

TOWN OF FORT FRANCES

AGENDA - November 24, 2014

MEETING - Council Chambers , Civic Centre

Page

COUNCIL MEETING

(Session No. 121) [time] p.m. to [time] p.m.

- 1.1 Call to Order
- 1.2 Prayer
- 1.3 Non-agenda items identified to be considered later in this meeting
- 1.4 Disclosure of pecuniary interest and the general nature thereof.

Delegations/Deputations:

- 2.1 Presentation from Linda Hamilton re: Citizen of the Year 2014 - Dr. Brian Johnstone
- 2.2 Cyclone Swim Club - Present Donation to Town for swim platforms
- 2.3 Hearing to Consider Section 357/358 Application (325 Scott Street) 4 - 8

Consent Agenda:

- 3.1 Items Referred from Committee of the Whole
- 3.2 L. Moffatt, Executive Director, Alzheimer Society: Request Proclamation 9
-will be advised of Council's approval to proclaim and raise flag.
- 3.3 J. McTaggart, Chair, Police Services Board: Request review of Business Licensing By-law in regards to hours of operation and noise for Street Vendors. 10
-will be referred to Planning & Development Executive Committee for review and recommendation.
- 3.4 J. McTaggart, Chair, Police Services Board: request the Town of Fort Frances name the Police Services Board under their Insurance Policy. 11
- will be referred to Administration & Finance Executive Committee for review and recommendation.
- 3.5 J. Lampi-Hughes, Owner, Energy Fitness: Request late fees be waived 12 - 13
- will be referred to Administration & Finance Executive Committee
- 3.6 M & S Krikke, 911 Smith Avenue: request consideration water bills 14 - 15
- will be referred to Administration & Finance Executive Committee with input from the Operations & Finance Executive Committee

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| 3.7 | Motions as passed October 20, 2014 from Fort Frances Museum Advisory Committee.

-will be referred to Community Services Executive Committee for recommendation. | 16 |

Approval of Council Minutes: *

- 4.1 THAT the minutes of the Council meeting being Session No. 120 dated November 10, 2014 having been typed and distributed be approved.

Approval of Committee of the Whole Minutes: *

- 5.1 THAT the report of the Committee of the Whole of Council meeting being Session No. 150 dated November 10, 2014 having been typed and distributed be approved.

Resolutions from tonight's Committee meeting

By-Laws:

- | | | |
|-----|--|---------|
| 7.1 | By-law 42/14 to provide for the licensing, regulating and governing of owners and drivers of automobiles and taxicabs for hire within the Corporation of the Town of Fort Frances. | 17 - 41 |
| 7.2 | By-law 21/14 for the regulation of traffic on highways and regulating the use of highways by pedestrians or vehicles within the Municipality. | 42 - 60 |
| 7.3 | By-law 6/77-F to amend Town of Fort Frances by-law No. 6/77, a by-law to limit the tenure of office of appointments by Council to boards and committees. | 61 |

Information Correspondence:

- | | | |
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| 8.1 | AMO Policy Update - Bill 8, Public Sector and MPP Accountability and Transparency Act | 62 - 63 |
| 8.2 | AMO Communications: 2015 OMPF and Public Transit | 64 - 66 |
| 8.3 | D. Canfield, President, NOMA: Intervener Status - Energy East Project | 67 - 71 |
| 8.4 | Northwestern Ontario Municipal Association News Update - Fall 2014. | 72 |
| 8.5 | Region of Halton Correspondence - Motion re: Buy American Provisions in the American Recovery and Reinvestment Act. | 73 - 74 |
| 8.6 | Ernie Hardeman, MPP Oxford, PC Critic for Municipal Affairs and Housing: Power Dam Special Payment Program | 75 |
| 8.7 | International Rainy - Lake of the Woods Watershed Board: Flood Damages Survey 2014 | 76 |
| 8.8 | Julie Roy, Chair, Board of Health for Northwestern Health Unit: Board of Health Information | |

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8.9 Notice of Decision - Committee of Adjustment: File B2/2014 -1653 Colonization Road W.	77 - 78
8.10 Notice of Decision - Committee of Adjustment: File B1/2014 - 1645 Colonization Road W.	79 - 80
8.11 Notice of all Regular and Special Meetings of Committee of the Whole for the month of December 2014.	81

Minutes:

9.1 Committee of Adjustment Minutes October 22, 2014	82
9.2 Planning & Development Executive Committee Minutes November 3, 2014	83
9.3 Administration & Finance Executive Committee Minutes November 5, 2014	84 - 85
9.4 Operations and Facilities Executive Committee dated November 5, 2014*.	86 - 87
9.5 Fort Frances Museum Advisory Committee dated November 17, 2014.	88

Non-agenda Items

Adjournment

*** Previously distributed to Council**

**** Items can be viewed by contacting the Clerk**



**ADMINISTRATION & FINANCE DIVISION
TREASURY REPORT 2014/119**

TO: Mayor Avis & Members of Council
FROM: Laurie Witherspoon, Treasurer
DATE: November 19, 2014
SUBJECT: 357/358 Applications for Tax Adjustment
 Re: 325 Scott Street (2014) Roll # 5912-020-002-04000-0000

BACKGROUND

Attached are the 357/358 Application for reconsideration of assessment and adjustment for 2014 taxes for 325 Scott Street for major building renovations for the period from May 12 to December 31, 2014.

The Municipality may object to the applications for the above referenced properties filed under Section 39.1 of the *Assessment Act*. In accordance with Section 357 (5) of the *Municipal Act* on or before September 30 of the year following the year in respect of which the application was made, council shall hold a meeting at which the applicants may make presentations to council.

Section 357 (5) (b) of the *Municipal Act* states that the Municipality must notify the applicant(s) of the meeting by mail sent 14 days before the meeting. Notice of Hearing to consider these Section 357/358 applications for 2014 was mailed to the applicant on October 20, 2014 indicating notification that the public hearing is scheduled for Monday, November 24, 2014.

Recommendation

The Administration & Finance Executive Committee recommends that Council approve the adjustment of 2014 taxes under Section 357/358 of the *Municipal Act* for property located at 325 Scott Street in Fort Frances.

Council Approval of This Report Will Agree to the recommendation of the Administration and Finance Executive Committee to approve the adjustment of 2014 taxes under Section 357/358 of the *Municipal Act* for property located at 325 Scott Street in Fort Frances.

Administration & Finance Division
Civic Centre

Operations & Facilities Division
Fifth Street & Wright Avenue
Phone: 807-274-9893
Fax: 807-274-7360

Civic Centre
320 Portage Avenue
Phone: 807-274-5323
Fax: 807-274-8479
email: town@fort-frances.com



Planning & Development Division
Civic Centre

Community Services Division
740 Scott Street P9A 1H8
Phone: 807-274-4561

Mailing Address:
320 Portage Avenue
Fort Frances, Ontario
P9A 3P9

www.fort-frances.com

November 4, 2014

Eldon Mose
Box 746
Fort Frances, Ontario
P9A 3N1

Dear Mr. Mose:

Re: Hearing to Consider Section 357/358 Applications

Please be advised that a public hearing has been scheduled for immediately following the Committee of the Whole Meeting of Council on Monday, November 24, 2014 in the Council Chambers located at the Civic Centre, 320 Portage Avenue, Fort Frances. The Committee of the Whole begins at 5:30 p.m.

The Council of the Town of Fort Frances will be conducting the hearing to consider Section 357/358 Applications, including the application with regard to the property located at 325 Scott Street in the Town of Fort Frances resulting from substantial renovations of the building.

The hearing will give you the opportunity to speak to the application (copy of applications enclosed) if you should so desire.

Sincerely,

Laurie A. Witherspoon, CMO
Treasurer

Enc.



2014 WRITE-OFFS/TAX ACCOUNT ADJUSTMENTS

Batch #	Year Affected	Roll #	Assessment Change	RTC/RTQ	Municipal Rate	School Rate	Municipal Amount	English Public	English Separate	French Public	French Separate	No Sup School	Capping Adjust	Penalty/Interest	BIA	TOTAL
234 Days	2014	2.2.040	-13,750	RTEP	0.01687815	0.00203	-148.78	-17.89								-166.67
234 Days	2014	2.2.040	-170,250	CT	0.03341874	0.01220	-3,647.54	-17.89				-1331.59				-4,979.13
357 Application							-3,796.32	-17.89	0.00	0.00	0.00	-1,331.59	0.00	0.00	0.00	-5,145.80

SECTION 357/358 APPLICATION

TO THE COUNCIL OR THE ASSESSMENT REVIEW BOARD

Application/Appeal #

Taxation Year: 2014

Municipality: Town of Fort Frances Roll Number: 59-12-020-002-040-00
 Property Address: 325 Scott St Applicant Name: Eldon Mose
 Owner Name: Eldon Mose Contact Number: 275-8300
 Mailing Address: 40 P.O. Box 746 Alternative Num: _____
Fort Frances, ON P3A3N1

Reason for Application: (Check one box only)

☐ Ceases to be liable for tax at rate it was taxed - 357(1)(a) ☐ Sickness or extreme poverty - 357(1)(d.1)
☐ Became exempt - 357(1)(c) ☐ Mobile unit removed - 357(1)(e)
☒ Razed by fire, demolition or otherwise - 357(1)(d)(i) ☐ Gross or manifest clerical/factual error - 357(1)(f)
☐ Damaged and substantially unusable - 357(1)(d)(ii) ☐ Repairs/Reno's preventing normal use (min. 3 months) - 357(1)(g)

Details of Reason: MOBILE CLOSED AS OF APR 25/14. UNDER NEW OWNERSHIP AND UNDERGOING SUBSTANTIAL RENOVATIONS. WILL NOT BE IN OPERATION UNTIL COMPLETED.

