

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 127 -2004

*Being a by-law to Establish a Curfew and Regulate Parking in Certain
Municipally Owned Parks within the Town of Kingsville*

WHEREAS Chapter 25, Part II, Section 11(5) of the *Municipal Act, 2001* provides that a Council of a local municipality may pass a by-law establishing certain regulations for maintaining or operating a public park;

AND WHEREAS it is deemed necessary to establish curfews and to regulate parking in certain public park areas.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE HEREBY ENACTS AS FOLLOWS:

1. The public parks noted on Schedule 'A' attached hereto and forming part of this by-law are subject to a curfew to be imposed between the hours of 11:00 p.m. and 5:00 a.m. wherein no one is permitted access to or parking of vehicles in the park areas. The only exception being that during a private rental, the curfew is to be imposed between the hours of 2:00 a.m. and 5:00 a.m.
2. Every Person who contravenes any provision of this by-law is guilty of an offence and upon conviction shall be liable to a fine in the amount to be determined pursuant to the provisions of the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended.
3. If a court of competent jurisdiction finds that any of the provision(s) of this by-law are ultra vires the jurisdiction of the Town or are invalid for any reason such provision(s) shall be deemed to be severable and shall not invalidate any other provision(s) of the by-law, which shall remain in full force and effect.
4. This by-law does not apply to municipally owned and operated vehicles, including fire, police and ambulance service vehicles.
5. Any by-laws inconsistent with this by-law be and the same are hereby repealed.
6. This by-law shall come into force and effect on the day of its final passing thereof.

READ a FIRST, SECOND and THIRD time and finally passed this 13th day of December, 2004.



MAYOR, Nelson Santos



CLERK, Linda Burling

**SCHEDULE 'A' TO BY-LAW 127-2004
OF THE CORPORATION OF THE TOWN OF KINGSVILLE**

The following listed public parks are subject to imposition of a curfew between the hours of 11:00 p.m. and 5:00 a.m. and hereby forms part of the said by-law.

Cedar Creek Beach; S/S County Road 50, Kingsville, Ontario
Cedar Island Beach; W/S Cedar Island Drive, Kingsville, Ontario
Lakeside Park; 315 Queen Street, Kingsville, Ontario
Larry Santos Park; 58 and 60 Walker Drive, Kingsville, Ontario
Millbrook Park; S/S Millbrook Drive, Kingsville, Ontario
Park Street waterfront; S/S Park Street, Kingsville, Ontario
Prince Albert St. N.; E/S Prince Albert St. N., Kingsville, Ontario
Regent Street Park; N/S Regent Street, Ruthven, Ontario
Remark; S/S Applewood Road, Kingsville, Ontario
Ridgeview Park; 122 Fox Street, Cottam, Ontario
Union Beach; S/S Union Street, Kingsville, Ontario
William Street Park; N/S Murray Street, Kingsville, Ontario
William Street Park; William Street, Cottam, Ontario
York subdivision; W/S Conservation Blvd., Kingsville, Ontario

ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

PART I

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 127-2004, of the Town of Kingsville, attached hereto is the set fine including costs, for those offences. This Order is to take effect April 1, 2005.

Dated at London this 1st day of April, 2005.

A handwritten signature in black ink, appearing to read 'A. M. Graham', with a long, sweeping horizontal line extending to the right.

Alexander M. Graham
Regional Senior Justice
West Region

PART I PROVINCIAL OFFENCES ACT

TOWN OF KINGSVILLE BY-LAW # 127-2004

BEING A BY-LAW TO ESTABLISH A CURFEW AND REGULATE PARKING IN CERTAIN MUNICIPALLY OWNED PARKS WITHIN THE TOWN OF KINGSVILLE

PAGE 1 OF 2

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION OF DEFINING OFFENCE	COLUMN 3 SET FINE (include costs)
1.	Access designated park in contravention of curfew	Section 1	\$105.00

ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

PART II

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 127-2004, of the Town of Kingsville, attached hereto is the set fine including costs, for those offences. This Order is to take effect April 1, 2005.

Dated at London this 29th day of March, 2005.

A handwritten signature in black ink, appearing to read 'A. M. Graham', with a long horizontal stroke extending to the right.

Alexander M. Graham
Regional Senior Justice
West Region

PART II PROVINCIAL OFFENCES ACT

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TOWN OF KINGSVILLE BY-LAW # 127-2004

BEING A BY-LAW TO ESTABLISH A CURFEW AND REGULATE PARKING IN CERTAIN MUNICIPALLY OWNED PARKS WITHIN THE TOWN OF KINGSVILLE

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION OF DEFINING OFFENCE	COLUMN 3 SET FINE (include costs)
2.	Park vehicle in designated park in contravention of curfew.	Section 1	\$105.00

NOTE: The general penalty provision for the offences listed above is Section 61 of the Provincial Offences Act, R.S.O., 1990, c. P. 33, amended.

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
WEST REGION

COURT HOUSE
15TH FLOOR, UNIT "G"
80 DUNDAS STREET
LONDON, ONTARIO
N6A 6B3



CABINET DU JUGE PRINCIPAL REGIONAL
COUR DE JUSTICE DE L'ONTARIO
REGION DE L'OUEST

TELEPHONE/TÉLÉPHONE (519) 660-2292
FAX/TÉLÉCOPIEUR (519) 660-3138

April 1, 2005

Ms. Linda Burling, Clerk
Corporation of the Town of Kingsville
2021 Division Road North
Kingsville ON N9Y 2Y9

Dear Ms. Burling:

**Re: Set Fines - Provincial Offences Act - Part I and Part II
By-law Number 127-2004, of the Town of Kingsville**

Enclosed herewith are copies of Orders, and copies of schedules of set fines for the above referenced By-Law, the By-law indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

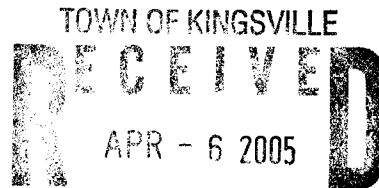
I have forwarded the originals of the Orders and the schedules of the set fines to the Ontario Court of Justice in Windsor, together with a certified copy of the By-law.

Yours truly,

A handwritten signature in black ink, appearing to read 'A. M. Graham', with a long horizontal stroke extending to the right.

Alexander M. Graham
Regional Senior Justice
West Region

Enclosures
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PER _____