 th of the year following the year of application – and other time frames as identified in Act as appeal is being processed.	Notice to the applicant, Assessment Corporation Assessment review board.	Type 1 and 4
Section 358	Overcharges caused by a gross or manifest error.	Treasurer to send copy of application to the Assessment Corporation and Assessment Review Board, and to notify applicant of invalid application.		On or before September 30 th of the year following the year in which the application is made.	In writing to the person in respect of whom the application is made.	Type 1 and 4
Section 359	Increase of Taxes as a result of any undercharge caused by a gross or manifest error – but not an error in judgement in assessing the land.	Upon application made by the Treasurer.		Within the year in which the application is made.	In writing to the person in respect of whom the application is made.	Type 1 and 4
Section 364	Cancellation/Refund of taxes (vacant unit rebate)	Upon a Lower-Tier Municipality passing a By-law under subsection (1) to provide the cancellation, reduction or refund of taxes levied.		As soon as possible.	Letter to Upper-Tier as possible Municipality giving facts.	Type 1 and 4

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Part XI – Tax Arrears Sales

Section 374(1)	Notice of Registration – after registration of tax arrears certificate in the third year following that in which the real property taxes became owing. Public Sale	Sixty (60) days after registration of tax arrears to be assessed owner, (Land Titles Act) persons appearing on parcel register and (Registry Act) persons appearing by the abstract index and by the index of writs received for execution by the sheriff.	After third year of tax arrears.	Notice of registration of certificate.	Type 1
Section 379(1)	Public Sale	If the cancellation price remains unpaid two-hundred eighty (280) days after the day the tax arrears certificate is registered.	Within thirty (30) days after the expiry of the two-hundred eighty (280) day period.	Final Notice that land will be advertised for public sale – unless the cancellation price is paid before the end of the one-year period following the date of the registration of the tax arrears certificate.	Type 1
Section 379(5b) and (15)	No Registration of Notice of Vesting	Within one (1) year after a public sale is conducted at which there is no successful purchaser, the tax purchaser the tax arrears certificate with respect to the land shall be deemed to be cancelled. After making a payment into Court under subsection 380(2) (following sale of land).	One year after public sale is conducted.	Notice of Vesting.	Type 2
Section 380(3)	Payment into Court – Proceeds of Sale	After making a payment into Court under subsection 380(2) (following sale of land).	Within sixty (60) days.	Copy of a statement to the Public Guardian and Trustee and to the persons to whom the Treasurer sent notice under	Type 1

Section 388(2)	Notice of Forfeiture Registered	If, before the day this section comes into force, a tax arrears certificate is registered in respect of land, this Part as it read immediately before the coming into force of this section applies in respect of the proceedings or other steps that may be taken as a result of the registration of that certificate. 2017, c. 10, Sched. 1, s. 68.		subsection 379(1)	Registration of a Notice of Forfeiture. Type 1
Part XII – Fees and Charges					
Section 400 – Regulations	Fees and Charges imposed by a Municipality on a person constitute a debt of the person – amount owing added to tax roll.	Prior to passing a By-law imposing the fees and charges which have priority lien status which are added to the tax roll.	None provided.	Notice of intent to pass a By-law – In the manner and form and at the times. As prescribed by the Minister.	Type 1
Part XIII – Debt and Investment					
Section 402(1)	Notice of Debt	Upon receipt of an application of a municipality to incur a debt.	None provided.	The OMB may direct the Municipality to give Notice of Application to such persons and in such manner as the Board determines.	Type 1 and 3
Section 408	By-laws re: Debentures	When a Municipality authorizes long-term borrowing by the issue of debentures or through another Municipality under Section 403 or 404.	None provided.	To persons with an interest in the debentures.	Type 1

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Part XIV - Enforcement

Section 431	Where Power of Entry Exercised	Except with respect to an entry to determine whether a By-law order or condition to a permit has been complied with or an entry under section 87, 97, 122 or 166 or clause 430(a)(b) or (c)	Must provide reasonable notice of the proposed entry.	Inform occupier of the land by personal service or prepaid mail or by posting the notice on the land in a conspicuous place.	Type 1
Section 432	Closing premises for lack of licence	Upon owner conviction or premises without a licence required by a By-law under this Act, and where court order that the premises or part of the premises be closed (not to exceed two years).	In accordance to court order.	Court to notify Municipality who passed the licencing By-law.	Type 1
Section 433	Closing premises, Public Nuisance	Notice to the Attorney General. Upon the application of a Municipality, where activities or circumstances constitute a public nuisance. The Superior Court of Justice may make an order, be closed to any use. (not to exceed two years).	15 Days notice of its intention to make an application.	Letter of application.	Type 1
Section 440	Collection of unpaid licencing fines	Whenever any part of a fine for a contravention of a licencing By-law passed under the Municipal Act remains unpaid after the fine becomes due and payable under section 6 of the Provincial Offences Act.	No date specified.	Written notice specifying the amount of the fine payable and final date to pay (no less than 21 days after date of notice).	Type 1
Regulations					
O. Reg. 244/02 sec.14	Fees and Charges	Before passing a By-law under Part XII to impose fees or charges, a Municipality shall give notice of its intention to pass the By-law at the Council meeting specified in the	Reasonable Notice.	Service Notice.	Type 1

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		<p>notice to every person and organization that has, within five years before the day of the Council meeting, given the Clerk of the Municipality a written request for notice of the intention to pass the By-law containing a return address Provision applies to local boards as well.</p>			
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The Corporation of the Township of Ignace

By-law 62.2021

Being a By-law to Provide Rules and Regulations for the Maintenance and Control of the Ignace Cemetery

Whereas This By-law provides the rules and regulations that govern the Ignace Cemetery and have been approved by the Registrar, Funeral, Burial and Cremation Services Act, 2002 (FBCSA), Bereavement Authority of Ontario.

Now Therefore Be It Resolved that this By-law rescinds By-law 31.2016

Now Therefore Be It Resolved that the Council of the Corporation of the Township of Ignace enacts as follows in attached Schedule A:

Schedule "A"

1.0 Definitions

Burial/Interment: the opening of a lot and then the placing of dead human remains or cremated human remains in that lot, followed by closing the lot. The lot may be a grave in the ground, a crypt in a mausoleum or a niche in a columbarium.

By-laws: the rules and regulations under which the Cemetery and/or Crematorium operates.

Care and Maintenance Fund: It is a requirement under the FBCSA and O. Reg. 30/11 and 184/12 that a prescribed amount or a percentage of the purchase price (excluding tax) of all interment and scattering rights sold, transferred, assigned or permitted; and prescribed amounts for monuments and markers, is contributed to the care and maintenance fund. If no scattering rights are sold but scattering is permitted a prescribed amount must be contributed to the fund when scattering is conducted. Interest earned from this fund is used to provide care and maintenance of lots, plots, markers and monuments at the cemetery.

Cemetery Operator: Person (Corporation, Partnership, Sole Proprietor, Trustee/Volunteer Board –Religious or other) licensed to offer or sell cemetery supplies and services.

Contract: For the purposes of this By-law, all purchasers of interment or scattering rights, or other cemetery supplies and services must receive a copy of the contract they and the cemetery operator have signed detailing the obligations of both parties, and acknowledge receipt and acceptance of the cemetery By-law(s), a copy of the Consumer Information Guide and the Price List.

Corner Posts: Shall mean any stone or other land markers set flush with the surface of the ground and used to indicate the location of a lot or plot.

Grave: (also known as a lot) means any inground burial space intended for the interment of a child, adult or cremated human remains.

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Interment Right: The right to require or direct the interment of human remains or cremated human remains in a grave, lot, niche or crypt and to authorize the installation of a monument or marker.

Interment Rights Certificate: The document issued by the cemetery operator to the purchaser once the interment rights to a specific lot have been paid in full, identifying ownership and authority over those specific interment rights.

Interment Rights Holder: The person(s) authorized or entitled to inter human remains in a specific lot. They may be the person named in the Interment Rights Certificate or such other person to whom the rights have been assigned.

Lot: For the purpose of this By-law a lot is a single grave space.

Marker: Shall mean any permanent memorial structure – monument, plaque, headstone, cornerstone or other structure or ornament affixed or intended to be affixed to a burial lot, mausoleum crypt, columbarium niche or other structure or place intended for the deposit of human remains and may be used to indicate the location of a burial.

Plot: For the purpose of this By-law, a plot means two (2) or more lots in respect of which the rights inter have been sold as a unit.

2.0 Hours of Operation

Visitation Hours: Dawn to Dusk.

Township Office Hours: Monday through Friday; 9:00am to 4:30pm
Saturday and Sunday or Statutory Holiday; Office is closed.

Burial Hours: As arranged by the Funeral Director and the Cemetery Operator.

3.0 Rules and Regulations

The following rules and regulations shall be observed by **all** person(s) and carried out by **all** bodies and officials carrying out this By-law and all person(s) using the cemetery.

- 3.1 The general management of the cemetery shall be carried out by the Cemetery Operator under the jurisdiction of Council.
- 3.2 To assist in the general management and maintenance of the Ignace Cemetery, Council may by resolution establish a Cemetery Committee.
- 3.3 All workmen employed in the erection of monuments, tombstones or any other, shall be subject to the control of the Cemetery Operator.
- 3.4 The sale of lots/plots shall be conducted by the Cemetery Operator of the Municipality with the assistance of Administrative Staff.

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- 3.5** The Cemetery Operator and other Township Employees assigned to the maintenance and improvement of the cemetery shall be appointed by Council.
- 3.6** All corner stones or improvements must be placed on the lot itself and no fence of any kind shall be erected as an enclosure hereafter for lots. After giving fifteen (15) days notice to the lot owner, the Cemetery Operator may remove all fences or enclosure, level land, cut down trees or do any work that is deemed necessary.
- 3.7** Flat markers shall be of stone, marble, bronze or granite and shall be placed so as not to protrude above the surface of the ground. No more than one (1) marker will be allowed for each addition to a family monument.
- 3.8** Only one (1) monument may be erected on any burial lot at the designated location. Any detraction from this rule requires special permission from the Cemetery Operator.
- 3.9** Permission must be sought from the Cemetery Operator to construct and lay a foundation.
- 3.10** No person(s) shall be allowed to plant trees, shrubs, etc. on any grave.
- 3.11** Person(s) shall be permitted to plant flowers, potted plants, wreaths, baskets of flowers, statues and solar lights at the head of a marker not utilizing more than twenty-four (24) inches of the lot in front of the headstone.
- 3.12** To preserve the orderly appearance of the cemetery, any flower bed of the previous year which has not been planted by the first (1st) day of July will be grass seeded by the cemetery officials and thereafter to remain seeded.
- 3.13** The Cemetery Operator reserves the right to remove all flowers, potted plants, wreaths, baskets of flowers, statues and solar lights when they become withered or unsightly or for any other reason that deems such removal(s) to be in the best interest of the cemetery.
- 3.14** The Cemetery Operator may, at any time, cause any lot to be entered upon for the purpose of cleaning weeds, grass and further cause to be moved from the said lot, any funeral design or floral piece which has wilted and other article(s) or thing from its nature, shall mar the beauty of the surrounding scenery.
- 3.15** All person(s) are required to confine themselves to the avenue and walks and avoid walking on the lots and graves.
- 3.16** No lots shall be raised above the level of the surrounding land.
- 3.17** No mounds or covers, such as cement pads, fiberglass covers, rocks, sidewalk stones shall be permitted. Seeded grass only is permitted.
- 3.18** No person(s) shall be allowed to remove sod from the graves or lots.
- 3.19** The grading and sodding of all lots shall be under the control of the Cemetery Operator.

- 3.20** All vehicles including ATV's and snowmobiles, with the exception of the Hearse and maintenance vehicles, must remain on the roadway of the cemetery and shall not drive on the walkways between lots.
- 3.21** No speeding will be allowed. A maximum allowable speed of ten (10) km/hr will be permitted.
- 3.22** Pets of any kind are not allowed on the grounds.
- 3.23** No person is permitted to enter the cemetery except through the gate.
- 3.24** Children under the age of twelve (12) shall not be permitted without being accompanied by an adult who shall be held responsible for their actions.
- 3.25** The cemetery reserves full control over the cemetery operations and management of the land within the cemetery grounds.
- 3.26** No person(s) may damage, destroy, remove or deface any property within the cemetery.
- 3.27** All visitors should conduct themselves in a quiet manner that shall not disturb any services being held, or the visitation rights of any person(s) within the cemetery grounds. Any person(s) disturbing the quiet or order of the cemetery by noise or other improper conduct will be compelled to leave the cemetery grounds.
- 3.28** The Cemetery Operator is required to prohibit the entrance and cause the expulsion of all person(s) behaving in an inappropriate manner.

3.29 Historical Ignace Cemetery

- 3.29.1** A provision will be made under the regulations to allow for original landscaping and structures (such as enclosures and rocks) within the Old Ignace Cemetery in order to preserve the historical setting of the grounds.

4.0 Liability

The Cemetery Operator will not be held liable for any loss or damage, without limitation (including damage by the elements, Acts of God, or vandals) to any lot, plot, monument, marker, or other article(s) that have been placed in relation to an interment or scattering right, save and except for direct loss or damage caused by gross negligence of the cemetery.

5.0 Public Register

Provincial Legislation – Section 110 of O. Reg. 30/11 requires all cemeteries and crematoriums to maintain a public register that is available to the public during regular office hours.

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6.0 Right to Re-Survey

The cemetery has the right at any time to re-survey, enlarge, diminish, re-plot, change or remove plantings, grade, close pathways or roads, alter in shape and size, or otherwise change all or any part of the cemetery, subject to approval of the appropriate authorities.

7.0 Pets or Other Animal Remains

Pets or other lower animals, including cremated animal remains, are not allowed to be buried on cemetery grounds.

8.0 Sale & Purchase of Lots/Plots

8.1 The Cemetery Operator shall receive all monies for the sale of lots/plots, or any other services on behalf of the Corporation of the Township of Ignace.

8.2 The Treasurer shall transfer all monies received for the care and maintenance of the lots/plots to the "Care and Maintenance Account" as prescribed under Subsection 53. (1) of the FBCSA (the Funeral, Burial and Cremation Services Act, 2002).

8.3 The deposits to the Care and Maintenance Account shall be as specified in the regulation made under the FBCSA, 2002.

8.4 All monies shall be deposited under one (1) account in a bank approved by Council and shall be called "the Township of Ignace Cemetery Account".

8.5 Cemetery lots/plots may be purchased during Municipal Office hours of operations. Not lot/plot shall be reserved unless the prescribed fee has been paid in full.