Effective from: 05/12/14 to 12/31/14 Applicant Signature: Eldon Mose Date: 05/09/14
 (MM/DD/YY) (MM/DD/YY)

ASSESSMENT REPORT: MUNICIPALITY				ASSESSOR				
Assessment Roll As Returned		Revised Since Roll Return <input type="checkbox"/>		Assessment Report School Bd: <input type="checkbox"/> Eng <input type="checkbox"/> Fr <input type="checkbox"/> Other				
		Enter Revisions Below		<input type="checkbox"/> No Change in Assessment <input type="checkbox"/> S357 Required for Next Year				
RTC/RTQ	2005 Base-year CVA	2008 Base-year CVA	Current Phased Assessment	Revised RTC/RTQ	Revised 2005 Base-year CVA	Revised 2008 Base-year CVA	Revised Current Phased Assessment	Change to Current Phased Assessment
RT			22,000					
CT			272,000					
Revised:				Reason for Change (Assessor Comments):				
Reason Original Assessment Revised:								

Assessor Name: _____ Signature: _____ Date: ____/____/____

RTC/RTQ	Taxable Assessment Reduction	Tax Rate	(Days) / Months	Tax Adjustment	Original Levy
RT	- 13,750	.01890815	234	166.67	415.98
CT	- 170,250	.04561874	234	4,979.13	12,408.30

Recommended: ☐ No Adjustment ☒ Adjustment ☐ Cancellation ☐ Refund Total Amount: \$5,145.80

Comments: _____

Treasury Position: Treasurer Signature: Leslie A. Wickerspoon Date: 11/04/14

COUNCIL OR ASSESSMENT REVIEW BOARD DECISION: Hearing Date (MM/DD/YY): 11/24/14

☐ Approved ☐ Amended & Approved ☐ Not Approved ☐ Applicant Did Not Appear ☐ Application Abandoned

Reason: _____

Appeared for Applicant: _____ Appeared for Municipality: _____

Signature of Council/ARB Member: _____ Name/Title: _____

442: 2014-00007

Application made under Sec 357/358/359 of the Municipal Act, 2001
MPAC'S RESPONSE

Taxing Authority:	Town of Fort Frances	Application #:	7560110
Roll #:	5912 020 002 040 00	Application Reason:	Repairs/renos preventing normal use
Address:	325 Scott ST	Tax Year:	2014
Claimed Relief Period:		From	12-May To 31-Dec

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
Property Class	2012 CVA as returned or most recently revised for taxation year noted in application	2014 Phased-In Amount as returned or most recently revised	CVA as revised (Sec 40 or Sec 35.1) if applicable OR after the correction of a factual error. (CVA)	Notional Value of Structure damaged, demolished, razed or removed OR undergoing repairs or renovations (CVA)	Notional Value of Property (land and any remaining bldgs.) after damage, demolition, razing or removal OR undergoing repairs or renovations (CVA)	Assessment			
						2008 CVA	2012 CVA	2014 Phased-In Value Attributed to Value in (H)	2013 Phased-In Value Attributed to Value in (H)
FROM								0	0
RT	22,000					34,700	22,000	22,000	22,000
CT	272,000					289,300	272,000	272,000	272,000
								0	0
TO								0	0
RT	8,250			13,750	8,250	13,012	8,250	8,250	8,250
CT	101,750			170,250	101,750	108,488	101,750	101,750	101,750
								0	0

MPAC's Remarks:

MPAC has confirmed that the building is under repairs/renos preventing normal use, effective May 12, 2014.. MPAC will not reduce value on the 2015 roll and advised owner to file a 357 in 2015 should the repairs/renos extend into the tax year.

Factor Methodology

Shown below is the CVA and classification that would have been returned for the taxation year of the application in order to reflect the physical circumstances and use set out in the application provided that those circumstances had existed at roll return.

Property Class	2008 CVA	2012 CVA	2014 Phased-In Value	2013 Phased-In Value	Factor Methodology Applied
RT	\$13,012	\$8,250	8,250	8,250	PSDF
CT	\$108,488	\$101,750	101,750	101,750	PSDF
			0	0	
			0	0	
			0	0	
			0	0	

MPAC Representative Name:

Monte Ross

MPAC Representative Signature:

Date:

28-Oct-14

Alzheimer Society

KENORA/RAINY RIVER DISTRICTS

**Alzheimer Society of
Kenora/Rainy River Districts**

618-9th Street N
Kenora, Ontario P9N 2S9
Tel: (807) 468.1516
Toll-Free: 1.800.682.0245
Fax: (807) 468.9013
www.alzheimer.ca/krr
info@alzheimerkrr.com

November 14, 2014

Town of Fort Frances
320 Portage Ave
Fort Frances, ON P9A 3P9

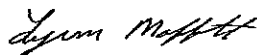
Dear Mayor Roy Avis:

RE: January is National Alzheimer Awareness month

On behalf of the Alzheimer Society of Kenora/ Rainy River Districts, I would like to inform you that this January is Alzheimer Awareness month. This year's campaign for 2015 during January Alzheimer Awareness Month, the Alzheimer Society is launching a nationwide campaign to get Canadians talking about Alzheimer's disease.

We would appreciate if you could proclaim "National Alzheimer Awareness Month" to be made on behalf of the Town of Fort Frances and permission to have the Alzheimer Society flag raised on the pole outside the Town Office for the month of January 2015.

Sincerely,



Lynn Moffatt
Executive Director



Charitable Business
Number: 88961-4970-
RR0001

Administration & Finance Division
Civic Centre

Operations & Facilities Division
Fifth Street & Wright Avenue
Phone: 807-274-9893
Fax: 807-274-7360

Civic Centre
320 Portage Avenue
Phone: 807-274-5323
Fax: 807-274-8479
email: town@fort-frances.com



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Mailing Address:
320 Portage Avenue
Fort Frances, Ontario
P9A 3P9

POLICE SERVICES BOARD

November 17, 2014



Town of Fort Frances
320 Portage Avenue
Fort Frances, ON
P9A 3P9

Attention: Mayor and Council

Dear Sirs:

At the recent meeting of the Police Services Board held November 12, 2014, discussion was held in regards to the "Late Night Scott Street Food Vendors" and the issues they are causing for the OPP. The complaints about late night noise levels from the congregating crowds and the amount of time police are having to attend that location because of crowds. The following resolution was passed:

R. Wiedenhoeft - R. Scofield: That the Police Services Board request that Council review the Business License By-Law in regards to hours of operation and noise for Street Vendors.

Yours truly

for John McTaggart
Chair

/elh



Administration & Finance Division
Civic Centre

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POLICE SERVICES BOARD

November 17, 2014



Town of Fort Frances
320 Portage Avenue
Fort Frances, ON
P9A 3P9

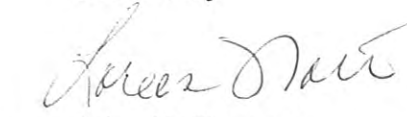
Attention: Mayor and Council

Dear Sirs:

At the recent meeting of the Police Services Board held November 12, 2014, the issue of Insurance Coverage for Police Services Board members was discussed and the Board would like to bring to Councils attention that there is no insurance for Board members doing business of the Board whether it is travel or heaven forbid that there be a law suit against the Board. The following resolution was passed:

G. Witherspoon - R. Wiedenhoeft: That the Police Services Board request that the Town of Fort Frances name the Police Services Board under their Insurance Policy.

Yours truly


for John McTaggart
Chair

/elh



780 King's Highway
Fort Frances, ON
P9A 2X4

Bringing Health & Fitness to the Community!

November 12, 2015

Dear Tara,

This letter is in direct response to the 'Tax Reminder Notice' I received on November 3, 2014.

You will be receiving, in full my payment of \$19,518.70 minus the late fees of \$1,362.44, due to my political stance on holding back my taxes until I was "heard". I am a residential AND commercial taxpayer.

I would like the following to be brought to the attention of Council.

In the nine years that Energy Motivation Inc. has been established, I have always paid my taxes, and on time. It was merely a political move on my part, as I was feeling challenged by the direct competition of publically funded venues versus private business owners, who I will point out again, fund the tax base for the Town of Fort Frances to continue to operate.

I ask, that the Town, consider my local business and the effect they may have on it when they purchase equipment that directly competes with me.


I understand that the Sportsplex has recently received new cardio and weight equipment, which I realize is an upgrade. (Particularly the TREADCLIMBER which cost \$12,000k) However, I host the same equipment and my taxes pay for the upgrades. If I was to cease

operating as a business owner and my building were to be zoned residential the tax base would be 25 % of what I pay; that gives me an extra 'income' of \$ 15,000 / annually. PLUS I could operate a business elsewhere for a much less nominal overhead from a school (publically funded); as many groups do.

I have felt the need to look into other options that may be better suited for this space.

I truly hope that this never comes to fruition, as I am passionate about my business and the personal fitness of all ages in our community..

Yours in Fitness,

A handwritten signature in black ink, reading "Jackie Lampi-Hughes". The signature is written in a cursive, flowing style with a large initial 'J'.

Jackie Lampi-Hughes
Owner
Energy Fitness

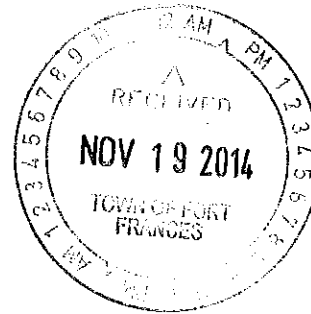
Mike & Sandra Krikke

1327 Emo Road • Fort Frances, ON P9A 2V6 • Phone: 807-274-1254
E-Mail: mskrikke@shaw.ca



November 17, 2014

Fort Frances Mayor & Council
320 Portage Avenue
Fort Frances, ON
P9A 3P9



Dear Fort Frances Mayor and Council Members:

RE: Water & Sewer at 911 Smith Avenue, Fort Frances

I am writing this letter in regards to an invoice that my husband and I received totaling \$2691.81 on November 4, 2014 for our previous home of 911 Smith Avenue. The water/sewer invoice charges are four payments beginning on November 30, 2014 and continue monthly until February 27, 2015 with three payments of \$672.97 and one payment of \$672.90.

The week of October 13, 2014, I informed the Town of Fort Frances (TOFF) that we would be moving to 1327 Emo Road effective October 30, 2014. It was not until October 28, 2014 that Heather Hatch had called me at work and left a message stating she needed to talk to me about our water bill. On returning her call, she let me know that they (TOFF) were unaware that our water was turned back 'on' and that we were not billed for over three years (since September 24, 2011). I was very surprised and shocked when she told me these facts. She had told me to call Doug Herr and discuss the matter further.

When I spoke to Doug Herr, I explained the events surrounding September 24, 2011. We had a pipe burst in our laundry room in the basement. We were unable to shut the water off due to old turn off valves. We had called a plumber as well as the TOFF to turn off our water. Doug Brown sent a worker to our house indicating that we would have to pay an extra fee, since it was a Saturday. (Upon receiving the bill for the water turn 'off' on September 24, 2011 I did pay this bill immediately, as I do with all invoices). The TOFF worker came to our house and turned the water off. In the meantime, we were waiting for the plumber to come from Emo to fix our pipe. The worker ended up leaving the 'key' with my husband, who stated that he would turn the water back 'on'. Doug Herr stated that the TOFF worker did not complete the proper paperwork indicating that our water was turned back 'on'. I told Mr. Herr that I was very upset and was truly unaware that I was not paying our water/sewer bill. I knew that the water /sewer bill had changed in the past few years and thought it was amalgamated into one utility bill.

These past few weeks have been very stressful for my family and myself. This whole situation stemmed from the TOFF not following proper procedures and paperwork; an error that was not discovered until we informed the TOFF of our moving. I was informed of it two days prior to moving into our new house. We have incurred costs with moving to a larger home and it should be an enjoyable time for our family.



Since we did not receive a bill for over three years due to a TOFF mistake, we believe that the TOFF should assume the responsibility of covering this cost. It is inconceivable how something like this could even happen.

Please feel free to contact me if you need to discuss this matter further. I have attached the letter as well as the invoices for your perusal. I can be reached at 275-6789. Thank you for your time.

Sincerely,

Sandra Krikke

Encl.



Mayor Avis & Council

The Museum Advisory Committee, at their Oct 20th meeting, passed two motions: 1) to request someone from council to sit as part of the committee, and 2) to request additional staffing for the museum.

1) The Committee believes that having a council member sit on the committee will give management and council a better understanding of the issues faced by the museum and vice versa.

2) The Committee firmly believes that the museum requires additional full-time staffing in order to meet the standards laid out by the Canadian Museums Association. The collection is not being adequately managed to CMOG specifications, there is minimal programming for seniors and children (necessary for future sustainability), the needs of artists and the wider cultural community are not being met, and with the increased traffic through the museum, the curator is struggling to meet deadlines.

The committee understands that a full-time position may not be possible at this time. We do feel strongly about making the request however. What we are hoping for, in the interim, is that you will consider part-time help for the museum – someone to cover the hours the museum is open (20 hours/week), thereby allowing Mrs. George to properly manage the collection and to expand the role of the museum in our community.

To help with staffing limitations, Mrs. George is making other changes to the way the museum is managed. Some of these include: running fewer exhibits (only two new exhibits next year; holding this one over the winter), and shortening the summer season (returning to off-season hours following Labour Day).

She continues to investigate intern positions that would help address the accessioning backlog issue. The museum also relies heavily on volunteers for assistance with research, but neither of these options solves the staffing shortfall over the long term.

Sincerely,

Museum Advisory Committee:
Debbie Ballard
Bruce Caldwell
Robert Schulz
Judy Kielczewski
Mary Hickling

Town of Fort Frances

BY-LAW No. 42/14

Being a by-law to provide for the licensing, regulating and governing of owners and drivers of automobiles and taxicabs used for hire within the Corporation of the Town of Fort Frances.

WHEREAS, Section 151 of the Municipal Act, R.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 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; 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 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 Town of Fort Frances having deemed there to be a need to license taxicab and limousine businesses within the Municipality;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF FORT FRANCES ENACTS AS FOLLOWS:

PART 1 – DEFINITIONS

1. In this by-law:

- (a) **“Council”** means the Municipal Council of the Town of Fort Frances.
- (b) **“Town”** means the Corporation of the Town of Fort Frances.
- (c) **“Corporation”** means the Corporation of the Town of Fort Frances.
- (d) **“Taxicab Driver”** means a person licensed according to this by-law and who is engaged in driving or operating a taxicab on behalf of himself/herself or another person who is the owner thereof.
- (e) **“Taxicab Owner”** means any person licensed according to this by-law who owns a taxicab company or taxicab or has possession or control thereof under a lease agreement, an installment purchase agreement, or by way of rental.

- (f) **“License”** means a license granted under the provision of this by-law for a taxicab driver, taxicab owner or vehicle license as may be applicable to the context where used.
- (g) **“Clerk”** means the Clerk of the Corporation of the Town of Fort Frances or a person delegated by them for the purposes of this by-law.
- (h) **“Prescribed Tariff”** means the metered rates of fare set out in Schedule “A” hereto.
- (i) **“By-Law Enforcement Officers”** means the official(s) designated by the Council of the Corporation of the Town of Fort Frances.
- (j) **“Police Officer”** means the Detachment Commander of the Fort Frances detachment of the Ontario Provincial Police or any police officer of that detachment so designated by him/her for the purposes of this by-law.
- (k) **“Taxicab”** means a motor vehicle as defined by the Highway Traffic Act of Ontario R.S.O. 1990, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, and in remuneration for the service provided, one fare or charge only being collected or made for the trip.
- (l) **“Taxi Stand”** means a convenient place of business in a commercial zone designated for such use, with sufficient on site parking space that serves as the place of reference for the taxicab owner, driver and where from all dispatching and communication with taxicab drivers are conducted and where a reception and rest area is open to drivers and the public.
- (m) **“Highway”** means the traveled portion of a roadway and the untraveled portion of the roadway under the jurisdiction of the Town and includes the boulevard, sidewalks, parking lots or any other property that is used by the general public for the passage of vehicles or persons.