8.6 No fee shall be charged for lots/plots assigned to the **Humphrey Family**. These lots/plots, identified on the cemetery map as **I, II, III, and IV**, shall not be sold to other parties.

8.7 The purchaser shall make a selection from the cemetery plan of such lot/plot. The purchaser shall also go on-site with the Cemetery Operator prior to confirming the selection.

8.8 Upon payment in full of the prescribed fee, the Corporation of the Township of Ignace shall provide the purchaser of interment rights with:

- 8.8.1** A Certificate of Interment Rights
- 8.8.2** A Copy of the Contract
- 8.8.3** A Copy of the By-laws
- 8.8.4** A Current Price List
- 8.8.5** A Copy of the Consumer Information Guide

As set out in Subsections 68. (1), S. 113 and Ss. 118. (1) O. Reg. 30/11

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- 8.9** Cancellation of Interment Rights **within** the thirty (30) day "Cooling-Off" period; a purchaser has the right to cancel an interment rights contract within thirty (30) days of signing the interment rights contract by, providing written notice of cancellation to the Cemetery Operator. The Cemetery Operator will refund all monies paid by the purchaser within thirty (30) days from the date of the request for cancellation.
- 8.10** Cancellation of Interment Rights **after** the thirty (30) day "Cooling-Off" period; upon receiving written notice from the purchaser of the interment rights, the Cemetery Operator will cancel the contract and issue a refund to the purchaser for the amount paid for the interment rights **less** the appropriate amount that is required to be deposited into the Care and Maintenance Fund. This refund will be made within thirty (30) days of receiving said notice.

Note: If the interment rights certificate has been issued to the interment rights holder(s), the certificate **must** be returned to the Cemetery Operator along with the written notice of cancellation.

- 8.11** The Cemetery Operator permits the interment rights holder to **sell** or **transfer** their interment rights to a third party, at no more than the current price listed on the cemetery price list, as long as the sale or transfer is conducted through the Cemetery Operator and the purchaser meets the qualifications and requirements as outlined in the Cemetery Operator's By-law(s).

Note: If any portion of the interment rights has been exercised, the purchaser, or interment rights holder(s) are **not** entitled to cancel the contract or resell the interments rights.

9.0 Interment Rights and Other Cemetery Services

- 9.1** All person(s) applying for interments in the said cemetery, whether as principal or undertakers, shall furnish to the Cemetery Operator such particulars for the purpose of record keeping as the law directs, before interment shall be allowed including a burial permit or certificate of cremation.
- 9.2** All person(s) applying for interment shall pay the Cemetery Operator the prescribed fee(s) within thirty (30) days of the actual burial.
- 9.3** Burial fee(s) may be amended from time to time by Council By-law.
- 9.4** No burial fee(s) shall be paid in advance.
- 9.5** At the discretion of the family the lowering of the casket may be done in the presence of the family.
- 9.6** The Corporation will exercise all due care in performing burials and interments, but is not responsible for damage sustained to any casket or other container during either interment or disinterment.
- 9.7** Graves shall be dug and interments made only by person(s) under the direction of the Cemetery Operator.

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9.8 At least three (3) days previous notice must be given for the date of burial unless prescribed by their practiced religion. Burial must be done within regular hours of operation.

9.9 Only one (1) human body will be allowed in a grave except:

9.9.1 One (1) Adult and One (1) Infant

9.9.2 One (1) Adult and One (1) Cremation

9.9.3 No more than three (3) Cremations per Lot

9.10 Except in special cases provided for in the Act, governing cemeteries; no disinterment will be allowed without the consent of the interment rights holder(s), Council and the Medical Office of Health. The disinterment of bodies shall be supervised by the Cemetery Operator. A letter from the Medical Officer of Health is not required for the removal of cremated remains.

9.11 The Corporation does not permit the scattering of human remains on Municipal property.

10.0 Emergency/Pandemic Plan

The Emergency/Pandemic Plan of the Corporation of the Township of Ignace will identify situations and procedures where the Ignace Cemetery may be needed due to the possibility of death following the Declaration of an Emergency.

11.0 Other

11.1 Any person guilty of any infringement of the provisions of the above By-law shall incur a penalty not exceeding \$1,000.00.

11.2 That By-law 31.2016 is hereby rescinded.

11.3 That this By-law will come into effect thirty (30) days after the date it is approved by the Registrar, at Bereavement Authority of Ontario, under the Funeral, Burial and Cremation Act, 2002.

Penny Lucas, Mayor

Lynda Colby, Clerk

BAO STAMP

**The Corporation of the Township of Ignace
By-law 63.2021**

**Being a By-law for the Purpose of Imposing Fees and Contract Conditions for the
Township of Ignace Cemetery**

Whereas the Funeral, Burial and Cremation Services Act, 2002; Sections 33 to 34, O.Reg.30/11, Sections 54 to 75, ss. 87. (1) provides that a Municipality may pass By-laws imposing fees or contract conditions on any class of person(s) for services or activities provided or done by or on behalf of it, for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board, and for the use of its property including property under its control.

Now Therefore the Council of the Corporation of the Township of Ignace enacts as follows:

1. The fee(s) and contract conditions imposed by the Township of Ignace Cemetery services as provided in the following Schedule(s) A, B, C and D attached hereto and forming part of this By-law are hereby confirmed.
2. That this By-law rescinds By-law 32.2016.
3. That this By-law shall come into effect 30 days after approval from the Bereavement Authority of Ontario.

Read a First and Second Time this ___ day of _____, 2021.

Read a Third Time and Finally Passed this ___ day of _____, 2021.



Penny Lucas, Mayor

Lynda Colby, Clerk

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Schedule "A" to By-law 63.2021

Certificate of Interment Rights At the Ignace Cemetery

Certificate Number _____

Pursuant to the Funeral, Burial and Cremation Services Act, 2002 and Regulations and all the amendments thereto; made in duplicate the ____ day of _____, 202_.

Between:

The Corporation of the Township of Ignace

&

_____, hereinafter known as the "Purchaser"

The Cemetery Operator agrees to assign to the Purchaser the burial of interment rights as follows:

Lot Number _____

The Purchaser, by acceptance of this certificate indicates that By-law 62.2021 governing the operation of the cemetery have been received and read, and agrees to be guided by the said By-law 62.2021 as well as the provision of the Funeral, Burial and Cremation Services Act, 2002 as if these were included as part of the certificate.

The Purchaser agrees that in the event of transfer of the said interment rights, this certificate can not be transferred but will be returned to the Cemetery Operator who will issue a new certificate.

With respect to the erection of installation of markers, the Purchaser agrees to abide by the rules and regulations set out in By-law 62.2021.

Signed this ____ day of _____, 202_.

Purchaser

Cemetery Operator

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The Corporation of the Township of Ignace
 Ignace Cemetery
 Fee Schedule

This schedule is in effect as of 30 days from the approval of the Bereavement Authority of Ontario

Note: This price list is subject to the provisions of Ontario Regulation 30/11 and the Funeral, Burial and Cremation Act, 2002.

<u>Lot Price</u>	<u>40% C&M</u>	<u>2021 Price</u>	<u>HST</u>	<u>Total Payable</u>
Single Grave Adult – Resident	\$140.00	\$350.00	\$45.50	\$395.50
Single Grave Adult - Nonresident	\$230.00	\$575.00	\$74.75	\$649.75
Single Grave Child - Resident	\$140.00	\$350.00	\$45.50	\$395.50
Single Grave Child - Nonresident	\$230.00	\$575.00	\$74.75	\$649.75

<u>Interment Charges</u>	<u>Summer</u>	<u>Winter</u>
Adult	\$740.00	\$950.00
Child	\$305.00	\$405.00
Cremated Remains	\$270.00	\$320.00

Note: Summer is from May 16th to November 14th, Winter is from November 15th to May 15th

<u>Other Charges Schedule</u>	<u>Payable</u>
Traditional Casket Interments Scheduled to Arrive at Cemetery from 3:30pm onwards	\$150.00/hour
Traditional Cremation Interments Scheduled to Arrive at Cemetery from 3:30pm onwards	\$80.00/hour
Ownership Transfer Administration Fee	\$25.00
Headstone Foundation	\$50.00
Traditional Casket Disinterment	\$1350.00
Traditional Cremation Disinterment	\$395.00



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Schedule "C" to By-law 63.2021

**Ignace Cemetery Contract
For the Purpose of Interment Rights or Services**

Operated By:
The Corporation of the Township of Ignace
 34 Hwy 17 West PO Box 248,
 Ignace, Ontario,
 P0T 1T0
 Phone: 807-934-2202 Fax: 807-934-2864
clerk@ignace.ca

Date of Purchase: _____
 (Day/Month/Year)

Bill To: _____ Rights To: _____

Address: _____

Deceased Information:

Name: _____ Place of Death: _____

Date of Death: _____
 (Day/Month/Year)

Funeral Director/Transfer Service: _____

Lot Price	\$	.
Interment Cost	\$	.
Care & Maintenance Fund (included) 40%	\$	.
Disinterment Cost	\$	.
Headstone Foundation	\$	.
Monument/Marker Care & Maintenance Fund	\$	.
Other Charges/Fees	\$	.
Sub-Total	\$	.
HST	\$	.
Total Payable	\$	.
Deposit	\$	.
Balance Owing	\$	.

It is agreed between the parties aforementioned that the contract is subject to By-law 63.2021 of the Cemetery and the Purchaser hereby acknowledge receipt of a copy of By-law 63.2021 and that the "Conditions of the Contract" (Schedule "D") attached have been read and understood.

 Signature of the Purchaser

 Signature of the Cemetery Operator/Cemetery Representative

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Conditions of the Contract

The Following Trust Provisions are in effect:

Contribution to the Care & Maintenance Fund for lots/plots:

1. In the case of a grave that is 2.23 square meters or 24 square feet or larger the greater of 40% of the Lot/Plot price as set out in Schedule "B".
2. In the case of a grave that is smaller than 2.23 square meters or 24 square feet the greater of 40% of the Lot/Plot price as set out in Schedule "B".

Contribution to the Care & Maintenance Fund for Markers/Monuments:

<u>Size/Type</u>	<u>Flat Rate of</u>
Flat Marker less than 173 square inches	\$0.00
Flat Marker 173 square inches or larger	\$50.00
Upright Monument up to 4 feet in height or width	\$100.00
Upright Monument more than 4 feet in height or width	\$200.00

A Contract for the Purchase of Interment Rights Includes:

Note: The following rights of the Purchaser to request that the Cemetery buy-back the Interment Rights is only valid if the Lot/Plot has not been subject to interment.

1. The following conditions are specified in further detail in the By-law 63.2021.
2. The Cemetery Operator shall repurchase the interment rights within thirty (30) days from the date the written request was made.
3. The repurchase price of the interment rights shall be determined by establishing the amount paid by the purchaser for the rights less the amount of 40% to the Care & Maintenance Fund.
4. Restrictions on the exercising of the interment rights are described in Section 8.0 of By-law 62.2021.
5. As per Section 9.1 of By-law 62.2021, in exercising the interment rights contracted within; a burial permit or cremation certificate must be provided.
6. In accordance with By-law 62.2021 only representatives of the Corporation of the Township of Ignace shall perform burial services within the Ignace Cemetery.
7. Restrictions and requirements in respect to cemetery supplies, marker and/or monument installation are found in Section 3 of the Cemetery By-law 62.2021.
8. If a purchaser transfers an interment right, the purchaser shall give notice of the transfer to the Cemetery Operator and return the original certificate of interment rights. The Cemetery Operator shall issue a new certificate of interment rights to the transferee.
9. The certificate of interment rights shall not be issued until the prescribed fee(s) have been paid for with the exception of a situation as described in Section 8.9 of the Cemetery By-law 62.2021.

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The Corporation of the Township of Ignace

By-law 64.2021

Being a By-law to License, Regulate and Govern Owners, Operators and Drivers of Taxicabs, Limousines, Motor and Other Vehicles Used for Hire

WHEREAS Section 151 of the Municipal Act, S.O. 2001, as amended (“the Act”), allows a municipality to provide for a system of licenses with respect to a business and confers other authority upon municipalities with regard to licensing, and

WHEREAS Section 156 of the Act provides that a By-law pursuant to Section 150 for licensing, regulating and governing the owners and drivers of taxicabs may: establish the rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality; provide for the collection of the rates or fares charged for the conveyance; and limit the number of taxicabs or any class of them, and

WHEREAS Section 425 of the Act allows a municipality to pass By-laws providing that a person who contravenes a By-law of the municipality passed under the Municipal Act is guilty of an offence, and

WHEREAS Section 429 of the Act grants the authority to a municipality to establish a system of fines for offences under a By-law of the municipality passed under the Act, and

WHEREAS Section 435 of the Act sets out the conditions applying to the exercise of a power of entry of a municipality under the Act, and

WHEREAS Section 436 of the Act grants a municipality the power to pass By-law providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with: 1) a By-law of the municipality passed under the Act; 2) a direction or order of the municipality made under the Act or made under a By-law of the municipality passed under the Act; 3) a condition of a license issued under a By-law of the municipality passed under the Act; or 4) an order made under Section 431 of the Act, and

WHEREAS the Council of the Corporation of the Township of Ignace having deemed there to be a need to license taxicab and limousine businesses within the Municipality;

Now Therefore let it be Resolved that the Council of the Corporation of the Township shall now enact as follows:

1.0 Definitions

Business License shall mean a license issued by the Municipality to conduct trade pursuant to this By-law and which is distinctly separate from a vehicle license.

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By-law Enforcement Officer is a person duly appointed within the Municipalities Administration to enforce the By-laws of the Municipality, and includes the Licensing Officer.

Clear Days is with respect to giving notice, shall mean the day immediately following the day of publication up to and including the day of the event which is subject to the notice.

Council means the Council of the Corporation of the Township of Ignace.

Driver – Taxicab or Limousine shall mean any person(s) licensed by the Province of Ontario granting that person the privilege to drive a licensed motor vehicle and is in the employ of a taxicab or limousine operator and who drives a taxicab or limousine in the performance of his/her regular duties.

Fare means the contractual arrangement between the operator of a taxicab or limousine and any person(s) that has requested the transportation of a person(s) or property from one (1) location to another for a fee.

Legal Person means any person(s) who has the status of being a “resident” or a “landed immigrant” of Canada and who is legally entitled to be employed and shall include a corporation incorporated under the laws of the Province of Ontario or the Government of Canada or any other jurisdiction.