PART 2 – RESPONSIBILITIES OF MUNICIPAL OFFICIALS

2. By-Law Enforcement Officers

2.1 The By-Law Enforcement Officers shall have supervision over all persons licensed under this by-law, and over all vehicles in respect of which licenses are issued and shall, in connection with this by-law:

- (a) report to the Clerk on the performance of his/her duties or to Council at any time upon request;
- (b) Make all necessary and proper inquiries concerning applications for licenses and the suspension, revocation and transfer thereof;
- (c) cause the examination and testing of every applicant for a driver’s license as to his/her ability to operate the vehicle to be driven by him/her, if deemed necessary;
- (d) cause the inspection and satisfy himself/herself as to the sufficiency, repair and condition of every vehicle and the equipment used in respect of which a license is applied for, according to this by-law;
- (e) satisfy himself/herself as to the good character and responsibility of all applicants and, if the Police records check is positive and the Ontario Provincial Police deem it necessary, the applicant shall make himself/herself available for fingerprinting and further questioning;

- (f) review applications for all licenses and prepare licensing documentation and prepare recommendations to Council, the Clerk, as the case may be;
 - (g) investigate all matters relevant with the revocation or suspension of any licenses and prepare a report for Council and the Clerk;
 - (h) upon issuing a license, furnish to the licensee one (1) copy of this by-law and one (1) tariff card containing the tariff herein provided and check all taxicabs from time to time to see that the tariff card is displayed in a conspicuous place in the interior of each taxicab;
 - (i) prosecute persons who contravene any provisions of this by-law;
 - (j) upon reasonable and probable grounds, order a mechanical inspection of a licensed taxicab at the cost of the cab owner.
 - (k) furnish forms of application for licenses;
 - (l) verify completed applications to ascertain compliance with this licensing by-law and distribute for review and comment from authorized officials, securing approval as required in this by-law;
 - (m) ensure that the prescribed fees payable for licenses are duly paid before a license is issued;
 - (n) issue and sign taxicab driver licenses and supply each driver with a Photo ID Card, wallet license card and one (1) copy of this by-law;
 - (o) issue and sign taxicab owner and driver licenses and monitor ongoing compliance with all requirements within this by-law;
 - (p) keep a registered copy of all licenses.
- 2.2 Any of the duties required to be done by the By-Law Enforcement Officer may be delegated to a Police Officer of the Ontario Provincial Police.

PART 3 – TAXICAB OWNER LICENSES

3.1 Licensing Requirements

- (a) No person shall operate a taxicab or permit a taxicab to be operated for hire within the Town without a Taxicab Owner License approved by the By-Law Enforcement Officers and Clerk. A license shall become in effect only upon payment to the Corporation of the annual license fee which is established under Schedule “A” of the Schedule Fees By-Law.
- (b) Request for a taxicab owner license shall be made with the By-Law Enforcement Officers on the application form in Schedule “B” of this by-law.
- (c) A separate taxicab license shall be required for each taxicab.
- (d) Every applicant for an owner’s license shall sign a waiver as set out in Schedule “C” hereto, authorizing the Town to verify, at any time, with the Insurer or his agent the current coverage for each licensed vehicle and taxi stand.
- (e) Every applicant for an owner’s license shall submit each taxicab for an inspection prior to issuance of the license thereof.
- (f) Any owner’s license issued in relation to a taxicab, which is out of service for more than 30 continuous days, shall be forfeited.

- (g) A taxicab owner license is personal to the holder thereof and shall not be transferable or leasable to any other party, unless authorized by the Council pursuant to Section 8.2 of this by-law.
- (h) Notwithstanding paragraph (f), where a vehicle for which a license has been issued is replaced by another vehicle during the period for which the license was issued, a new license shall not be necessary. A transfer of the license may be granted by the By-Law Enforcement Officers or the Clerk provided the license holder submits a request for transfer on the form set out in Schedule “D” of this by-law and all applicable requirements for this by-law are complied with.
- (i) Where two (2) or more persons carry on or engage in partnership, the taxicab owner license will be issued in the name of one (1) partner only, but the name and address of each member of the partnership shall be registered on the application for the license.
- (j) No owner shall employ as a driver of a taxicab any person other than a licensed driver under this by-law.
- (k) A taxicab license shall be deemed to be in effect only if and when a vehicle is duly licensed as a taxicab and operated as such on a regular basis and the determination of regular operation shall be at the sole discretion of the By-Law Enforcement Officers or Clerk who may suspend or revoke a taxicab license for non-compliance with this condition.
- (l) Council may, at its sole discretion, enter into agreement with any company to approve additional owner’s licenses for wheelchair accessible taxis and limousines.

3.2 **OWNER RESPONSIBILITIES**

- (a) While on duty, unless his/her taxicab has been previously engaged, a taxicab owner shall serve at any specified time whether day or night, any person who may require his/her taxicab unless prohibited by this by-law.
- (b) Every owner shall give full information to a By-Law Enforcement Officer or Police Officer upon being requested to do so, with reference to the address of the house or place to or from which he/she has driven any passenger that relates to his/her description, name or address, if known to him/her.
- (c) A taxicab owner shall require and verify that all taxicab drivers he/she employs comply with all of the provisions of this by-law.

3.3 **CONDITION OF VEHICLE**

- (a) The owner or driver of every taxicab shall keep the interior clean and dry and the exterior of the taxicab clean of dirt and free from visible damage.
- (b) Whenever the owner or driver of a taxicab receives a notice signed by a By-Law Enforcement Officer or their designate that their taxicab is not in acceptable condition for use, the owner or driver shall, within the time mentioned in such notice, perform all repairs and improvements necessary for the taxicab to be in a fit and proper condition, to the satisfactory of the Officer and failure to do so will result in the suspension of the owner’s license.
- (c) Seat belts shall be in operable condition at all times according to the vehicle manufacturer’s specifications.
- (d) Every cab shall be equipped with an extra tire in good condition.

- (e) No owner or driver or anyone else with his/her consent shall wash or make repairs to his/her vehicle while upon a public taxicab stand or on public property unless such repairs are immediately required and are of a minor nature.
- (f) Any vehicle considered for license or re-licensing must be mechanically fit in the opinion of the By-Law Enforcement Officers or their designates. The mechanical fitness certificate of a mechanic licensed by the Ministry of Transportation or other applicable governmental authority shall be required as a minimum.

3.4 AGE OF VEHICLES

Any vehicle older than two (2) years old at the time of application for a taxicab owner license or on the date of renewal shall be subject to the passing of a mechanical fitness examination by a licensed mechanic and the issuance of a duly authorized certificate thereof. Notwithstanding such certificate, if in the opinion of the By-Law Enforcement Officers or their designates, a vehicle remains unsafe or unsuitable to be operated as a taxicab; he/she may require a mechanical fitness examination from an independent mechanic at the cost of the owner.

3.5 INSPECTION

- (a) The owner of every taxicab shall submit his/her taxicab to appear for inspection by municipal officials once every year and at any other time when requested by a By-Law Enforcement Officer or their designate. The Taxicab Fitness Report form set out in Schedule “F” of this by-law shall be prepared by the Town Official in charge of conducting an inspection.
- (b) No owner or driver shall, at any time, when his/her taxicab is not employed, prevent or hinder the By-Law Enforcement Officers or any Police Officers from entering the same or at anytime prevent or hinder him/her from entering a garage or other building for the purpose of inspecting the same.
- (c) The By-Law Enforcement Officers or their designates who believe, on reasonable and probable grounds that a vehicle or its equipment is mechanically defective shall give the owner or driver written notice requiring such owner or driver to submit the vehicle for examination by municipal officials or an approved mechanic within twenty-four (24) hours, the examination of an approved mechanic will be at the expense of the owner.
- (d) The By-Law Enforcement Officers or their designates who believe, on reasonable or probable grounds, that a taxicab is dangerous or unsafe may suspend and confiscate the taxi owner, driver or vehicle license and shall require the owner or driver to submit the taxicab for examination by a mechanic who is licensed by the Ministry of Transportation (or other applicable governmental authority) and approved by the By-Law Enforcement Officers or their designates.
- (e) An owner or driver who fails to submit his/her taxicab for examination as instructed pursuant to this by-law is guilty of an offence and shall have his/her license suspended until such time as he/she complies with this by-law.
- (f) Upon notice by registered mail or personal service, a taxicab owner shall submit their vehicle(s) to appear at the time and place specified in such notice for an inspection.
- (g) In the event an owner disposes of a licensed taxicab and acquires another vehicle in its stead, the new vehicle shall be submitted to the By-Law Enforcement Officers for inspection and approval. The owner shall apply for a transfer of the license to cover the newly acquired vehicle and pay the applicable license transfer fee as prescribed in Schedule “A” of the Schedule of Fees By-Law prior to the license being issued to the new vehicle.

3.6 **SMOKING PROHIBITION**

No owner or driver shall smoke or permit any passengers to smoke while in a taxicab.

3.7 **LIQUOR PROHIBITION**

- (a) No driver shall take, consume or have in his/her possession any liquor while he/she is in charge of a taxicab.
- (b) A driver shall not be under the influence of liquor while he/she is in charge of a taxicab.

3.8 **TAXI SIGNS/DECALS**

- (a) At all times openly display in such a manner visible to all passengers carried therein;
 - (i) Photo ID Card of the driver.
 - (ii) Name of Owner
 - (iii) Tariff Card
- (b) Have no less than the following information attached or printed on the exterior of the driver's side and on the passengers side of the taxicab, so as to be easily read, in letter and number size of no less than five (5) centimeters:
 - (i) Name of the Company
 - (ii) Unit Number assigned exclusively to that taxicab
- (c) Have displayed, in compliance with the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, and Ontario Regulations there under, on the right side of the rear bumper a bumper sticker in the form and style as provided on a cost recovery basis by the Town of Fort Frances.