Licensing Officer means the duly appointed Licensing Officer for the Municipality, responsible for the issuing, administration and approval of Licenses in accordance with Provincial Legislation and Municipal Policies and Procedures, or his/her delegate. Where no delegation has been made, the term refers to the Clerk or his/her delegate.

Limousine means a luxury vehicle, such as a sedan with stretched wheelbase or a sport utility vehicle that is used for hire with a driver and is used for the transportation of passenger(s) and/or their property; and:

- a) Has a seating capacity of at least five (5) and no more than nine (9) persons inclusive of the driver;
- b) Does not contain a taxi meter;
- c) Has fees that are charged on an hourly basis or a fixed amount between any two (2) locations;
- d) May or may not contain any marking or sign that identifies the limousine operator;
- e) May or may not contain a partition between the driver and the passenger(s);
- f) Shall specifically exclude a taxicab, ambulance, school bus, street car, van or funeral hearse.

Limousine Operator is a licensee who conducts trade by the conveyance of person(s) or property through the use of a limousine.

Licensee is any person(s) to whom a Business License to conduct trade has been issued pursuant to this By-law.

Motor Vehicle means a vehicle defined in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990.

Municipality means the Corporation of the Township of Ignace.

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Police means the Ontario Provincial Police Detachment Commander or other designated Officer(s) in charge of the Police Service with jurisdiction in the relevant geographic area of the Township of Ignace, or his/her delegate.

Regular Place of Business shall mean in the case of a Taxicab “mobile” Business, “Regular Place of Business” shall mean storage space located in the Industrial or Commercial Zone within the boundaries of the Municipality of the Township of Ignace, at which a person(s), business or corporation stores records related to a Taxicab Mobile Business. In the case of a Taxicab “stand” Business, “Regular Place of Business” shall mean an office located in the Industrial or Commercial Zones within the boundaries of the Municipality of the Township of Ignace, at which a person(s), business or corporation normally conducts business on a day-to-day basis.

Schedule means a schedule attached to this By-law.

Taxicab means a motor vehicle, that may have or may not have a taxi meter installed, and having a seating capacity of not more than eleven (11) persons excluding the driver and which is used for the conveyance of person(s) or property for a fee and shall exclude a limousine, ambulance, school bus, street car or funeral hearse.

Taxicab Mobile Business shall mean a taxicab business operated by Bluetooth from the vehicle, is not open to walk-in public clientele, does not employ dispatchers and does not possess more than two (2) taxicab vehicles, including primary and spare vehicles.

Taxicab Operator is a licensee who conducts trade by the conveyance of person(s) or property through the use of a taxicab.

Taxicab Stand Business shall mean a taxicab business which is open to walk-in public clientele, employs dispatchers and possesses a fleet of more than two (2) taxicab vehicles, including primary and spare vehicles.

Trade includes Businesses, calling or occupation and “carrying on a trade” includes any act of:

- a) Selling any goods or services; or
- b) Soliciting Business or offering or exposing goods or services for sale or hire.

Vehicle License – Primary means a vehicle license issued by the Municipality for each taxicab or limousine used in trade by a specific licensee and for a particular vehicle.

Vehicle License – Spare means a license issued by the Municipality for one (1) vehicle per operator, only to be used when a primary vehicle is not in use due to maintenance or repair.

2.0 General Provisions

2.1 Require Business License

No person shall operate a taxicab or a limousine business without a business license. Any person(s) who contravene this By-law are hereby found to have committed an offence under the provisions of the Provincial Offences Act, 1990.

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2.2 Exception

Notwithstanding Paragraph 2.1 herein to the contrary, when person(s) or property are being conveyed by a taxicab or limousine operator whose regular place of business is in a jurisdiction other than the Municipality and who is not licensed under the Municipality of the Township of Ignace Taxicab and Limousine Licensing By-law as herein defined, and these persons or property are being conveyed from that other jurisdiction, a business license shall not be required.

2.3 Who May Apply

Any legal person may apply to the Municipality for a license to operate a taxicab or limousine business, when the proposed place of business is located within the Municipal boundaries and in a Zone other than a Residential Zone, as per the Municipal Zoning By-law, as may be amended from time to time.

2.4 Business License Requirements

The following items must be submitted to the Municipality by the applicant for himself and all his drivers in order for a business license to be issued and maintained, and must be submitted in accordance with the Regulations to this By-law:

- a) Criminal Record Check or sworn Affidavit of Taxi Driver Form as set-out in the Regulations to this By-law.
- b) Vulnerable Persons Check or sworn Affidavit of Taxi Driver Form as set out in the Regulations to this By-law.
- c) Driver's Abstract
- d) Driver's License

2.5 Business License Application – Defer to Council

All new taxicab business licenses shall be forwarded to Council for approval. When an applicant submits an application for a business license to operate a taxicab or limousine business to the Municipality and:

- a) Fails to meet or is unable to comply with a condition required by this By-law, or
- b) Provides a Criminal Record Check or other documentation or the Municipality obtains confirmation that the applicant has a conviction under the terms of Section 3.3, or
- c) Provides a "Driver's Abstract" that indicates the applicant has a continued record of driving violations with the most current violation occurring within the previous six (6) months of the application or which indicates that the applicant has lost his driving privileges for any reason within twelve (12) months prior to the application,

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- d) That application shall be referred directly to Council and Council shall decide if the applicant should be approved, approved with conditions or denied a business license, and any determination made by Council with respect to the application shall be deemed final.

2.6 Business License Property of the Municipality

All business licenses issued pursuant to this By-law remain the property of the Municipality and have no monetary value affixed thereto and no license issued pursuant to this By-law may be traded, transferred, sold or purchased by any person.

2.7 Require Vehicle License

A licensee shall not conduct trade with any vehicle for which a vehicle license has not been issued.

2.8 Vehicle License Requirements

For each vehicle to be licensed, the applicant shall submit the following to the Municipality in accordance with the Regulations to this By-law:

- a) Make, model, year, vehicle identification number (VIN), license plate number, color, and occupancy load
- b) Ontario Safety Standards Certificate
- c) Insurance Certificate

2.9 Vehicle License Property of the Municipality

All vehicle licenses issued pursuant to this By-law remain the property of the Municipality and have no monetary value affixed thereto and no vehicle license issued pursuant to this By-law may be traded, transferred, sold or purchased by any person nor can it be transferred to any other vehicle owned by the licensee.

2.9.1 Transfer of Vehicle License

Upon request in written form (form "Transfer Taxicab/Limousine License" such matters will be considered. An administration fee of \$20.00 will be required along with all paperwork outlined in Section 2.8.

2.10 Business License Includes Single Vehicle License

An approved business license shall include a vehicle license to operate a single taxicab or a single limousine upon submission and approval of the required information for the vehicle.

2.11 Limits on Taxicabs and Limousines

- 2.11.1 Schedule "A" attached to and forming part of this By-law shall limit the number of taxicabs or limousines available to a licensee. Council

reserves the right to add additional licensees and taxicabs as it deems necessary to meet the demand within the Municipality.

2.11.2 A limit of one spare vehicle is permitted for each operator. Spare vehicles are intended only to replace a primary vehicle, when such vehicle is not in use due to repairs or maintenance. Spare vehicles shall

be required to meet the same requirements under the Taxicab and Limousine Licensing By-law and Regulations, as a primary vehicle.

2.12 Matters to be Considered

In determining the limits of taxicabs or limousine licenses available to a licensee Council shall have regard to:

- a) the level of service provided by the licensee;
- b) the level of compliance by the licensee with established laws, regulations and By-laws;
- c) the level of compliance by the licensee with regulations governing this trade;
- d) any changes in the population or density;
- e) any community events, shows or other activities being conducted in the Municipality;
- f) any other matter that may be deemed relevant by Council.

2.13 Notice of Amendment to Schedule "A" Required

2.13.1 Council may amend Schedule "A" at any time, however prior to any meeting at which an amendment to Schedule "A" is to be considered, the Municipality shall cause to have published in a publication deemed to serve the Municipality, a notice stating that Council will be considering an amendment to Schedule "A" and that notice shall be published not less than six clear days prior to the meeting for which this amendment has been scheduled for consideration.

2.13.2 Notice under Section 2.13.1 is not required for administrative amendments to Schedule "A" (see Section 2.16)

2.14 Licensee Request to Amend Schedule "A"

When a licensee applies to the Municipality to add to or delete from the number of allotted taxicabs or limousines licenses with respect to his business, such addition or deletion will be subject to the approval of the Municipality through an amendment to Schedule "A" and the issuance or termination of a vehicle license.

2.15 Right to Acquire

A licensee may acquire the rights to operate additional taxicabs or limousines from any other licensee; however, such acquisition shall be subject to the approval of

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the Municipality through an amendment to Schedule "A", the issuance of a new vehicle license and the termination of the previous vehicle license for the respective taxicab or limousine.

2.16 Administrative Amendments to Schedule "A" Notwithstanding Section 2.14

2.16.1 In the case of a taxicab or limousine vehicle becoming permanently inoperable (e.g., as a result of a crash), Schedule "A" may be amended without approval of Council, provided proof of permanent inoperability of the vehicle is submitted to the Municipality, and the respective vehicle license shall be cancelled and, if the vehicle is to be replaced, a new vehicle license will be issued for the designated fee, and Schedule "A" amended accordingly.

2.16.2 Staff is further authorized to make administrative amendments to Schedule "A" except in the following circumstances:

2.16.2.1 When a licensee wishes to increase or decrease the overall complement of vehicle licenses allotted to him;

2.16.2.2 When a licensee acquires the rights to operate additional taxicab(s) or limousine(s) from another licensee as per Section 2.15

2.16.2.3 When a new taxicab or limousine company applies for a business license.

2.17 Appropriate Provincial License

A licensee shall ensure that any vehicle licensed as a taxicab or a limousine has been appropriately licensed for the style, type and use of the vehicle in accordance with the requirements of the Highway Traffic Act, R.S.O. 1990.

2.18 Business License Available

A licensee shall have available to any person being conveyed in a taxicab or limousine; a legible copy of the business license issued by the Municipality.

2.19 Insurance Required

As a condition of issuance of a business license, a licensee shall provide to the Municipality proof of insurance indicating that public liability, passenger hazard and property damage insurance coverage has been purchased in an amount of not less than five-million (\$5,000,000.00) Canadian dollars for trade relating to the business of the licensee, and that a licensee shall ensure this insurance remains in effect during the currency of the business license.

2.20 Establish Regulations

The Municipality may establish Regulations that prescribe the standards for a taxicab and limousine business, taxicabs or limousines and drivers and these

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Regulations shall be adopted by a resolution of Council without an amendment to this By-law.

- a) Taxicab Meters: Every Taxicab Operator shall present a certificate to By-law Enforcement during the vehicle inspection process to prove that the meter was calibrated and sealed by a licensed professional.
- b) The By-law Enforcement Officer shall be trained in inspecting seals on all meters to confirm that the seals were professionally installed, and perform random inspections of the taxicab meter.

2.21 Business Operated in Accordance with By-law, Regulations and Conditions

No person shall operate a business for which a license was issued unless such business is operated in accordance with this By-law, all Regulations adopted by Council and relating thereto and all Conditions that may have been affixed to a business license that authorized this trade.

2.22 Schedule of Fares

Schedule "B" being the Schedule of Fares attached to and forming part of this By-law shall establish the rates that may be charged by a licensee for a fare.

2.23 Request to Amend Schedule of Fares

A licensee may, at any time following the adoption of this By-law, submit a request together with support information that demonstrates a need to amend Schedule "B" and Council shall, within sixty (60) days of the receipt of the request, consider this request and determine whether or not Schedule "B" should be amended.

2.24 Fee in Accordance with Schedule of Fares

No licensee shall charge a fare other than those listed in Schedule "B", being the Schedule of Fares. This part does not apply to a taxicab or limousine company that has contracted services to a group or organization on a flat rate basis.

2.25 Schedule of Fares Available

A licensee shall have available to any person being conveyed in a taxicab or limousine, and in the licensee's regular place of business, copy of the Schedule of Fares that has been approved by the Municipality.

2.26 Licensee to Maintain Documents

The licensee shall maintain all original documents required by the By-law or the regulations relating thereto at his Regular Place of Business that is accessible and provides for the safe and timely review of records by the Municipality.

2.27 Inspections

The Municipality may conduct an inspection of all relevant documents and any taxicab, limousine or associated equipment pertaining to the trade of the licensee.

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2.28 Right to Refuse

A licensee or a driver may at any time, refuse or terminate a fare when, in the opinion of a licensee or a driver, the person or property subject to the fare could cause an unsafe or offensive condition to the licensee, the driver, the taxicab or limousine or to any other person(s) or property included in the fare.

2.29 Exception

Notwithstanding Paragraph 2.28 to the contrary, a licensee or a driver shall not terminate a fare after it has been commenced, when the termination could reasonably be expected to place the person or property being conveyed in an unsafe situation.

2.30 Schedule of Fees

The Municipality shall adopt a Schedule of Fees for taxicab and limousine business licenses and for vehicle licenses in excess of a single taxicab and limousine, and such fees are intended to cover the anticipated or actual expenditures including but not necessarily limited to:

- a) The preparation of this By-law
- b) The administration of this By-law
- c) Inspections relating to this By-law
- d) The enforcement of this By-law
- e) Prosecution and court proceedings, and
- f) Any reciprocal licensing arrangement required pursuant to this By-law, and this Schedule of Fees shall be approved by an amendment to this By-law.

2.31 Review of Schedule of Fees

On or before the 1st day of September in each year, the Schedule of Fees shall be reviewed and may be amended to reflect the actual costs of the administration and enforcement of this By-law and all amendments shall be approved by resolution of Council by an amendment to this By-law.

2.32 Fees Due

All fees due with respect to a business license shall be paid prior to the issuance of the business license.

2.33 License Expiry

All licenses issued pursuant to this By-law shall expire on June 30th at 11:59 p.m. in the year in which the license was issued, with the exception of those business licenses issued in the month of June, which shall expire at 11:59 p.m. on June 30th in the year following the year in which the license was issued.

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2.34 Business License Fee

All fees due with respect to a business license issued pursuant to this By-law shall be calculated at the full annual fee and shall not be pro-rated.

2.35 June Fee Paid

A fee paid for a new business license issued during the month of June shall include the month of June plus the 12 months immediately following the month of June.

2.36 License May Terminate

A licensee may, at any time subsequent to the issuance of a business license, return a license to the Municipality for termination and the Municipality shall accept and terminate this license and any such license terminated shall not be re-instated.

2.37 No Refund Following Issuance

A request for the refund of the license fee will not be considered by the Municipality following the issuance of the license.

2.38 Revoke for Lack of Use

The Municipality may revoke any business license issued with respect to this By-law if the holder of that business license is unable to demonstrate that he has conducted trade pursuant to that business license for the period of six (6) months prior to the termination.

3.0 Enforcement

3.1 Delegation of Authority

The Municipality may delegate to any person or body the authority to investigate and enforce the provisions of this By-law as deemed necessary and where such a person or body is authorized, he or it shall inform the licensee at the time of inspection or enforcement of this authority.

3.2 Contravention of By-law, Regulations or Condition

Any business license issued pursuant to this By-law may be suspended by Council if it is determined by the Municipality that the licensee is conducting trade in contravention of this By-law, the Regulations relating thereto or failing to meet any condition that may have been attached to the business license or documents associated therewith. However, the period of suspension shall only be for that period of time deemed necessary to ensure the contravention is corrected by the licensee.

3.3 Contravention of Criminal Code, Controlled Drugs and Substances Act, 1996, or Liquor License Act, 1990

No licensee shall operate a taxi or limousine business or employ any driver if it is determined by the Municipality that a licensee or a driver pleaded guilty to, or has

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been convicted of an offence in contravention of the Controlled Drugs and Substances Act, S.C. 1996, c.19, parts V, VIII, and IX of the Criminal Code of Canada, or Section 5 of the Liquor License Act, R.S.O. 1990 and the Regulations relating thereto:

- a) During the two (2) year period immediately prior to being issued a business license pursuant to this By-law, or
- b) During the two (2) year period immediately prior to commencing employment with a person who has been issued a business license pursuant to this By-law, or
- c) In the case of a driver, at any time whether on or off duty and as a result of such determination, a business license issued to a licensee may be suspended or revoked by Council, or a ticket(s) may be issued to the licensee.

3.4 Revoked Due to Suspensions

A business license may be revoked by Council if a licensee has had his business license suspended more than two times in the two (2) year period prior to the date the license is scheduled to be revoked.

3.5 All Trade Terminated

A licensee whose business license has been suspended or revoked, shall terminate all trade for which the business license was issued immediately upon the suspension or revocation or immediately following the conclusion of trade in which a licensee was involved at the time the license was suspended or revoked, whichever is the latter.

3.6 No Reinstatement of Revoked License

A business license that has been revoked shall not be reinstated pursuant to the business license subject to the revocation.

3.7 License Issuance Limitation

The Municipality shall not issue a business license to any person that has been subject to the revocation of a previous business license for a period of 30 days following the date the previous business license was revoked.

3.8 Requirement for Hearing

Council shall not revoke a business license without a hearing at which the licensee may provide evidence why the business license should not be revoked, and at all times during the hearing the licensee may be represented by legal counsel.

3.9 Hearing Open to Public

Any hearing requested by a licensee to provide evidence why the business license should not be revoked shall be a meeting open to the public, and any person may provide evidence in support of or contrary to the revocation of the business license. 257

3.10 Requirement for Notice

A notice informing the public of a request by a licensee for a public hearing shall be published in a local newspaper considered by the Clerk to serve the Municipality and the said notice shall be published not less than six clear days prior to the date of the hearing.

3.11 Responsibility for Lost Revenues

All revenues arising from trade of a licensee that have been lost due to the suspension or revocation of a business license are the responsibility of the licensee and the Municipality shall not provide compensation to the licensee for any lost revenues arising from the suspension or revocation of the business license whether or not the said suspension or revocation of the business license is permanent or temporary in nature.

3.12 Guilty of Offence

Every licensee and/or driver who contravenes any provision of this By-law is guilty of an offence and if the licensee and/or driver is convicted, the licensee is liable to a penalty as provided for in the Provincial Offences Act, 1990.

3.13 Short Form Wordings

The Municipality shall make application to the Ministry of the Attorney General of Ontario for approval of Short Form Wordings and Set Fines in accordance with the Set Fine Schedule approved by resolution of Council, and such fines shall come into effect upon the approval or amendment by the Attorney General of Ontario or his designate.

4.0 Severability

If any provision or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law or its application in any other circumstances, shall not be affected and shall continue to be in full force and effect.

5.0 This By-law rescinds By-law 91.1991.

6.0 This By-law shall come into force and take effect upon approval by the Attorney General or his/her delegate of the Set Fines established under this By-law.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

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Schedule "A"
(as per By-law 64.2021)

<u>Business Name</u>	<u>Taxi Decal #</u>	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Serial Number (VIN)</u>	<u>Plate Number</u>	<u>Colour</u>	<u>Passenger Number</u>	<u>Type Taxi (T) or Limousine (L)</u>
	LIC #01								T or L
	LIC #02								T or L
	LIC #03								T or L
	LIC #04								T or L
	LIC #05								T or L
	LIC #06								T or L
	LIC #07								T or L
	LIC #08								T or L
	LIC #09								T or L
	LIC #10								T or L
	LIC #11								T or L

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Schedule "B"
(as per By-law 64.2021)

Schedule of Fares

<u>Item</u>	<u>Rate 1 – Cabs</u> (includes HST)	<u>Rate 2 – Vans</u> (includes HST)	<u>Rate – 3</u> (includes HST)
Start-up	\$4.80	\$6.50	Where there is only one (1) vehicle in the fleet without a meter as per Regulation Exemption outlined in this By-law a flat rate may be charged as follows: A starting base at \$5.65 then \$1.00 per kilometer thereafter
	\$0.10 for first 27 meters \$0.10 for each additional 27 meters	\$0.10 for first 18 meters \$0.10 for each additional 18 meters	
Waiting Time (per hour)	\$70.00 per hour	\$70.00 per hour	\$70.00 per hour

Note: Rate 2 is an option to be invoked at the discretion of the driver when the occupancy load for a taxicab exceeds four passengers, or in other circumstances where the fare is requesting additional services (e.g., extra luggage or equipment - with the exception of any mobility aids or devices, etc.).

Note: No rate other than Rate 1 shall be charged solely for the transportation of a person with a disability, or for the transport or storage of any mobility device required by a person with a disability.

Note: Limousine rates will not be established until a limousine business is licensed and makes a request.

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Schedule "C"
(as per By-law 64.2021)

Pursuant to Section 2.3 of By-Law 64.2021 that authorizes the adoption of a schedule of fees to cover the anticipated or actual costs associated with the licensing and regulating of taxicabs and limousines, the following fee shall be submitted to the Municipality of the Township of Ignace with each application for the following licenses:

Applicable to All Taxicabs and Limousines

License Type	Fee per Year
Taxicab/Limousine Operator License	\$150.00
Taxicab/Limousine Vehicle License	\$50.00
Taxicab/Limousine Drivers License	\$25.00
Taxicab/Limousine Drivers License Renewal	\$25.00
Taxicab/Limousine Operator License Renewal	\$150.00
Taxicab/Limousine Vehicle License Renewal	\$50.00
Transfer of Vehicle License	\$20.00
Replacement Vehicle Sticker	\$20.00
Replacement Taxicab/Limousine Driver's License	\$20.00

All fees are an annual fee commencing July 1st in each year and expiring December 31st in the same year.

In accordance with Section 2.31, this Schedule of Fees shall be reviewed on or before the 1st day of September in each year and may be amended to reflect the actual costs of the administration and enforcement of By-law 64.201 and all amendments shall be approved by an amendment to By-law 64.2021.

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**Taxicab & Limousine Regulations
In Accordance with Section 2.2 of By-law 64.2021**

Explanation:

The following regulations are intended to supplement the provisions contained in By-law 64.2021 in order to help provide for the health, safety and protection of consumers who have contracted a fare with a taxicab or limousine operator. Taxicab and limousine operators shall ensure that all taxicabs and limousines and their drivers comply with the minimum standards as indicated herein, and shall be subject to the same enforcement and penalties as if these regulations were contained within the text of By-law 64.2021.

Exemption:

Where an operator or business has a fleet of one (1) vehicle they are exempt to Section(s) 1.1 o), p), and q).

1.0 Taxicabs and Limousines

1.1 With respect to Taxicabs and Limousines, Licensees shall ensure that:

- a) The make, model, year, serial number (VIN), license plate number, insurance certificate and Ontario Safety Standards Certificates, color, and occupancy load for each vehicle to be licensed as a taxicab or limousine for the ensuing six (6) month period are submitted to the Municipality by the 1st day of December and the 1st day of June in each year.
- b) Ontario Safety Standards Certificates were completed within the thirty-six (36) day period preceding the 1st day of December and the 1st day of June in each year.
- c) A garage or suitable parking space is available to accommodate the number of taxi cabs or limousines the licensee proposes to license.
- d) An approved safety seat belt is permanently installed for each passenger.
- e) Washing, cleaning or having repairs conducted to any taxicab or limousine while on any public street or at any taxi cab or limousine stand, except in the case of emergency repairs, is not conducted.
- f) The interior of all taxicabs and limousines are kept clean at all times including floors, seats, glass and all body components.
- g) The interior of each taxicab and limousine is maintained in good condition so that upholstery, mats, and seats are free from tears, and that all hardware is installed and fully operable.
- h) The exterior of each taxicab and limousine is cleaned on a regular basis so that no road dust, dirt, splash or other soil is allowed to remain or accumulate on any part of the vehicle.

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- i) All exterior panels, accessories and equipment are free from dents, holes, major rust, abrasion, or other damage, and are finished and painted consistent with the exterior color scheme of the vehicle.
- j) All floor panels are in place with no holes or major rust, and are covered with material consistent with the interior finish of the vehicle.
- k) All glass is in place, operable, and free from cracks, breakage, or other deterioration.
- l) An illuminated roof sign indicating that the vehicle is a taxicab, in legible print of not less than three inches in height, is affixed to each taxicab. (This section is not applicable to limousines).
- m) The roof sign is in a proper state of repair at all times.
- n) The name of the limousine business is indicated on a sign attached to the front doors of each limousine in letters of not less than three inches in height.
- o) Each taxicab is equipped with a taxi meter device of suitable design, manufacture and calibration to reliably and accurately set out and indicate in legible characters the fee for any fare calculated in accordance with the approved Schedule of Fares.
- p) Taxicab meters are calibrated so that tolerances shall not exceed 28 meters short of 1.6 kilometers and nine meters for each additional 533 meters or 55 meters over 1.6 kilometers and a proportionate distance for each one third over 1.6 kilometers.
- q) The taxicab meter is sealed at all times.
- r) A consecutively-numbered vehicle license decal, provided by the Municipality, must be displayed at all times on the right side of the rear bumper of the vehicle for which it has been issued.

2.0 Taxicab and Limousine Drivers

2.1 With respect to Taxicab and Limousine Drivers, Licensees shall ensure that:

- a) A driver is at least 18 years of age.
- b) A driver is of good character and shall be neat and clean in appearance.
- c) The Municipality is advised, immediately and in writing, when a driver is hired or is no longer employed by the licensee.
- d) A driver has a valid Ontario Driver's License of "G" class or better and a legible copy of both sides thereof is provided to the Municipality by the first day of December of each year; upon the hiring of a new driver; or at the request of the Municipality.
- e) A driver has obtained both a Driver's Abstract from the Ministry of Transportation and a Criminal Record Check from the Ontario Provincial

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Police and that both these original documents are provided to the Municipality by the first day of December of each year (as part of the business license application); within the first 30 days following the hiring of a new driver; or at the request of the Municipality and that both documents have been acquired within the 30 days preceding the aforementioned instances.

- f) A driver does not use obscene, disrespectful or abusive language or be insulting to any fare or other person.
- g) A driver does not permit any illegal or disorderly conduct in his taxicab or limousine or at his taxicab or limousine stand.
- h) All property delivered to and accepted by a driver for conveyance or safekeeping is treated with due care.
- i) A driver searches his taxicab or limousine for property lost or left therein immediately upon completion of every fare and any property found to be forthwith delivered to the person owning same or if the owner cannot be found, then to the Ontario Provincial Police.
- j) Upon the request of any fare, the driver provides his name, the license number of his taxicab or limousine and the name of the taxicab or limousine operator.
- k) Liquor is not carried in any taxicab or limousine except in accordance with the Liquor Control Act of Ontario, 1990.
- l) No driver consumes or is under the influence of any intoxicating liquor or drugs while in charge of a taxicab or limousine, as per the Criminal Code of Canada, S. 253(1).
- m) No person is allowed to operate a taxicab or limousine who is not a driver or licensee of said vehicle.
- n) No driver picks up or discharges passengers without pulling out of the flow of traffic and into an appropriate parking area and at no time shall a driver disrupt the regular flow of traffic.
- o) A receipt for fees paid for the amount of the fare shall be issued upon request which shall include the name of the taxicab or limousine operator.

2.2 Notwithstanding Section 2.1 e)

- a) All new drivers have obtained a Criminal Record Check from the Ontario Provincial Police and have provided the receipt for same, and have sworn an Affidavit of Taxi Driver Form;
- b) All existing drivers that have provided a Criminal Record Check the previous year have sworn an "Affidavit of Taxi Driver Form" in the current year in lieu of the Criminal Record Check.

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The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202 (F)807-934-2864 clerk@ignace.ca

Renewal Application for Taxicab/Limousine Drivers License

PRINT CLEARLY

Date: _____, 202__.

I, _____ certify that I am applying for renewal of a Taxicab/Limousine Driver's License, and that no information has changed and I have not been convicted under the Criminal Code of Canada, the Controlled Drugs and Substances Act, the Liquor Licence Act of Ontario, or the Highway Traffic Act of Ontario since my original application.

Mailing Address: _____

Telephone Number: (H) _____ (C) _____

Signature of Applicant: _____

Municipal Use Only

Approved By: _____ Date Approved: _____

Fee Received: \$ _____ Receipt Number: _____

License Number: _____ Municipal Cashier: _____

Expiration of License

Valid From: _____ Expires On: _____

License is valid for (Operator) _____ only.

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The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202 (F)807-934-2864 clerk@ignace.ca

Renewal Application for Taxicab/Limousine Operators License

PRINT CLEARLY

Date: _____, 202__.

I, _____ of _____

At _____

Certify that I am applying for a renewal of a Taxicab/Limousine Operators License issued by the Corporation of the Township of Ignace, and that no information has changed since the initial application.

Signature of Applicant: _____

Phone Number: (H) _____ (C) _____ (W) _____

Municipal Use Only

Approved By: _____ Date Approved: _____

Fee Received: \$ _____ Receipt Number: _____

License Number: _____ Municipal Cashier: _____

Expiration of License

Valid From: _____ Expires On: _____

License is valid for (Operator) _____ only.