3.9 **TAXI METER**

Every owner shall have affixed to each taxicab in respect to which he/she is licensed a taxi meter which shall register distances traveled and compute fares to be paid and every such taxi meter shall be:

- (a) submitted for testing and sealing by the By-Law Enforcement Officers, when requested to do so;
- (b) illuminated between dusk and dawn;
- (c) attached to the taxicab in a location and manner approved by this By-Law Enforcement Officers;
- (d) adjusted in accordance with the tariff prescribed by Schedule "A" of the by-law;
- (e) tested by running the taxicab to which it is attached over a measured track or distance before being sealed;
- (f) used only when the seal is thereon, intact;
- (g) used for not longer than twelve (12) months without retesting and resealing.
- (h) kept in good working condition at all times and not used when defective in any way;
- (i) used only when approved by the By-Law Enforcement Officers.

3.10 **FARES**

- (a) The rates and fares to be charged by every owner and driver shall be exactly as shown in Schedule "A" of this by-law;
 - (b) No higher or lower amount than that contained in Schedule "A" shall be charged or be payable;
 - (c) No passenger shall refuse to pay the rate that is due in accordance with this by-law, after he/she has employed a taxicab;
 - (d) No owner or driver shall be entitled to recover or receive a higher fare or charge from any person with a disability than those fares or charges he/she would receive from a person without a disability. The owner or driver shall not charge a person with a disability a fee for the storage or mobility aids or assistive devices.
- 3.10.1 When operating on a taxi meter basis, the rate of fare charged shall be exactly shown on the taximeter together with any additional charges authorized by Schedule "A" hereto.
- 3.10.2
- (a) No owner or driver shall publish or use a tariff or demand or receive rates and charges other than those authorized by this by-law whether such rates and charges are determined by a distance or by time.
 - (b) Every owner and driver shall keep the tariff card containing the tariff herein provided displayed in a conspicuous place in the interior of the taxicab.
- 3.10.3 No owner or driver shall be entitled to recover or receive any fare or charge from any person or persons:
- (a) from which he/she shall have demanded any fare or charge greater than those authorized by this by-law; or
 - (b) to whom he/she has refused to show his/her ID Card or Tariff Card provided by this by-law.
- 3.10.4
- (a) When a passenger first enters a taxicab, the taximeter shall immediately be placed in a recording position and shall remain so throughout the trip.
 - (b) The shortest possible route shall be taken to the destination desired unless the passenger instructs the driver to use another route.
- 3.10.5 If a call extends beyond the territorial limits of the Corporation, the driver and passenger(s) may agree before the start of the trip to a flat rate but the taximeter must be in a recording position at all times within the limits of the Corporation.
- 3.10.6 At the conclusion of a trip, the driver shall place the taximeter in a non-recording position and shall call the passenger's attention to the amount of the fare registered on the taximeter.
- 3.10.7 No owner or driver shall make any charge under this by-law for:
- (a) time lost through defects or inefficiency of the taxicab; or
 - (b) the failure of the driver to use the shortest route and/or the fastest route to destination or operate the taxicab in an inefficient and timely manner; or

- (c) for time consumed by the arrival of the taxicab in response to a call in advance of the time such taxicab has been requested by the person calling same.

3.10.8 The tariff or rates herein authorized shall be computed from the time or place when the passenger(s) first enter the taxicab or instruct verbally or by body gesture to wait and to the time or place when the taxicab arrives at the final destination of the passenger(s).

3.11 **TARIFF CARDS**

Tariff Cards, Accessible Bumper Stickers defaced, lost, stolen or destroyed, shall be replaced and upon the original tariff card or accessible bumper sticker being rendered or satisfactorily accounted for, and, in the case of an accessible bumper sticker, upon payment of the accessible bumper sticker the By-Law Enforcement Officers shall supply said bumper sticker.

3.11 **TRIP RECORDS**

- (a) No taxicab shall be hired for more than one specific trip for the transportation exclusively of one passenger or group of passengers, except with the prior consent of the passenger having first signaled the hiring of the taxicab thereof.
- (b) No owner or driver shall drive a taxi with luggage or other material placed in a manner that obstructs his view.
- (c) Every taxicab owner shall keep a record in writing of the date, time, origin and destination of each trip, the name of the driver and the number of the taxicab.
- (d) The trip records shall be retained for at least twelve (12) months at the taxi stand from where the taxicab operates and shall be surrendered immediately for examination when requested by the By-Law Enforcement Officers or a Police Officer.

3.13 **ACCESSIBLE TRANSPORTATION**

- (a) To qualify for licensing under an agreement with the Corporation of the Town of Fort Frances, an accessible transportation vehicle shall meet the standards for a person with disabilities passenger vehicle as established by the Highway Traffic Act of Ontario R.S.O. 1990 and regulations thereto.
- (b) An accessible transportation vehicle may be utilized as a regular taxicab if operated under a taxicab owner license. In such cases, the accessible transportation vehicle must be equipped in the same manner as a taxicab in addition to the requirements set out in (a).
- (c) Where an accessible transportation vehicle is used, the charges set out in the agreement will apply.

PART 4 – TAXICAB DRIVER LICENSE

4.1 **LICENSE**

- (a) No person shall drive or operate a taxicab in the Town of Fort Frances without a taxicab driver license duly issued by the By-Law Enforcement Officers.
- (b) Request for a driver license shall be made with the By-Law Enforcement Officers on the application form in Schedule “E” to this by-law.
- (c) Payment of the fees set out in Schedule “A” of the Schedule of Fees By-Law shall be paid in advance and upon filing the application with the By-Law Enforcement Officers.

- (d) A taxicab owner attesting his/her intention to hire the applicant as a driver of his taxicab shall endorse an application for a taxicab driver license in writing to the By-Law Enforcement Officers.
- (e) No person shall be granted except upon application therefore by a person who is at least nineteen (19) years of age and of good character and who possess knowledge of the geography of the Town and is able to charge accurately the prescribed tariff.
- (f) The applicant must not have been found guilty of an indictable offence under the Criminal Code of Canada, or an offence under the Narcotic Control Act or the Food and Drug Act within the preceding three (3) years.
- (g) The applicant must not have been found guilty of an offence under the Liquor License Act of Ontario R.S.O. 1990, pertaining to the illegal sale or purchase of liquor within the preceding three (3) years.
- (h) The applicant must not have been found guilty of a criminal offence pertaining to the operation of a motor vehicle within the preceding three (3) years.
- (i) The applicant must not have been found guilty of any sexual offence under the Criminal Code of Canada.
- (j) Notwithstanding any of the offences listed in paragraphs (f), (g), (h) and (i) any other offences listed on the applicants police check will result in the applicants license to be referred to the Clerk and Council for their approval of the applicants license.
- (k) The applicant must at a minimum have a valid Ontario Class G Driver's License recognized by the Ministry of Transportation of Ontario, have at least two (2) years experience operating a motor vehicle and be in possession of at least five (5) demerit points at the time of application and at any other time while licensed as a taxicab driver. Failure to comply with this condition shall result in revocation of the license.

4.2 **DRIVER RESPONSIBILITIES**

4.2.1 Every driver shall:

- (a) post the Photo ID Card as required in a visible location or wear or display such Photo ID Card as the Town may require;
- (b) punctually keep all his/her appointments and engagements;
- (c) when called to a house or other place for attending to passenger(s), notify the person calling of his readiness to receive them and if necessary, by going to the door of the house or other place and informing an adult person of his/her presence;
- (d) not neglect to fulfill his/her appointments or engagements, except for reasons beyond his/her control;
- (e) be neatly attired, clean and presentable and shall not be permitted to wear shorts, jogging pants, tank tops, muscle shirts, halter tops, sandals or any other inappropriate clothing deemed unacceptable by the By-Law Enforcement Officers.
- (f) be civil, well behaved and act in a professional manner with all citizens of the Town of Fort Frances.

- (g) while on duty at any public taxicab stand, sit or stand sufficiently close to his/her taxicab as to have it constantly under close supervision and to be available to respond to a call or request for service;
- (h) not stand in groups of three or more, or in any way obstruct the use of any roadway, sidewalk, boulevard, or make any loud noise or disturbance.
- (i) when receiving or delivering passenger(s), give such reasonable assistance in opening the door of any cab, as the circumstances may require, and shall deposit all luggage as directed, providing that such request or direction is reasonable.
- (j) give full information to a By-Law Enforcement Officer or Police Officer upon being required to do so, with reference to the address of the house or place to or from which he/she has driven any passenger(s) with his/her description, name and address if known.

4.2.1 While on duty and when a licensed vehicle is being used as a taxicab, no driver shall carry any passenger(s) other than (a) paying passenger(s).