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The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202 (F)807-934-2864 clerk@ignace.ca

Transfer Taxicab/Limousine Vehicle License

PRINT CLEARLY

Date: _____, 202__.

Owner Name: _____ Business Name: _____

Business Address: _____

Vehicle Originally Licensed:

Make of Vehicle: _____ Year: _____

Model: _____ Serial Number (VIN): _____

Vehicle Plate Number: _____ Province: Ontario

Insurance Policy Number: _____

Insurance Company: _____

Insurance Valid From: _____ to _____

Insurance Agent: _____

Public Liability: \$ _____ .00 Property Damage: \$ _____ .00

Vehicle to Be Licensed:

Make of Vehicle: _____ Year: _____

Model: _____ Serial Number (VIN): _____

Vehicle Plate Number: _____ Province: Ontario

Insurance Policy Number: _____

Insurance Company: _____

Insurance Valid From: _____ to _____

Insurance Agent: _____

Public Liability: \$ _____ .00 Property Damage: \$ _____ .00

Signature: _____

Municipal Use Only

Approved By: _____ Date Approved: _____

Fee Received: \$ _____ Receipt Number: _____

License Number: _____ Municipal Cashier: _____

Valid From: _____ Expires On: _____

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The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202 (F)807-934-2864 clerk@ignace.ca

Application for Taxicab/Limousine Operators License

PRINT CLEARLY

Name: _____ Date: _____, 202__.

Address: _____ PO Box: _____ Town: _____

Province: Ontario Postal Code: _____

Name of Business: _____

Address of Business: _____

GST/HST Number: _____ Signature: _____

Explain what your Business activities will be: _____

Name, Address of Principals (President, Manager(s) etc.): _____

Municipal Use Only

Approved By: _____ Date Approved: _____

Fee Received: \$ _____ Receipt Number: _____

License Number: _____ Municipal Cashier: _____

Expiration of License

Valid From: _____ Expires On: _____

License is valid for (Operator) _____ only.

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IGNACE

Explore Our Possibilities

The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202 (F)807-934-2864 clerk@ignace.ca

Application for Taxicab/Limousine Vehicle License

PRINT CLEARLY

Date: _____, 202__.

I hereby make an application to license a Taxicab/Limousine within the limits of the Township of Ignace.

Name of Applicant: _____ Business Name: _____

Mailing Address: _____

Make of Vehicle: _____ Year of Vehicle: _____

Model of Vehicle: _____ Serial Number (VIN): _____

Insurance Policy Number: _____

Insurance Company: _____

Policy Valid From: _____ to _____

Public Liability: \$ _____ .00 Property Damage: \$ _____ .00

GST/HST Number: _____

Signature: _____

Municipal Use Only

Approved By: _____ Date Approved: _____

Fee Received: \$ _____ Receipt Number: _____

License Number: _____ Municipal Cashier: _____

Expiration of License

Valid From: _____ Expires On: _____

License is valid for (Operator) _____ only.

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The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202 (F)807-934-2864 clerk@ignace.ca

Application for Taxicab/Limousine Drivers License

PRINT CLEARLY

Name: _____ Date: _____, 202__

Date of Birth: (mm/dd/yyyy) _____

Ontario Drivers Licence Number: _____ Expiry: _____ Class: ____

Mailing Address: _____

Name of Proposed Employer: _____

Address of Proposed Employer: _____

Present Employer: _____

Work Phone Number: _____

Previous Employer: _____

Work Phone Number: _____

The above information may be verified by the Municipality. Please note that any incorrect or false information shall make this application invalid.

I, _____ certify that I am applying for a Taxicab/Limousine Driver's License, and that the information provided above is accurate and I have not been convicted under the Criminal Code of Canada, the Controlled Drugs and Substances Act, the Liquor Licence Act of Ontario, or the Highway Traffic Act of Ontario since my original application.

Signature: _____

**Municipal Use Only
Criminal Background Check**

In compliance with By-law 64.2021 Not in compliance with By-law 64.2021

Approved By: _____ Date Approved: _____

Fee Received: \$ _____ Receipt Number: _____

License Number: _____ Municipal Cashier: _____

Expiration of License

Valid From: _____ Expires On: _____

License is valid for (Operator) _____ only.

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The Corporation of the Township of Ignace

By-law 65.2021

Being a By-law to Issue License(s), Regulate and Govern Certain Businesses and Events within the Township of Ignace

Whereas in accordance with the Marriage Act, R.S.O. 1990, c. M. 3 along with the Municipal Act, 2001, S.O. 2001, c. 25 the Corporation of the Township of Ignace does have the power to issue marriage licenses and solemnize the marriage under the authority of a license.

Whereas the Municipal Act, 2001, Part V, S.s. 150 – 165 does authorize the Council of the Corporation of the Township of Ignace to issue licenses on condition, revoke licenses, suspend licenses, and to regulate or govern the place used in the carrying on of business, and many other matters.

Whereas the Alcohol and Gaming Commission of Ontario (AGCO), Order in Council 1413/08 S. 2, does authorize the Council of the Corporation of the Township of Ignace to issue lottery licenses providing the authorization is in accordance with Registrar's requirements.

Whereas the Township of Ignace Final Zoning By-law Section 3, s.s. 3.15 Home Occupations does permit a home occupation as an accessory use to a residential use, except a seasonal dwelling unit and an apartment building.

Therefore, let it be Resolved that the Corporation of the Township of Ignace shall enact as follows:

1.0 Definitions

Agent means a person(s) who acts on behalf of another person or group.

Applicant includes a person(s) seeking license, or renewal of a license or a person(s) whose license is being considered for revocation or suspension.

Business means a trade that requires a license pursuant to this By-law, whether or not a license has been issued or maintained for that business. Trades are listed in schedule "A" of this By-law.

By-law means this By-law, as it may be amended from time to time. The schedules attached to this By-law are considered integral parts of it.

By-law Enforcement Officer is a person duly appointed within the Municipalities Administration to enforce the By-laws of the Municipality, and includes the Licensing Officer.

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Charity is a corporation which is registered by the Federal Government as a charity for the purposes of the Federal Income Tax Act, RSC 1985.

Chief Building Officer means the person duly appointed within the Municipalities Administration who fulfills the function of the Chief Building Officer as required by the Ontario Building Code Act, 1992 or his/her delegate.

Clerk means the person duly appointed within the Municipalities Administration who fulfills the function of the Municipal Clerk as required by the Municipal Act, 2001 or his/her delegate.

Committee means the committee of Council to which Council has delegated the responsibility of handling Licensing matters. Where no delegation has been made, the term refers to the Council itself.

Council means the elected Municipal Council of the Corporation of the Township of Ignace.

Fire Chief means the person duly appointed within the Municipalities Administration who fulfills the function of Fire Chief as required by the Fire Protection and Prevention Act, 1997 or his/her delegate.

Health Unit means the Northwestern Health Unit.

Highway means the entire road allowance (including vehicular traveled portions, boulevards and sidewalks) of any open or unopened road allowance under the Municipalities jurisdiction.

Keeper includes any one (1) or more of the following person(s):

- a) The owner of a location from which a Business is conducted;
- b) The Operator of a Business;
- c) The Occupier of a location from which a Business is conducted;
- d) One who assists or acts on behalf of the Owner or Occupier of a location from which Business is conducted;
- e) One who has the care or management of a location from which a Business is conducted; or
- f) A Licensee.

Law Enforcement Officer means the Ontario Provincial Police or a Municipal Law Enforcement Officer.

License means a License to operate a Trade issued pursuant to this By-law.

Licensee means the Owner of a License.

Licensing Officer means the duly appointed Licensing Officer for the Municipality, responsible for the issuing, administration and approval of Licenses in accordance with Provincial Legislation and Municipal Policies and Procedures, or his/her delegate. Where no delegation has been made, the term refers to the Clerk or his/her delegate.

Lottery means a means of raising money by selling numbered tickets and giving prizes to the holder(s) of numbers drawn at random. This includes one (1) or more of the following:

- a) Bingo events or media bingo events;
- b) Break open tickets;
- c) Raffle or bazaar lotteries.

Manager of Infrastructure & Recreational Services means the duly appointed person within the Municipalities Administration who fulfills the function of Manager of Infrastructure and Recreational Services, or his/her delegate.

Manager of Planning, Development & Engagement Services means the duly appointed person within the Municipalities Administration who fulfills the function of Manager of Planning, Development and Engagement Services, or his/her delegate.

Marriage means the legally or formally recognized union of two (2) people as partners in a personal relationship; the state of being married.

Medical Officer of Health means the Medical Officer of Health of the Health Unit or his/her delegate.

Municipal Facility is any property owned by the Municipality that is not a Highway.

Municipality means the Corporation of the Township of Ignace.

Non-Profit is an adjective used to describe a person(s) registered in Ontario as a non-profit corporation, or certified by a Certified General Accountant (to the satisfaction of the Clerk) as a person(s) that makes no profit and intends to make no profit in its day-to-day Business operations.

Operator is a person(s) with care and control of a Business at any point in time, with authorization of the owner of the Business. The terms "Operate", "Operation" and words of like import or intent have corresponding meanings.

Owner is a person(s) with legal title to real or personal property. The terms "Own", "Ownership" and words of like import or intent have corresponding meanings.

Person(s) includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, a body corporate, a natural person(s).

Police means the Ontario Provincial Police Detachment Commander or other designated Officer(s) in charge of the Police Service with jurisdiction in the relevant geographic area of the Township of Ignace, or his/her delegate.

Recreation Programmer means the duly appointed person within the Municipalities Administration who fulfills the function of the Recreation Programmer, or his/her delegate.

Schedule means a schedule attached to this By-law.

Trade includes Businesses, calling or occupation and “carrying on a trade” includes any act of:

- a) Selling any goods or services; or
- b) Soliciting Business or offering or exposing goods or services for sale or hire.

1.1 Interpretation Rules

- II. Wherever this By-law refers to a person(s) or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.
- III. References to item(s) in the plural include the singular, as applicable.
- IV. The word “include” is not to be read as limiting the phrases or descriptions that precede it.

1.2 Statutes

Specific references to laws in this By-law are meant to refer to the current laws applicable within the Province of Ontario as at the time of the By-law was enacted. For Provincial laws; the reference is to the relevant chapter of the R.S.O. 1990 edition, as amended, from time to time. References to by-laws are references to the municipal by-laws with force of law in the Township of Ignace.

1.3 Severability

If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to be severed from the balance of the By-law, which will continue to operate in full force.

2.0 Licensing Requirements

For every Business set out in Schedule “A” of this By-law, there shall be taken out by every person(s) carrying on that Trade a License from the Municipality authorizing him/her to carry on that Trade. This section is subject to any exemption provided for in the applicable schedule referenced in Schedule “A” for each Trade. No person(s) shall, either directly or indirectly carry on a Business without first having obtained the required License as per the By-law. Failure to comply with this section is an offence.

2.1 Regulations

A person(s) who receives a License for a Business must comply with the regulations set out in the Schedule to this By-law that applies to that Business. Failure to comply with the regulations in the applicable Schedule is an offence.

2.2 Responsibility of Agents

An agent, trustee or representative of person(s) carrying on a Business in the

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Township of Ignace shall also be personally liable for the compliance of his/her principal, beneficiary or person(s) he/she represents in connection with this By-law.

2.3 Location Requirement

Except as otherwise specified in the applicable Schedule, a License must be obtained for each location from which a Trade is carried on; (a warehouse, incidental to the conduct of a Trade and used for the purpose is not considered a separate location of the Trade). Failure to comply with this section is an offence.

3.0 Licensing Procedures

An application for a License or renewal of a License may be made at the Municipal Office, 34 Hwy 17 West, Ignace, Ontario, P0T 1T0 on the form prescribed by the Licensing Officer. Where the service is available, applications may be made available on the Municipality's website.

3.1 Documentation

The application form may require information to be provided, and other necessary papers to be completed or submitted by the Applicant in conjunction with his/her application, including affidavits in support of the information form.

3.2 Circulation Requirement

Before the issuance of a License or renewal of a License, the Licensing Officer may circulate the application to that person(s) or agencies as set out in the relevant Schedule, as applicable to the class and status of License. In all cases the Licensing Officer shall confirm with the Manager of Planning, Development & Engagement Services that the site as to which the Trade is to be carried out is in compliance with all Zoning requirements.

3.3 Negative Result

The circulation referred to in Section 3.2 may result in a Negative Result or recommendations to the Licensing Officer, including recommendations suggesting that a License be issued subject to specific conditions including but not limited to:

- I. The applicant's premises or place of Trade are the object of an order to comply made under the Property Standards By-law, or an order made under the Ontario Building Code Act, 1992.
- II. The applicant's premises (or use of such for the Business requested) is not in compliance with the Zoning By-law or any Parking requirements of the Municipality.
- III. The applicant's premises require corrective action pursuant to an order of the Fire Chief mad under the Fire Protection and Prevention Act, 1997.
- IV. The applicant's premises require corrective action pursuant to an order of the Medical Officer of Health to ensure safety to the public.
- V. The applicant(s) has been found to have discriminated against a member of the public contrary to the Ontario Human Rights Code,

- 1990.
- VI. The applicant(s) has previously had his/her License or any
 - VII. certificate of qualifications under the Apprenticeship and Tradesmen's Qualifications Act, 1990, suspended or revoked.
 - VIII. The applicant(s) has been convicted of an offence pursuant to the Criminal Code of Canada, R.S.C. 1985, c. C. 46.
 - IX. The applicant(s) was previously convicted of an offence pursuant to this or a predecessor By-law.
 - X. The applicant(s) financially obligated to the Municipality in some manner other than for current taxes.
 - XI. The applicant(s) is in breach of this or some other Municipality By-law of Ontario or Canada.

Subject to Section 3.7, where Negative Results are received, the Licensing Officer shall submit the application and all comments received to the Committee for review/approval.

3.4 Powers of Committee Under Section 3.3

Where a matter is referred to Committee pursuant to Section 3.3, the Committee shall consider the matter in "closed session", and shall recommend either that a Hearing be held (under Article 5) or that a License be issued (with or without) conditions. In the event that Council determines that a License is to be issued, the Licensing Officer shall issue the License to the applicant(s). In the event that Council determines that a Hearing is required, the provisions of Article 5 (and any other By-law regulating the procedures of Council and its committees with respect to Statutory Hearings) shall apply.

3.5 License Issuance

Where no Negative Results are received as a result of Circulation required under Section 3.2, and where the applicant(s) documentation is in order and the applicable fee has been paid, the Licensing Officer shall grant the License of the applicant(s), or the renewal, as applicable.

3.6 Expiration of a License

Except as otherwise provided in this By-law, Licenses shall be issued for a period of one (1) year and shall come into effect on the date that they are issued, and will expire on December 31st of that same year.

3.7 Renewal of a License

If the facts, conditions and Negative Results are the same as had been received at the time of issuance, and if Council authorized that License issue for that prior time period, the Licensing Officer may renew the License. Notwithstanding this section, all renewal applications are subject to any Circulation requirements pursuant to Section 3.2.

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4.0 License Issue, Revocation & Suspension

4.1 License Fee

The fee for obtaining a License or renewal of a License shall be as set out in Schedule "A" of this By-law. No fee is refundable except in the event that a Licensee is entitled to a refund of part of the License fee proportionate to the unexpected part of the term for which it was granted.

4.2 Duplicate License

Except as otherwise provided in a Schedule to this By-law, a Duplicate License may be issued by the Licensing Officer to replace any License previously issued which has been lost, stolen or destroyed, upon written application by the Licensee and upon payment of a fee of \$10.00.

4.3 Posting & Production of Licenses (Fixed Location)

Where a Licensee carries on his/her Business from a Fixed Location, the Licensee shall post the License obtained under this By-law in a conspicuous place at that place of Business. Person(s) Licensed under this By-law shall when requested by a person appointed by Council, produce the License for inspection. Failure to comply with this section is an offence.

4.4 Posting & Production of Licenses (No Fixed Location)

Where a Licensee travels from place to place to perform his/her Business, he/she shall carry his/her License when engaged in the Business. Person(s) Licensed under this By-law shall when requested by a person appointed by Council, produce the License for inspection. Failure to comply with this section is an offence.

4.5 Plate Licenses for Vehicles (Taxi/Taxicab)

Where a License is issued a plate obtained under this By-law bearing an identifying number, the Licensee shall securely affix the plate, in a conspicuous position, to the rear of the vehicle for which it is issued. Failure to comply with this section is an offence.

4.6 Partnerships & Corporations & Unincorporated Associations

4.6.1 Except as otherwise noted in Schedules, a Partnership, a Corporation, an Association or a combination of person(s) is considered as a single applicant for any one (1) Business.

4.6.2 On any application by a Partnership, the License shall be issued in the name under which the applicant carries on Business. The names and

addresses of Partners must be listed on the application form.

4.6.3 Any application by a corporation shall contain the names and addresses

of the Officers and Directors of the Corporation.

4.6.4 A change in composition of the members of a Partnership or in the Officers and/or Directors of a Corporation shall be reported to the Licensing Officer

within fifteen (15) days of the change. Failure to comply with this section is an offence.

4.7 Change of Address

Change of mailing address or telephone number of any Licensee shall be reported to the Licensing Officer within fifteen (15) days of the change. Failure to comply with this section is an offence.

4.8 License Transfer

Upon cessation or sale or other transfer of Business, the Licensee of that Business will notify the Licensing Officer of the cessation or transfer. Where the Business is being transferred, and subject to any restrictions in the applicable schedule, the new Keeper will be required to submit an application for the License transfer, in the form prescribed by the Licensing Officer. The Licensing Officer may, depending upon the circumstances of the transfer, require the new Keeper to submit some or all of the same documentation and/or information that would have been required for a new application for the License in question. The requirements of Section 3.2 of this By-law apply to applications for License Transfer.

4.9 No Vested Right

No person enjoys a Vested Right in the continuance of a License and upon issuance, renewal, cancellation or suspension. All Licenses remain the property of the Municipality.

4.10 Licensees to Use Name on License

It is an offence for a person(s) Licensed to carry on a Trade under this By-law to advertise or carry on that Trade under any other name than the one endorsed on his/her License.

4.11 Inspections

The Licensing Officer, the By-law Enforcement Officer, the Police, the Medical Officer of Health, the Fire Chief or any person acting under that person(s), or any person(s) authorized by Council may at reasonable times during Business Hours inspect:

- I. Any premises or place where a Business is carried on or there are reasonable and probable grounds to believe a Business is being carried on;
- II. Any goods and equipment used or to be used by the applicant(s) in connection with the Business; and
- III. It is an offence to obstruct or permit the obstruction of an inspection under this section.

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4.12 the Right to Refuse & Revoke

Council may revoke, suspend, impose any conditions upon or refuse to issue or renew any License to any Person(s) under this By-law. Failure to comply with conditions imposed by Council is an offence.

4.13 Consideration to Matters Raised

Council may in exercising its discretion pursuant to this By-law, consider any matter raised under Section 3.3 or any other matter that relates to the general welfare, health and safety of the public, the control of nuisances within the Township of Ignace, or the protection of consumers.

5.0 Hearings

5.1 Over-riding Rules

Where Council has by By-law established rules or procedures other than those expressed in this Article 5 for Statutory Hearings, those rules shall prevail.

5.2 Hearing by Committee

Council shall not deny the issuance of, or revoke a License without first affording the applicant the opportunity to be heard before the Committee.

5.3 No Further Hearing at Council

After the hearing is held pursuant to Section 5.2, Council shall not hold a further hearing or afford further opportunity for a hearing in the matter.

5.4 SPPA

The rules set out in the Special Powers Procedure Act, 1990, apply to the hearing under Section 5.2.

5.5 Report by Committee

At the conclusion of the hearing conducted by the Committee under Section 5.2 the Committee shall make a written report, if any, to Council, including reasons for the decision, addressing the merits of the application in respect of which the hearing was conducted.

5.6 Council Decision

After considering the report of the Committee, Council may make any decision that it might have made had it conducted the hearing itself. Council's decision is final and takes effect at the time it is made, or at another time specified by Council in the decision itself. An applicant may be entitled to a second hearing, at Council's discretion, if a committee has conducted a hearing under this article.

5.7 Notice of Decision

Notice of the decision of Council must be provided to the applicant. This can be accomplished either through personal delivery, or by mailing a copy of the decision by regular mail to the applicant as per the address shown on the application.

6.0 Enforcement & Penalties

6.1 Schedules Shall Apply

Every applicant is subject to all relevant regulations contained in the applicable Schedule.

6.2 Enforcement

This By-law may be enforced by the Law Enforcement Officer(s).

6.3 Penalties

Every person(s) who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act, 1990.

6.4 Multiple Offences

The conviction of an offender for the breach of any provision of this By-law shall not operate as a bar to a prosecution against the same offender upon any subsequent or continued breach of any provision of this By-law.

7.0 this By-law shall come into force and take effect upon the Final Reading and Passing hereof.

8.0 this By-law rescinds By-law 44.2011.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

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Schedule "A"

Types of Licenses and Fees Along with Associated Regulation(s)

<u>License Type</u>	<u>License Fee</u>	<u>Regulation(s)</u>
Marriage	\$100.00	As per regulations set out in the Marriage Act, 1990.
Lottery	2% of the Prize Value	As per the regulations set out in the Alcohol and Gaming Commission of Ontario.
Raffle	2% of the Prize Value	As per the regulations set out in the Alcohol and Gaming Commission of Ontario.
Bingo – Regular or Special	2% of the Prize Value	As per the regulations set out in the Alcohol and Gaming Commission of Ontario.
Break Open Tickets	3% of the Prize Value	As per the regulations set out in the Alcohol and Gaming Commission of Ontario.
Home-Based Business(es)	\$100.00 per year or part year	Schedule "B"
Itinerant Salesperson	\$350.00 per location	Schedule "C"
Special Event	\$100.00 per event	Schedule "D"

Schedule "E" attached will be the application for the Licenses shown above with the exception of the Marriage License which will be attached as Schedule "H". Schedule "F" will be the application for License Renewal, also attached is Schedule "G" the schedule of fines.

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Schedule "B"

Home-Based Business

(Penalties prescribed by the Provincial Offences Act)

Municipal Purpose for Regulation:

Home-Based Businesses are regulated in the Township of Ignace for the purposes of health and safety of the patrons of the Business and, to a lesser extent, for the control of potential nuisances. It is important for emergency personnel to have a clean understanding of where the Businesses are located in the event that emergency assistance is required. It is important for the health and safety of the patrons of the Business that the premises be established and maintained in a sanitary fashion. It is important that noise and animals be controlled, and that the Business be maintained neatly, to protect both patrons of the Business and their neighbours from potential nuisances.

1.0 Definition

Home Based Business shall mean every person(s) who:

- a) Operates a Business out of their home;
- b) Has resided in the Municipality for three (3) consecutive months or more;
- c) Whose property has not been entered on the assessment roll in respect of commercial or industrial assessment for the current year;
- d) May carry or expose samples, patterns, specimens or catalogues of goods, wares or merchandise that are to be delivered into the Municipality afterwards;
- e) Offers services for profit.

2.0 Application Requirements

The Licensing Officer shall not issue a License for a Home-Based Business unless they provide, where applicable the following:

- a) A report from the Municipality's Chief Building Officer confirming that all buildings, structures and facilities on site, or plans for same are or will be in compliance with the requirements of this By-law, any Building Permits issued by the Municipality and the provisions of any agreement in effect for the Home-Based Business;
- b) A report from the Fire Chief confirming that all buildings, structures and facilities or the plan for same, are in compliance with applicable Fire Safety regulations;
- c) A report from the Northwestern Health Unit and/or the alternate approval authority confirming that all water supply facilities and sewage disposal facilities, or the plans and documentation for same, are in compliance with the applicable Potable Water supply and sewage treatment regulations and guidelines.

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3.0 Conditions

The Licensing Officer or delegate shall issue the License subject to any conditions requested by the Chief Building Officer, the Fire Chief or the Northwestern Health Unit and/or the alternate approval authority referenced in Section 2 of this Schedule.

4.0 Conditions Added to the License

The Licensing Officer or delegate may at any time review an Owner's or Operator's License and may, rather than refuse or revoke the License, attach to the License conditions consented to by the Licensee. Where conditions to a License are attached under this Section, failure to comply with the conditions shall result in automatic suspension of the License.

5.0 Access

It is an Offence for the Owner or the Operator of a Home-Based Business to fail to provide adequate access to the site for patrons of the Business and for Emergency Services.

6.0 Grounds Maintenance

It is an offence for the Owner or Operator of a Home-Based Business to fail to maintain the grounds of the Business, including:

- a) Keeping all grass and herbage cut and trimmed;
- b) Keeping all buildings, structures and facilities repaired and in a clean and sanitary condition;
- c) Keeping the furnishings, equipment, washroom facilities, lighting fixtures and appliances in a state of good repair and in a clean and sanitary condition.

7.0 Nuisance Prevention

It is an offence for the Owner or Operator of a Home-Based Business to fail to take all necessary steps to prevent nuisance by way of noise, debris, parking, trespassing, wandering animals, etc. on or around Highways and properties adjacent to the Business.

8.0 License Term

Every Home-Based Business License issued within the jurisdiction of the Township of Ignace is valid until December 31st of the current year.

9.0 Revocation for Falsification

Notwithstanding Article 5 of this By-law, the making of a false or intentionally misleading recital of fact, statement or representation in any License application, may result in the immediate revocation of a License or refusal to issue or renew a License, by the Licensing Officer.

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10.0 Circulation Requirement

For the purposes of section 3.3 of this By-law, applications may be circulated to the Manager of Planning, Development & Engagement Services, the Fire Chief, the Chief Building Officer, and the Clerk.

Schedule "C"

Itinerant Salesperson

(Penalties prescribed by the Provincial Offences Act)

Municipal Purpose for Regulation:

Itinerant Salespersons are regulated in the Township of Ignace for the purposes of consumer protection and safety. From a consumer protection standpoint, itinerant vendors should be traceable. In the interests of fair competition, established Businesses in the Township of Ignace need appropriate regulations on Itinerant Salespersons.

1.0 Definition

Itinerant Salesperson is a person who has not resided in the Municipality for three (3) consecutive months and who goes from place to place, or to a particular place, with goods, wares or merchandise for sale, or who carries and exposes samples, patterns or specimens of any goods, wares or merchandise that are to be delivered in the Municipality afterwards. Without limiting the generality of the foregoing, the terms "peddler" or "hawker" have identical meanings.

2.0 Application Requirements

An applicant for an Itinerant Salesperson's License shall clearly indicate in the application whether the Itinerant Salesperson will sell from place to place or whether they will sell from one location only. The License issued shall clearly specify whether the Licensee is authorized to sell from place to place or from a specified location.

3.0 Misuse of Place-to-Place License

It is an offence for an Itinerant Salesperson who is licensed to sell from place to place to establish a display his or her wares in one location and to vend from it under the auspices of that License.

4.0 Misuse of Single Location License

It is an offence for an Itinerant Salesperson who is licensed to sell from one location, to sell from place to place under the auspices of that License. All goods, wares, merchandise, signs, and other paraphernalia of the Itinerant Sales Person must remain on the site which is licensed, and must not be situated, even temporarily, on abutting properties, including Highways.

5.0 Zoning and Occupancy Requirements

Itinerant Salesperson Licenses shall not be issued for particular locations unless:

- the applicant has provided written proof, satisfactory to the Law Enforcement Officer that he or she is the property owner of the land at the location or, alternatively, that he or she has the authority of the property owner and/or manager to vend from the site.

6.0 Exemptions

An Itinerant Salesperson's License is not required by the following Persons:

- a) Persons peddling goods, wares, or merchandise to wholesale or retail dealers in similar goods, wares or merchandise;
- b) growers, producers, or manufacturers (or their authorized agents or employees) who reside in the Township of Ignace and are peddling goods, wares or merchandise which are grown, produced or manufactured in Ontario;
- c) a farmer resident in Ontario peddling only goods, wares, merchandise or produce from his or her own farms;
- d) Persons who lease or own realty within the Township of Ignace upon which they operate a business selling the same wares that are proposed to be peddled;
- e) Persons who sell milk or cream or fluid milk products either by wholesale or retail; or
- f) Persons who are agents or employees of non-profit or charitable organizations, who are vending for the benefit of the charitable organization.

7.0 Onus of Proof of Qualification for the Exemption

Any Itinerant Salesperson who claims an exemption under section 6 of this Schedule must provide to the Licensing Officer, upon request, the appropriate evidence in support of the claim for the exemption. Similarly, in a prosecution for breach of this By-law, the onus of proving an exemption from requirement for an Itinerant Salesperson's License is upon the Person claiming the exemption.