4.2.2 A taxicab driver shall not carry any passenger who is under the influence of liquor or any narcotic drug while transporting a passenger(s) that are not of the same party.

4.3 **DRIVER IDENTIFICATION**

- (a) Every taxicab owner and driver, when operating a taxicab, shall have displayed in the vehicle a Photo ID Card and License Wallet Card supplied by the Town.
- (b) The ID Card will contain the name of the driver along with photograph, card number and expiration date.
- (c) The card will be displayed in a conspicuous place in the taxicab in a location that is in direct view of (a) passenger(s).
- (d) The driver shall not display any ID Card but his/her own.
- (e) Every driver of a taxicab shall retain his/her taxicab driver license wallet card in his/her possession at all times while operating the same, and upon request shall surrender his/her taxicab driver license wallet card and Photo ID Card to any By-Law Enforcement Officer or Police Officer.

4.4 **PASSENGER SEATING CAPACITY**

- (a) No person shall carry in any vehicle used for hire a greater number of occupants or persons than the manufacturers rating of seating capacity of such vehicle inclusive of the driver.
- (b) No owner or driver shall carry in any vehicle used for hire, a greater number of occupants or persons that there are seat belts to accommodate them.

4.5 **PASSENGER PROPERTY**

- (a) Every owner or driver employed shall take due care of all property delivered or entrusted to and accepted by him/her for conveyance or safekeeping.
- (b) Every driver of a taxicab immediately upon termination of any hiring or engagement shall visibly search his/her taxicab for any property lost or left therein.
- (c) All property, or money left in a taxicab shall be forthwith delivered to the person owning the same, or if the owner cannot be found, than the driver shall inform, as

soon as possible the By-Law Enforcement Officers of the property or money in his/her possession and the property or money shall be immediately rendered to the taxicab owner for safekeeping. The owner shall keep the property or money for not more than ten (10) days, which will thence be delivered to the By-Law Enforcement Officers.

- (d) No owner or driver shall knowingly frequent any disorderly house as defined by the Criminal Code; or frequent any place where liquor is illegally kept for sale; or permit his/her taxicab to be used by persons desirous of visiting such places.

4.6 DRIVER CONDUCT

- 4.6.1 No owner or driver shall induce any person to engage him/her either knowingly, wantonly, or willfully misinforming, misleading or deceiving such person as to:

- (a) the time or place of the arrival or departure of any railroad train, bus, aircraft or other public conveyance; or
- (b) the location of distance from any part of the Town of any bus station, airport, hotel, public business or private residence;
- (c) nor shall he/she, in anyway, manner or form, impose or deceive or in any way insult, abuse or ill treat any person engaging him/her.

4.7 RESTRICTED USE OF TOWN PROPERTY

- 4.7.1 No owner or driver shall permit a taxicab to remain standing on a highway in the Town of Fort Frances unless for the immediate purpose of:

- (a) taking on a passenger(s) who has already engaged the taxicab;
- (b) discharging a passenger(s) from the taxicab;
- (c) waiting for a passenger(s) for whom the taxicab is already engaged and who has instructed the continuance of the engagement;

- 4.7.2 A taxicab owner shall be responsible for private on-site parking and shall not use a roadway allowance or other Town property for parking of taxicabs.

- 4.7.3 No person shall park a taxicab or place a taxicab in a waiting position on property owned by the Corporation within 30 meters of a taxicab stand.

- 4.7.4 No person shall park a taxicab or place a taxicab in waiting position on property owned by the Corporation for the purpose of soliciting a ride or fare.

PART 5 – TAXI STAND LICENSE

5.1

- (a) No person shall operate a taxi stand without a Taxi Stand License approved by the By-Law Enforcement Officers and the Clerk. A Request for a taxi stand license shall be made with the By-Law Enforcement Officers on the application for in Schedule “G” to this by-law.
- (b) A taxicab owner and driver must be associated with a taxi stand operator and shall refer to the taxi stand whenever in active duty.
- (c) Taxi stands shall be located conveniently in designated zones where permitted by The Town of Fort Frances Zoning By-Law and shall comply with applicable zoning regulations as verified by the Municipal Planner for the establishment of a proposed taxi stand. A site plan may be required to be submitted as a part of this process.

- (d) A taxi stand shall be equipped with a commercial telephone for the purpose of receiving customer calls and with a radio communication system to ensure two-way communication with taxicab drivers at all times.
- (e) A taxi stand shall consist of suitable building space accessible from a municipal street by clients and taxicab owners and drivers.
- (f) A taxi stand shall have a sufficient number of on-site parking spaces to accommodate the number of licensed taxicabs associated thereto.
- (g) Every taxi stand operator shall keep a record of the date, time, origin and destination of each trip, the name of the driver of each cab and the license number of the cab and shall retain said records with the taxi owner for at least twelve (12) months at the place of the business. The taxi stand operator shall give full information to any By-Law Enforcement Officer or Police Officer upon being requested to do so, with reference to the address of the house or the place to or from which he/she has driven any passenger(s), and he/she shall provide the By-Law Enforcement Officers or Police Officers with a description of the passenger(s), name, address, if known, or he/she shall provide any other information that they may have in regards to such passenger(s).
- (h) The holder of an owner's license shall not change the place of his taxi stand without prior notice to the By-Law Enforcement Officers and payment of the fee as prescribed in Schedule "A" of the Schedule of Fees By-Law prior to the taxi stand license being issued.
- (i) Any public waiting area in a taxicab stand shall be maintained in a clean and tidy condition.
- (j) No person, while on any taxicab stand, shall in anyway obstruct the use of the sidewalk or boulevard, or make any loud noises or disturbances, or use profane, obscene, impudent or abusive language, or molest, annoy, or insult the owner, occupants, inmates, or inhabitants of any building or residence or any person whatsoever and shall not while on any such taxicab stand or at any bus station, airport or other public place, place his/her taxicab so as to obstruct traffic in anyway.
- (k) During periods of the day with limited business activity, the operation of a taxi stand on duty personnel may be suspended temporarily, provided the public is able to communicate at all times with the taxi cab driver in at least one (1) on-duty vehicle at the same telephone business number published for the taxi operation. Notwithstanding the temporary suspension of the taxi stand, a taxi cab driver shall continue to have access to a licensed taxi stand.

PART 6 – INSURANCE REQUIREMENTS

6.1 POLICY OF INSURANCE TO INCLUDE NOTICE OF CANCELLATION

Every owner, in respect to each taxicab belonging to him/her, shall procure a policy of insurance endorsed to the effect that the Town will be given at least ten (30) days notice by the insurer or his agent, in writing, of any cancellation, expiry or change in the amount of the policy, and deposit a copy or certificate thereof with the Town.

6.2 MINIMUM INSURANCE COVERAGE \$1,000,000

The said policy of insurance shall insure the owner and driver of such taxicab against loss or damage resulting from bodily injury or death to passenger(s), the owner and the driver as well others and against damages to property, to an aggregate maximum limit of not less than one million dollars (\$1,000,000) for all claims in any one accident, exclusive of interests and costs.

6.3 LICENSE SUSPENSION OR CANCELLATION IF POLICY NOT IN FORCE

A copy of every such policy of insurance or certificate thereof shall be deposited with the By-Law Enforcement Officers before the owner commences operation of the insured vehicle as a taxicab. The insurance policy shall be kept in force by such owner during the period for which the license is issued to him/her and during any renewal periods and in the event the policy of insurance lapses and becomes null and void for any reason, the By-Law Enforcement Officers or Clerk, upon written notice to the taxicab license owner, may suspend or cancel such license without forewarning.

PART 7 – GENERAL

7.1 REVOCATION OF LICENSE

- (a) Licenses may be refused or revoked by the Council in its discretion subject to the Statutory Powers Procedure Act R.S.O. 1990.
- (b) In the event of any license being revoked, the previous holder thereof shall not be entitled to a new license unless the Council approved the granting of such new license.
- (c) The By-Law Enforcement Officers, Clerk and Council may suspend at its sole discretion any license until the next meeting of the Council where any apparent contravention of the Criminal Code, Narcotic Control Act or the Food and Drug Act, or loss of ten (10) or more demerit points under the Highway Traffic Act, R.S.O. 1990 or any breach of the Liquor License Act, R.S.O. 1990 or any section of this by-law, provided that the person whose license is suspended is entitled to appeal the suspension at the next meeting of the Council pursuant to the Statutory Powers Procedure Act, R.S.O. 1990.