8.0 Circulation Requirement

For the purposes of section 3.3 of this By-law, applications where the vending will be from a single site may be circulated to the Manager of Planning, Development & Engagement Services, the Recreation Programmer, the Police, the Chief Building Officer and the Clerk. Applications where the vending will be from place to place may be circulated to the Clerk, the Police, and the Chief Building Officer.

Schedule "D"

Special Events

(Penalties prescribed by the Provincial Offences Act)

Municipal Purpose for Regulation:

Special Events are regulated in the Township of Ignace for the purposes of consumer protect and nuisance control. It is important for consumers to be protected from potentially unfair business practices that could result in consumer loss.

1.0 Definition

Special Event is an event which is operated by a local entity which is not a Charity or a Non-Profit association or corporation, or an event the financial proceeds of which are not donated to a Charity or a Non-Profit association or corporation, which event is intended to gather large numbers of people in a single place for a specific occurrence or performance. The term includes: Exhibitions, circuses, craft shows, trade shows or home shows, outdoor party or picnic-style events, fireworks or lighting displays, music festivals and jamborees (including raves and "jam sessions"), outdoor/indoor theatres for the presentation of live drama, recreational, sport or athletic competitions, gatherings involving mechanical or other (such as inflatable) Amusement Devices and marathons. The term expressly excludes non-commercial gatherings such as weddings or other similar social events.

2.0 Application Requirements

Every Applicant for a License to hold a special event, as part of the application for the License, furnish a statement in writing containing a full list of the Businesses or organizations that have rented booths, description of the goods, wares or merchandise that will be for sale under the License.

All Persons intending to organize or host a Special Event must apply to the Licensing Officer for a License at least two months in advance of the date that the Special Event will occur.

3.0 Conditions

The Licensing Officer shall issue the License subject to any conditions requested by the Chief Building Official, the Fire Chief or the Northwestern Health Unit (and/or the alternate approval authority).

4.0 Conditions Added to the License

The Licensing Officer may at any time review an Owner's or Operator's License and may, rather than refuse or revoke the License, attach to the License conditions consented to by the Licensee. Where conditions to a License are attached under this section, failure to comply with the conditions shall result in automatic suspension of the License.

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5.0 License Term

Every trade show and craft show License issued within the jurisdiction of the Township of Ignace is valid until the time period stated on the license.

6.0 Exemptions

The following are exempted from purchasing a special event license:

- a) Charities and Non-profit Organizations;
- b) Municipally organized special.

7.0 Books and Records

Where a Person claims that an event does not meet the definition of "Special Event" so as to be regulated by this Schedule to this By-law, he or she shall make available to the Licensing Officer at any reasonable time all books and records associated with the event in order to demonstrate that the event was Operated by a Charity or a Non-Profit corporation, or that all of the financial proceeds were donated to a Charity of a Non-Profit corporation. Failure to provide the books and records pursuant to this section is an offence.

8.0 Circulation Requirement

For the purposes of section 3.3 of this By-law, applications may be circulated to the Manager of Planning, Development & Engagement Services, the Recreation Programmer, the Fire Chief, the Medical Officer of Health, and the Clerk.



Schedule "E"

Business License Application
(as per By-law 65.2021)

The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202, (F)807-934-2864, clerk@ignace.ca

Type of Application:

- Home-Based Business License - \$100.00 per calendar year
- Itinerant Salesperson(s) License - \$350.00 per location
- Special Event - \$100.00 per event

Name: _____ Date: _____

Street Address: _____ PO Box: _____ Town: _____

Phone Number: _____

Name of Business (registered name): _____

Explain in detail what your business activities will be:

Name and Address(es) of Principals (President, Manager(s) etc.)

Number of person(s) to be employed: _____

Name, Address(es) & Phone Numbers of three (3) References:

1. _____

2. _____

3. _____



Schedule "E"

Business License Application

(as per By-law 65.2021)

The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202, (F)807-934-2864, clerk@ignace.ca

Municipal Use Only

Type of Inspections to be Completed:

_____	Completion Date: _____
_____	Completion Date: _____
_____	Completion Date: _____

Comments or Conditions to Approval:

Expiration of License

Valid From: _____ Expires On: _____

License is valid for (location) _____ only.

Approved By: _____ Date Approved: _____

Fee Received: \$ _____ Receipt Number: _____

License Number: _____ Municipal Cashier: _____



Schedule "F"

Business License Renewal Application
(as per By-law 65.2021)

The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202, (F)807-934-2864, clerk@ignace.ca

Type of Application:

- Home-Based Business License - \$100.00 per calendar year
 Itinerant Salesperson(s) License - \$350.00 per location

Name: _____ Date: _____

Street Address: _____ PO Box: _____ Town: _____

Phone Number: _____

Name of Business (registered name): _____

I _____ certify that I am applying for a renewal of a Business License issued by the Corporation of the Township of Ignace and that no information or the scope of the Business has changed since the original application.

Applicant's Signature

Municipal Use Only

Approved By: _____ Date Approved: _____

Fee Received: \$ _____ Receipt Number: _____

License Number: _____ Municipal Cashier: _____

Expiration of License

Valid From: _____ Expires On: _____

License is valid for (location) _____ only.

Schedule "G"

Set Fines

(Part I of the Provincial Offences Act)

The Corporation of the Township of Ignace

As per By-law 65.2021

<u>Item Number</u>	<u>Short Form Wording</u>	<u>Provision Creating or Defining the Offence</u>	<u>Set Fine</u>
1	Operating a Business Without a License	Sec. 2.0	\$250.00
2	Fail to Post a Business License	Sec. 4.3	\$50.00
3	Fail to Produce a Business License	Sec. 4.3	\$50.00
4	Fail to Comply with Specified Conditions	Sec. 4.12	\$250.00

Note: The general penalty provision for the offences listed above is Section 6 of By-Law 65.2021, a certified copy of which has been filed and Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33".

Schedule "H"

Marriage License
(as per By-law 65.2021)

Please copy this link to your browser for a fillable PDF version or visit our website at

www.ignace.ca

<https://www.brant.ca/.../resources/marriage-license-application-form>

DRAFT

**The Corporation of the Township of Ignace
By-law 66.2021**

Being a By-law Setting Tipping Fees for the Ignace Waste Disposal Site

Whereas, Council for the Corporation of the Township of Ignace deems it necessary to set tipping fees for the Ignace Waste Disposal Site.

Therefore, be it Resolved that Council for the Corporation of the Township of Ignace does hereby enact as follows:

1. That Schedule "A" and Schedule "B" attached hereto shall form part of this By-law
2. That this By-law does hereby rescind By-law 71.2017
3. That this By-law shall come into force and take effect upon the third and final reading thereof.

Read a First and Second Time this ___ day of _____, 2021

Read a Third and Finally Passed this ___ day of _____, 2021

Penny Lucas, Mayor

Lynda Colby, Clerk

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**Schedule "A"
By-law 66.2021**

Waste Fees

Division	Fee Description	Fees
Garbage Collection Fees (for Ignace Residents)		
	Commercial Generator – Bin	\$1,200.00 per year
	Commercial Generator – Bin Large	\$2,400.00 per year
	Bag Tag – Residential/Commercial Use	\$1.50
Household and General Garbage, Bulk Waste and Construction Waste		
	Per Bag Resident	\$1.50
	Per Bag Non-Resident	\$2.50
	Per Trailer Smaller than 4X8 Resident	\$15.00
	Per Trailer Smaller than 4X8 Non-Resident	\$20.00
	Per ½ ton or 4X8 Trailer Load Resident	\$20.00
	Per ½ ton or 4X8 Trailer Load Per 1 ton Truck/Trailer Load Larger than 4X8 and Smaller than 6X14 Per 1 ton Truck/Trailer Load Larger than 4X8 and Smaller than 6X14 Non-Resident	\$30.00
	Per 3 ton Truck or 16X14 Trailer Resident	\$30.00
	Per 3 ton Truck or 16X14 Trailer Non-Resident	\$40.00
	Per 3 ton Truck or 16X14 Trailer Resident	\$50.00
	Per 3 ton Truck or 16X14 Trailer Non-Resident	\$70.00
	Per Trailer (Larger than 14 ft) Resident	\$70.00
	Per Trailer (Larger than 14 ft) Non-Resident	\$90.00
	Per Tandem Load (14-16 yds) Resident	\$110.00
	Per Tandem Load (14-16 yds) Non-Resident	\$130.00
	Per Tri-Axle Load (18 – 20 yds) Resident	\$130.00
	Per Tri-Axle Load (18 – 20 yds) Non-Resident	\$160.00
	Per Tractor Trailer Load (24 – 26 yds) Resident	\$160.00
	Per Tractor Trailer Load (24 – 26 yds) Non-Resident	\$180.00

Note: Trailers exceeding 26 yards will be charged the standard rate of a Tractor Trailer Load plus an additional **\$6.25** per yard in excess of 26 yards.

Yard Waste	No Charge
Scrap Metal	No Charge
Appliances	No Charge
Fish Remains	No Charge
Animal Carcasses	No Charge
Tires (rims must be removed)	No Charge

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Contaminated Soils Fees
(Negotiable – Dependent on volume)

45 Gallon Barrel	\$100.00
½ ton Truck Load	\$300.00
2–5 ton Truck Load	\$450.00
Tandem Axle Truck Load	\$900.00
Tri-Axle Truck Load	\$1,125.00

After Hours Access

Anyone requesting access after regular Waste Disposal Site hours will be charged the total costs related to open the site (e.g., Landfill Attendant or Employee charge out rates). Wages and benefits will be as set out in applicable contracts or Collective Agreements, and as per actual rates in effect.

Large Waste Volumes and Equipment Rental

Large volumes of waste requiring the use of equipment to move and/or restore the site will result in charges for the rental of equipment as set out in the Fees and Charges By-law for Township Public Works Services.

**** Please note that all charges for the Waste Disposal Site and Landfill are HST exempt.**

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Schedule "B"
By-law 66.2021

Definitions

Yard Waste

Yard Waste shall include:

1. Yard and Garden Trimmings
2. Leaves
3. Pumpkins
4. Fallen Fruit from Trees, Shrubs, Bushes and Vines
5. Tree Trimmings
6. Small Stump or Bushes
7. Grass Clippings

Yard Waste shall **NOT** include:

1. Sod
2. Tree Stumps
3. Soil
4. Rocks and Decorative Materials

Appliances

Appliances shall include:

1. Dishwashers
2. Ovens
3. Stoves
4. Washers and Dryers

The following appliances are accepted provided they have been **purged** of Freon or another refrigerant and are visibly tagged:

1. Air Conditioning Units
2. Freezers
3. Humidifiers and Dehumidifiers
4. Refrigerators
5. Upright Coolers
6. Water Coolers

Bulk Waste

Bulk Waste shall include:

1. Bathtubs
2. Electrical and Electronic Equipment
3. Fireplaces
4. Flooring (carpets, under padding, linoleum)

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Bulk Waste Continued

5. Furniture (couches, chairs, tables, mattresses, dressers, hutches, or such like materials)
6. Tree Stumps
7. Mirrors
8. Rocks and Decorative Materials
9. Shower Enclosures

Note: Bulk Waste shall **NOT** include metal items and appliances that are accepted free of charge.

Bulk Waste and Yard Waste shall **NOT** include waste as generated as a by-product of a factory, sawmill or processing site; for such waste, volume accepted and fees charged will be as determined by the Corporation of the Township of Ignace, on a per case basis.

Construction Waste

Construction Waste shall include:

1. Building and Demolition Debris
2. Concrete and Bricks
3. Doors and Cabinets
4. Insulation
5. Lumber
6. Roofing Materials
7. Shingles
8. Siding
9. Skids, Doors and Shelving Materials
10. Windows

Contaminated Materials

Note: Contaminated Materials, as defined by regulation, will **NOT** be accepted with the exception of soils.

Contaminated Soils shall **ONLY** be received with TCLP (Toxicity Characteristic Leaching Procedure) and a statement from the customer that the soil, based on the TCLP results, is **NOT** Hazardous Waste as defined by MOE (Ministry of the Environment) Regulations.

Non-Acceptable Items

Non-Acceptable items shall include but are not limited to:

1. Air Conditioners, Refrigerator, Freezers or such appliances which have not been purged of Freon or other refrigerant
2. Batteries
3. Derelict Vehicles of any type
4. Fuel Tanks (old or new)
5. Machinery of any type
6. Oil Based Paints, Aerosol Cans, or Painting Supplies
7. P.C.B. or other Chemicals deemed Dangerous to the Environment

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Non-Acceptable Items Continued

8. Propane Tanks
9. Waste Oil
10. Railroad Ties

If it is not clear if an item is deemed acceptable or non-acceptable, the Municipal Office of the Township of Ignace should be contacted for clarification.

**The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248
Ignace, Ontario
P0T 1T0
807-934-2202
info@ignace.ca**

The Corporation of the Township of Ignace

By-law 67.2021

Being a By-law to Regulate Traffic and Parking Within the Township of Ignace

Whereas, pursuant to the Municipal Act, S.o. 2001, c.25, s.27(1) as amended, and the Highway Traffic Act, R.S.O. 1990, c.H.8, s. 195(4) as amended, Council may pass By-laws to regulate traffic and parking on Municipal Highways.

Whereas, the Township of Ignace Final Zoning By-law Section 3, s.s. 3.25 Parking does provide set regulations and definitions pertaining to parking within the Township of Ignace.

Now Therefore, the Council of the Corporation of the Township of Ignace hereby enacts as follows:

1.0 Definitions

Boulevard means all parts of the highway, save and except any roadway, shoulder, driveway or sidewalk.

By-law Enforcement Officer means an Officer appointed by the Municipality or designate for enforcing or carrying out the provisions of this By-law.

Corner with reference to a highway intersection, means the point of intersection of the prolongation of the lateral curb lines, or in the absence of curbs, the prolongation of the edges of the roadways.

Crosswalk means that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the roadway or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface.

Disabled Parking Permit means a permit issued by the Ministry of Transportation for a person with a disability or a permit, number plate or other marker or device issued by another jurisdiction and recognized under the Highway Traffic Act.

Driveway means the improved land on a highway which provides vehicular access from the roadway to a laneway or parking area on adjacent land.

Highway includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles.

Intersection means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other.

Kings Highway means a highway so designated under the Public Transportation and Highway Improvement Act.

Ministry means the Ministry of Transportation of Ontario.

Motor Vehicle includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power; but does not include a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act.

Municipality means the Corporation of the Township of Ignace.

Park or Parking, when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Pedestrian means a person on foot, in a wheeled chair, baby carriage, or a child's play vehicle propelled by muscular power.

Perpendicular Parking means vehicles shall stand at an angle of about ninety degrees (90°) to the curb and with the wheel touching or within 0.30 metres (0.3m) of the curb.

Plaza Parking means the Ignace Town Plaza; all paved portions within the parking lot from East Street to McLeod Street and Hwy 17 (a.k.a. Main Street) to the lane behind the plaza.

Police Force means (the Ignace Detachment of) the Ontario Provincial Police.

Roadway means that part of a highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately, and not to all of the roadways collectively.

Shoulder means that portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved to support a stopped vehicle.

Sidewalk means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

Stand or Standing, when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of, and while actually engaged in, receiving or discharging passengers.

Stop or Stopping, when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Constable or other Police Officer or of a traffic control sign or signal.

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Traffic includes pedestrians, ridden, led or herded animals, vehicles, motorized snow vehicles and other conveyances, either singly or together, while using any portion of a highway for the purposes of travel.

Vehicle includes a motor vehicle, motorized snow vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power.

2.0 General

2.1 Abbreviation

In the schedules to this By-Law, the following abbreviations, definitions and symbols stand for the words respectively set forth opposite thereto as follows:

Ave. - Avenue
St. - Street
Rd. - Road
No. - Number
A.M. - Ante Meridian
P.M. - Post Meridian
M. – Metre
A.K.A. – Also Known As

2.2 Distances

Where a distance is used in this By-Law as from, to or within a specified distance of an object, structure, land, intersection or part of a highway, such distance shall be measured along the curb or edge of the roadway, from a point in such curb or edge of roadway opposite such object, structure, land, or intersection, unless the context otherwise requires.

3.0 General Regulations

3.1 Parallel Parking

3.1.1 Where there is a barrier curb, on the right-hand side of the roadway having regard to the direction in which the vehicle was travelling, with its right front and rear wheels parallel to and not more than 0.30 meters (0.3m) away from the curb; or

3.1.2 Where there is a shoulder, on the right side of the roadway, having regard to the direction in which the vehicle was travelling, with the right front and rear wheels parallel to and as near as is practicable to the right edge of the shoulder.

3.2 Final Zoning By-law

3.2.1 Section 3.25 Parking describes the regulations

4.0 Stopping Prohibited

No person shall park or stop any vehicle or permit any vehicle to remain stopped on any highway:

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- 4.1 on or partly on or over a sidewalk or footpath;
- 4.2 within an intersection or crosswalk;
- 4.3 adjacent to or across the roadway from any obstruction in the roadway, when such action would impede the free flow of traffic;
- 4.4 on the roadway side of any stopped or parked vehicle;
- 4.5 on any boulevard; or
- 4.6 in such a manner as to interfere with the movement of traffic.

5.0 Parking Prohibited

No person shall park a vehicle in any of the following places:

- 5.1 within three meters (3m) of an intersection;
- 5.2 within three meters (3m) of a fire hydrant;
- 5.3 on a boulevard;
- 5.4 on or so as to overhang a sidewalk or footpath in a manner that obstructs that sidewalk or footpath, or obstructs access to travel on it;
- 5.5 in front of or within two meters (2m) of a laneway or driveway or curb cut thereto;
- 5.6 so as to obstruct a vehicle in the use of any lane way or any public or private driveway;
- 5.7 in such a position that will prevent the convenient removal of any other vehicle previously parked or standing;
- 5.8 on any highway in such manner as to obstruct traffic;
- 5.9 in such a manner as to interfere with the movement of traffic;
- 5.10 on a roadway where the roadway is six meters (6m) or less in width;
- 5.11 in such a manner as to interfere with any highway flushing, cleaning operations or the removal of snow;
- 5.12 in such manner as to interfere with any sidewalk cleaning, repair, snow plowing or snow removal;
- 5.13 so as to interfere with the formation of a funeral procession;
- 5.14 within an intersection or crosswalk;

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- 5.15 on land owned or occupied by the Municipality, without written consent of the Municipality, for a period longer than 24 hours;
- 5.16 on property owned by the Municipality where parking by the public is not authorized;
- 5.17 an area posted as a fire route;
- 5.18 in front of or within eight metres (8m) of a property on which there is a fire hall;
- 5.19 in front of or within three metres (3m) of the main entrance to, or any emergency exit from, any public house, hotel, motel, hospital, nursing home, church, auditorium or other building or enclosed space in which persons may be expected to congregate in large numbers;
- 5.20 within fifteen metres (15m) of the end of the roadway on a dead-end highway.

6.0 Snow Removal

No person shall park or permit any vehicle to be parked on any highway between the hours of **7:00 am and 6:00 pm daily** from November 1st to April 30th inclusive of the following year.

7.0 Parking Prohibited – Special Circumstances

7.1 If, for some temporary period, the safety of the public, the proper movement of traffic, or the proper and safe performance of some vital function to the Municipality requires the prohibition or limitation of parking on a highway in excess of that provided herein, such prohibition or limitation of parking on such highway during such times and days as is proper and necessary, in the discretion of the Municipality, shall be permitted and authorized signs shall be erected or other public notice shall be given to indicate such prohibition or limitation.

7.2 When authorized signs are on display or public notice has otherwise been given under Subsection 7.1, no person shall park a vehicle or permit a vehicle to remain parked on the highway at any time during which such parking is so restricted, and a vehicle already parked when such signs are erected, or notice given, shall be removed forthwith at the expense of the registered vehicle owner.

8.0 Forty-Eight Hour Limit on Parking

Subject to all of the provisions of this By-Law relating to the parking of vehicles, no person shall park a vehicle on any highway for any consecutive period exceeding forty-eight (48) hours.

9.0 Parks, Beaches and Municipal Property

- 9.1** No person shall park any vehicle in the travelled portion of any roadway in any Public Park or Municipal Property, except for the purpose of allowing persons to enter or to descend from such vehicle.
- 9.2** No person shall park any vehicle in any Public Park or Municipal Property, except in places designated for that purpose, and/or written permission is granted by the Municipality permitting that person to park at the Public Park or Municipal Property.
- 9.3** No person shall park any vehicle between DUSK and DAWN in any Public Park or Municipal Property, unless written approval from the Municipality is obtained.
- 9.4** No person shall park a commercial vehicle over 11,000 kg on Municipal Property (Town Plaza, Travel Centre, Beaches etc.) without prior written consent from the Municipality. All deliveries are to be made from the rear of the said buildings.

10.0 VEHICLES CROSSING SIDEWALKS, BOULEVARDS AND CURBS

- 10.1** Vehicles on Sidewalks Prohibited No person shall drive a vehicle upon a sidewalk or footpath along a highway, except to cross to a permanent or temporary driveway authorized by the Municipality.
- 10.2** Curb and Sidewalk Depressions No person shall drive a vehicle over a raised curb or sidewalk, except at a place where there is a ramp, mountable curb, or depressed curb.
- 10.3** Vehicles on Boulevards Prohibited No person shall drive any vehicle on any boulevard, except for the purpose of directly crossing a boulevard at a driveway or other designated vehicular crossing.

11.0 EXEMPTIONS - MUNICIPAL VEHICLES

- 11.1** The provisions of this By-Law, does not apply to vehicles operated by or on behalf of the Municipality while engaged in the performance of cleaning, clearing, maintenance, repair, construction or other work on any highway.
- 11.2** Sections 3 through to Section 10 of this By-Law shall not, in the case of emergency, apply to ambulances, police, fire department or other Municipal vehicles.

12.0 Conflicting Private Signs

- 12.1** No person shall place, maintain or display upon or make visible from any highway, any sign, signal, marking or device which:

12.1.1 conceals a traffic control device, traffic signal from view;

12.1.2 interferes with the effectiveness of a traffic control device, traffic signal;

12.1.3 purports to be, in an imitation of, or resembles any official or authorized sign, traffic signal or traffic control device; or

12.1.4 conflicts with any section of this By-Law.

13.0 DEFACING SIGNS AND TRAFFIC SIGNALS

13.1 No person shall move, deface, remove or in any manner, interfere with any sign, traffic signal, marking or other traffic control device placed, erected or maintained by the Municipality or Police Force, pursuant to the provisions of this By-Law.

14.0 OFFENCES AND PENALTIES

14.1 Any fine imposed or offence created by this By-Law is subject to and shall be governed by the provisions of The Provincial Offences Act R.S.O. 1990, c. P.33, and amendments thereto.

14.2 Any person who contravenes any of the provisions of the sections or subsections of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act.

14.3 If the owner of a vehicle was not the driver of the vehicle at the time of the contravention of the by-law, the owner is guilty of an offence and is liable to a fine unless, at the time of the offence, the vehicle was in the possession of some person other than the owner without the owner's consent.

15.0 TOWING - ILLEGALLY PARKED VEHICLES

15.1 Where a vehicle is found parked in contravention of any of the parking provisions of this or any other By-Law of The Corporation of the Township of Ignace, the Municipality or member of the Police Force may cause the vehicle to be moved or taken to, and placed or stored in a suitable place, and all costs and charges for removing, carrying and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by the Repair and Storage Lien Act R.S.O. 1990, Chapter R.45.

16.0 ISSUANCE AND PAYMENT PROCEDURES

16.1 Where a vehicle is found parked, standing or stopped in contravention of the provisions of this By-Law, a Police Officer, By-Law Enforcement Officer or other person duly appointed to enforce this By-Law, so finding the vehicle, may attach to the vehicle, a parking ticket in the form of a serially numbered notice stating:

16.1.1 the permit number and/or a concise description of the vehicle;

16.1.2 that the vehicle is unlawfully parked, stopped or standing, as the case may be;

16.1.3 the date, time and place of the alleged offence;

16.1.4 the address of the Municipal Office.

16.2 When a parking ticket is issued, it shall be completed in duplicate, and the Police Officer, By-Law Enforcement Officer or other person duly appointed to enforce this By-Law, shall attach one copy to the vehicle and deliver the other copy to the Corporation of the Township of Ignace.

16.3 An early payment period of 7 days from the date of infraction shall be allowed; and a voluntary payment of set fines within 15 days of date of infraction shall be allowed, except where a ticket is issued for violation of parking in a designated parking space for disabled persons, where there shall be only the set fine.

16.4 The seven- and fifteen-day periods after a ticket has been issued shall include all statutory holidays and weekend days.

16.5 The owner or operator of a ticketed vehicle may attend in person at the Municipal Office for payment or mail the ticket by prepaid mail, together with the applicable sum, to the Municipal Office, as designated on the ticket.

16.6 The failure to issue a parking ticket to, attach a parking ticket to, or place a parking ticket upon a vehicle found in contravention of this By-Law, shall not prejudice any prosecution for an offence hereunder.

17.0 Enforcement

17.1 This By-law shall be enforced by the By-law Officer or such person(s) designated by the Municipality.

18.0 Application of this By-law

18.1 This By-law applies to all highways and parts of highways under the jurisdiction of the Corporation of the Township of Ignace.

19.0 Validity

If a court of competent jurisdiction declares any provision or any part of a provision, in the By-Law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-Law that each and every provision in this By-Law authorized by By-Law be applied and enforced in accordance with the terms to the extent possible according to law.

20.0 Effective Date

This By-law shall come into force on the date of its passing.

21.0 Repeals

This By-law repeals and rescinds any previous By-laws pertaining to parking within the Township of Ignace with the exception of By-law 40.2021.

Read a First and Second Time This ___ Day of _____, 2021.

Read a Third and Final Time This ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

The Corporation of the Township of Ignace

Schedule "A" to By-law 67.2021

Part I of the Provincial Offences Act

Set Fine Schedule

<u>Item Number</u>	<u>Short Form Wording</u>	<u>Provision Creating/Defining the Offence</u>	<u>Set Fine</u>
1	Parking within three meters (3m) of an intersection;	Section 5.1	\$50.00
2	Parking within three meters (3m) of a fire hydrant;	Section 5.2	\$50.00
3	Parking on a boulevard;	Section 5.3	\$50.00
4	Parking on or so as to overhang a sidewalk or footpath in a manner that obstructs that sidewalk or footpath, or obstructs access to travel on it;	Section 5.4	\$50.00
5	Parking in front of or within two meters (2m) of a laneway or driveway or curb cut thereto;	Section 5.5	\$50.00
6	Parking so as to obstruct a vehicle in the use of any lane way or any public or private driveway;	Section 5.6	\$50.00
7	Parking in such a position that will prevent the convenient removal of any other vehicle previously parked or standing;	Section 5.7	\$50.00
8	Parking on any highway in such manner as to obstruct traffic;	Section 5.8	\$50.00
9	Parking in such a manner as to interfere	Section 5.9	\$50.00

	with the movement of traffic;		
10	Parking on a roadway where the roadway is six meters (6m) or less in width;	Section 5.10	\$50.00
11	Parking in such a manner as to interfere with any highway flushing, cleaning operations or the removal of snow;	Section 5.11	\$100.00
12	Parking in such manner as to interfere with any sidewalk cleaning, repair, snow plowing or snow removal	Section 5.12	\$100.00
13	Parking so as to interfere with the formation of a funeral procession;	Section 5.13	\$150.00
14	Parking within an intersection or crosswalk;	Section 5.14	\$100.00
15	No person shall park or permit any vehicle to be parked on any highway between the hours of 7:00 am and 6:00 pm daily from November 1st to April 30th inclusive of the following year.	Section 6.0	\$100.00
16	No person shall park a commercial vehicle over 11,000 kg on Municipal Property (Town Plaza, Travel Centre, Beaches etc.) without prior written consent from the Municipality	Section 9.4	\$500.00
17	No person shall drive a vehicle upon a sidewalk or footpath along a highway, except to cross to a permanent or temporary driveway authorized by the Municipality.	Section 10.1	\$150.00

18	No person shall drive a vehicle over a raised curb or sidewalk, except at a place where there is a ramp, mountable curb, or depressed curb.	Section 10.2	\$100.00
19	No person shall drive any vehicle on any boulevard, except for the purpose of directly crossing a boulevard at a driveway or other designated vehicular crossing.	Section 10.3	\$100.00
20	Posting a sign concealing traffic control device or traffic signal.	Section 12.1.2	\$100.00
21	Posting a sign which interferes with traffic control device or traffic signal.	Section 12.1.3	\$100.00

NOTE: the general penalty provision for the offences listed above is Section 14 of By-Law 67.2021, a certified copy of which has been filed and Section 61 of the Provincial Offences Act, R.S.O. 1990, c P.33.