7.2 TRANSFER OF LICENSE

- (a) No taxicab owner license or taxi stand license issued under this by-law shall be transferred from one person to another without the prior written approval of the By-Law Enforcement Officers, Clerk and Council, which approval may be withheld at its discretion. If approved, the transferee shall fulfill the requirements of this by-law and pay to the Corporation the fee set out in Schedule “A” of the Schedule of Fees By-Law before a new license is issued.
- (b) Subject to paragraph (c) and (d), no taxicab owner license issued under this by-law may be transferred from one person to another unless the number of taxicab owner licenses currently in effect in the Town of Fort Frances is less than or equal to the total number of owner licenses authorized as per this by-law or unless otherwise adjusted by the resolution of Council.
- (c) Notwithstanding paragraph (b), in the event of the death of a taxicab owner, the estate of the deceased may apply to the Council to transfer the license(s) of the deceased to one of the following:
 - (i) the estate of the deceased, or
 - (ii) one or more immediate family members of the deceased, who are either a spouse of the deceased or children of the deceased, provided under authorization, or
 - (iii) a private corporation whose sole shareholder(s) are members of the immediate family of the deceased, as defined in subparagraph (ii).

7.3 EXPIRY OF LICENSE

Every license, unless sooner revoked, shall expire on the 31st day of December of every year.

7.4 APPEAL

Any act done under authority of the By-Law Enforcement Officers under any provisions of this by-law shall be subject to appeal to the Clerk and/or Council by any person feeling aggrieved. Any appeal shall be submitted in writing and duly signed.

7.5 CHANGE OF ADDRESS

- (a) Every person licensed under this by-law shall, upon changing his/her residential and business address notify the By-Law Enforcement Officers or Clerk in writing, within two (2) days of such change of address.
- (b) Every taxicab owner shall supply the By-Law Enforcement Officers at any time upon request, the names and addresses and license numbers of taxicab drivers currently in his/her employment on forms to be supplied by the By-Law Enforcement Officers.

7.6 NOTICE OF NON-COMPLIANCE

- (a) A copy of any deficiency notice issued to an owner or driver may be sent by registered mail or personal service.
- (b) No taxicab owner shall permit and no owner shall be authorized to operate a taxicab in respect of which a notice of non-compliance has been issued and remains in effect.

7.7 PENALTY

Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay a penalty of not more than five thousand dollars (\$5,000), exclusive of costs and every such fine is recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P33 as amended.

7.8 SEVERABILITY

If a court of competent jurisdiction declares any section or any part of this by-law to be invalid, or to be of no force or effect, it is the intention of the Town that every other provision of this by-law be applied and enforced in accordance with its terms to the extent possible according to law.

7.9 CONFLICT

- (a) This by-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the Town or by any government authority having jurisdiction to make such restrictions or regulations.
- (b) If a provision of this by-law conflicts with the provision of any applicable by-law or regulation, the provision that establishes the higher or more restrictive standard to protect the health, safety and welfare of the general public shall prevail.

8 REPEAL

All taxi licensing sections in the Business Licensing By-Law #57/05 are hereby repealed.

9 **SHORT TITLE**

This by-law may be referred to as the Taxi By-Law.

EFFECTIVE DATE

READ THREE (3) TIMES and finally passed in open Council this _____ day of _____, 2014.

Mayor

Clerk

SCHEDULE A

LIMOUSINE TARIFF RATES

- 1. Group Transportation – Reservations Only**
- **\$43.00 Per Hour**
- 2. Stretch Limousine – Group Transportation – Reservations Only.**
- **Maximum Per Hour \$71.00**

The foregoing rates are inclusive of the Harmonized Sales Tax (HST).

THE DRIVER/OWNER OF EVERY LIMOUSINE SHALL PLACE THIS TARIFF CARD IN A POSITION CLEARLY VISIBLE TO THE LIMOUSINE PASSENGER(S).

ALL LIMOUSINES SHALL AT ALL TIMES OPENLY DISPLAY IN A MANNER VISIBLE TO ALL PASSENGER(S)

- 1. The name of the Limousine Owner.**
- 2. Driver shall have Photo ID Card displayed.**

The Corporation of the Town of Fort Frances 274-5323



Taxi Meter Rates

1. Four Dollars and Twenty Cents (\$4.20) for the first .25 kilometers or part thereof;
2. Ten (.10) Cents for each .043 kilometers or part thereof thereafter;
3. For waiting time, the charge shall be at the rate of Forty Dollars per hour.
4. For any deliveries, the charge will be the meter rate with a minimum of Three Dollars and Fifty Cents (\$3.50) for each delivery.

The foregoing rates are inclusive of the Harmonized Sales Tax (HST).

THE DRIVER/OWNER OF EVERY TAXI SHALL PLACE THIS TARIFF CARD IN A POSITION CLEARLY VISIBLE TO THE TAXI PASSENGER(S).

ALL TAXI-CABS SHALL AT ALL TIMES OPENLY DISPLAY IN A MANNER VISIBLE TO ALL PASSENGERS:

1. The name of the Taxi Owner.
 2. Driver shall have Photo ID Card Displayed.
-





SCHEDULE B

Application for Taxi Owner License
Town of Fort Frances
320 Portage Avenue
Fort Frances, ON P9A 3P9
Phone: (807) 274-5323 Fax: (807) 274-8479

Applicant: _____

Owner/Manager: _____

Name(s) of all Owners: _____

Business Address: _____

Insurance Company: _____

Policy No. _____ Expiry Date: _____

I, _____, hereby agree to abide by all by-laws and regulations of the Town of Fort Frances and any statutory laws of the Province and/or Federal Governments governing the issue of licenses and the conduct of the business for which a license is applied for herein. I further acknowledge that the said Corporation of the Town of Fort Frances or any of its officers or officials cannot be held responsible in any way whatsoever for any investment made or expense incurred with any license or application for the same.

I, _____, certify that all of my statements are herein true and correct and I understand that any false statement made by me may be cause for my license to be revoked.

Signature, Owner/Manager

Date

To the Municipal Clerk of the Town of Fort Frances. I have investigated the above, and recommend approval.

FOR OFFICE USE ONLY					
By-Law Enforcement Officer Clerk	Approved	Not Approved	Signature	Referred to Council by:	Date
				Council Approval:	

Fee \$ _____

Receipt: _____

Date Paid: _____

(Vehicle Information Sheet Attached)

SCHEDULE C



Taxicab Owner’s Insurance Waiver Form
Town of Fort Frances
320 Portage Avenue
Fort Frances, ON P9A 3P9
Phone: (807) 274-5323 Fax: (807) 274-8479

Name of Owner:_____

Address:_____

Telephone:_____

ResidenceBusiness

Date of Application for Owner License:_____

Name of Insurer:_____

Address:_____

Telephone:_____

Name of Broker:_____

Address:_____

Telephone:_____

Insurance Policy Number:_____

Waiver

I _____, applicant for a Taxicab owner’s license do hereby authorize my broker and/or insurance company to reveal to the Corporation of the Town of Fort Frances, upon their request, at any time, the status of insurance for all vehicles I own and that are used as Taxicab in the Town and that are licensed by the Town of Fort Frances Taxi Licensing By-Law #, in order to determine if all provisions of said By-Law are adhered to for said insured vehicles.

Applicant

Date

SCHEDULE D



Request for License Transfer to New Vehicle

Town of Fort Frances

320 Portage Avenue

Fort Frances, ON P9A 3P9

Phone: (807) 274-5323

Fax: (807) 274-8479

I _____ registered owner of Taxicab Unit # _____ do hereby apply
for the transfer of my Taxicab Vehicle License from:

Unit#:

Year: _____

Make: _____

Model: _____

Colour:

Odometer Reading: _____

Serial Number: _____

License Plate: _____

Plate Sticker: _____

To Vehicle:

Unit#:

Year: _____

Make:_____

Model:

Colour: _____

Odometer Reading: _____

Serial Number:

License Plate: _____

Plate Sticker: _____

MTO Vehicle Inspection Report: ATTACHED

Signature of Owner

Date

I _____, By-Law Enforcement Officer, do hereby authorize the above requested transfer.

Signature of By-Law Enforcement Officer

Date

Signature of Municipal Clerk

Date _____



Town of Fort Frances

320 Portage Avenue

Fort Frances, ON P9A 3P9

Phone: (807) 274-5323 Fax: (807) 274-8479

Renewal: ☐ OR New License: ☐

Name: _____

Surname *Given Name(s)*

Address: _____

Street Address	Town	Postal Code
_____	_____	_____

Telephone: Home _____ Work _____

Weight:

Height:

Eye Colour:

Hair Colour:

Date of Birth: _____ Driver's License: _____

Taxicab Owner Certification

I, _____, owner of a taxicab license no. _____, do hereby attest that I intend to hire the applicant as a driver of my taxicab(s)

Signature - Taxicab Owner

Taxicab Driver Certification

The applicant acknowledges his/her being informed of the requirements, the conditions and the responsibilities for taxicab drivers as set out in the Town of Fort Frances Licensing By-law and in the event a licence is issued, the applicant agrees to abide by such requirements, conditions and responsibilities. The applicant further agrees to apply for a Personal Record Check with the Ontario Provincial Police and authorizes the Personal Record Check Report to be submitted to the Senior By-law Enforcement Officer or his designate to verify compliance with requirements of this By-law.

Signature - Applicant

For Office Use Only			
Town Of Fort Frances Record Checks	YES	NO	ATTACHED
A. Indictable offence within past 3 years			
1. Criminal Code of Canada			
2. Narcotic Control Act			
3. Food and Drug Act			
4. Liquor Licence Act of Ontario			
5. Criminal offence pertaining to operations of motor vehicle			
B. Sexual offence under the Criminal Code at any time.			
C. Deemed acceptable per Medical Certificate			
D. Minimum Ontario Class G Driver licence with minimum 2 years experience and minimum 5 demerit points			

By-Law Enforcement Officer

Date _____

Clerk

Date _____

Information collected on this application is made under the authority of the Town of Fort Frances Taxi Licensing By-law.

SCHEDULE F



FORTFRANCES

BOUNDLESS

Taxicab Fitness Report

Town of Fort Frances

320 Portage Avenue

Fort Frances, ON P9A 3P9

Phone: (807) 274-5323 Fax: (807) 274-8479

It is mandatory to register all vehicles to be licensed or renewed as taxi with the By-law Enforcement Department of the Town of Fort Frances Municipal Building. You are required to provide the following documents:

- a) Provincial Motor Vehicle Registration
- b) Taxi Cab Owner License
- c) Approved MTO Vehicle Inspection Report
- d) Certificate Of Insurance

Taxicab Owner Information

Name and Address of Taxicab Owner	
Taxicab Business Name	
Licensed Owner Address	
Telephone No.	
Broker Name and Plate No.	
Taxi Drivers Name and License No.	

Vehicle Information

Make / Year		Insurance Co.	
Ontario Plate		Insurance Broker	
V.I.N.		Policy No.	
		Expiry Date	

List Mechanical Defects

Exterior Inspection: Body Condition and Required Equipment

<input type="checkbox"/> Fenders	<input type="checkbox"/> Unit Numbers
<input type="checkbox"/> Doors	<input type="checkbox"/> Tire Condition
<input type="checkbox"/> Trunk Lid	<input type="checkbox"/> Exhaust
<input type="checkbox"/> Hood	<input type="checkbox"/> Lights
<input type="checkbox"/> Bumpers	<input type="checkbox"/> Roof Light Working With Meter
<input type="checkbox"/> Grill	<input type="checkbox"/> Taxicab Plate / Plate Sticker
<input type="checkbox"/> Hub Caps	<input type="checkbox"/> Trunk: Clean Out
<input type="checkbox"/> Door Handles	<input type="checkbox"/> Car Wash
<input type="checkbox"/> Exterior Moulding	<input type="checkbox"/> Other Exterior (If Applicable - See Attached Sheet)

Interior Inspection

<input type="checkbox"/> Front Seat	<input type="checkbox"/> Tariff Card
<input type="checkbox"/> Rear Seat	<input type="checkbox"/> Floor Mats
<input type="checkbox"/> Arm Rests	<input type="checkbox"/> Shampoo Interior
<input type="checkbox"/> Door Panels	<input type="checkbox"/> Other Interior (If Applicable - See Attached Sheet)
<input type="checkbox"/> Headliner	

Meter Inspection

Fast		m	Time:		
Slow		m	Sealed:		
<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	License Inspector			

Physical Inspection:

<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	<input type="checkbox"/> Rejected Vehicle
This vehicle has been rejected and must be returned by the date specified below to the Town of Fort Frances By-law Department at 320 Portage Avenue.		
Date: _____		By-Law Enforcement Officer



SCHEDULE G

Application for Taxi Stand License
Town of Fort Frances
320 Portage Avenue
Fort Frances, ON P9A 3P9
Phone: (807) 274-5323 Fax: (807) 274-8479

Applicant: _____

Address: _____

Telephone: _____

Location of Proposed Taxi Stand: _____

Name(s) / Address(es) of all partners (if any) of the applicant:

1. _____
2. _____

Name(s) / Address(ees) of all vehicle owners/lessees for whom the applicant will act as a broker:

1. _____
2. _____
3. _____
4. _____

Insurance Company and Policy No. _____

I, _____, hereby apply for a taxi stand license and agree to abide by all applicable terms and conditions of the Town of Fort Frances By-law No.

Applicant's Signature _____

Date _____

We, the undersigned, have reviewed and investigated the above application and recommend approval.

FOR OFFICE USE ONLY					
By-Law Enforcement Officer Municipal Planner Clerk	Approved	Not Approved	Signature	Referred to Council by:	Date
				Council Approval:	

Fee \$ _____ Receipt: _____ Date Paid: _____

(Certificate of Insurance to Accompany Application)



SCHEDULE H

Taxicab Vehicle Information Sheet

Town of Fort Frances

320 Portage Avenue

Fort Frances, ON P9A 3P9

Phone: (807) 274-5323 Fax: (807) 274-8479

[illegible]



SCHEDULE I

FORTFRANCES
BOUNDLESS

Taxicab Driver Information Sheet

Town of Fort Frances

320 Portage Avenue

Fort Frances, ON P9A 3P9

Phone: (807) 274-5323 Fax: (807) 274-8479

[illegible]

TOWN OF FORT FRANCES

BY-LAW NO. 21/14

(Being a by-law for the regulation of traffic on the highways and regulating the use of highways by pedestrians or vehicles within the Municipality. The *Municipal Act, 2001*, S.O. 2001, c. 25 and the *Highway Traffic Act*, R.S.O. 1990, c.H.8.)

WHEREAS the Corporation of the Town of Fort Frances is authorized to regulate traffic on the highways and to regulate the use of highways by pedestrians or vehicles within the Municipality,

NOW THEREFORE the Municipal Council of the Corporation of the Town of Fort Frances **HEREBY ENACTS** as following:

1. **SECTION ONE – REPEALING PREVIOUS BY-LAWS**

- 1.1 That By-Law No. 10/03 as amended is repealed upon this by-law coming into effect.

2. **SECTION TWO - DEFINITIONS**

- 2.1 In this by-law:

- 2.1.1. “Boulevard” – means that portion of a street or highway that has been leveled or planted with grass or otherwise improved to indicate that it is not to be used for vehicular traffic and which is not designed nor intended for, or used by, the general public for the passage or parking of vehicles and which lies outside the lateral lines of a roadway as defined herein: where curbs are installed, such curbs shall be the lateral lines of the street or highway.
- 2.1.2. “By-Law Enforcement Officer” – means a by-law enforcement officer appointed by Council for the Corporation of the Town of Fort Frances;
- 2.1.3. “Community Safety Zone” – means a highway or part of a highway that is identified by “Community Safety Zone” signs as prescribed in regulations under the *Highway Traffic Act*, and where public safety is of special concern and fines have been increased for certain traffic violations;
- 2.1.4. “Clerk”, “Town Clerk” – means Clerk of the Corporation of the Town of Fort Frances as appointed by Council;
- 2.1.5. “Corner” – means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic.
- 2.1.6. “Corporation”, “Fort Frances”, “Town”, “Town of Fort Frances” – means the Corporation of the Town of Fort Frances;
- 2.1.7. “Council” – means Council for the Corporation of the Town of Fort Frances;
- 2.1.8. “Crosswalk” – means that part of a highway at an intersection that is included within the connection 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 and/or lines or other markings on the surface.

TOWN OF FORT FRANCES**BY-LAW NO. 21/14**

- 2.1.9. “Curb” – shall include the edge of the traveled portion of a street;
- 2.1.10. “Driver” – means a person who drives a vehicle on a highway;
- 2.1.11. “Emergency Vehicle” – means:
- 1) a fire department vehicle while proceeding to a fire or responding to, but not returning from, a fire alarm or other emergency call,
 - 2) a vehicle while used by a person in the lawful performance of his duties as a Peace Officer,
 - 3) an ambulance while responding to an emergency call or being used to transport a patient or injured person in an emergency situation, or
 - 4) a cardiac arrest emergency vehicle operated by or under the authority of a hospital;
- 2.1.12. “Fire Route” – means any road, lane, driveway, alley, parking area, ramp or parcel of land, whether it is owned or occupied by the Town of Fort Frances, or any local board thereof or whether it is a private roadway, that has been designated as a fire route by placing or erection along both sides thereof of fire route signs;
- 2.1.13. “Fire Route Sign” – means a permanently installed legible sign, of minimum dimensions 25 cm. by 40 cm., erected at intervals of not more than 30.5 m. along the fire route and displaying at least the following information:
- 1) the words ‘fire route’; and
 - 2) the symbol for “no parking” consisting of the letter “P” within a circle crossed by a diagonal line;
- 2.1.14. “Gross Weight” – means the combined weight of a vehicle and load;
- 2.1.15. “Highway” – see “Street or Highway”
- 2.1.16. “Individual Parking Space” – means a portion of the surface of the street of sufficient length and width measured from the sidewalk or curb to accommodate a vehicle as may be designated by signs or markings;
- 2.1.17. “Intersection” - means the area embraced within the projection 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;
- 2.1.18. “Lane” – means the entire width of the roadway surface between the property lines at the rear or side of places of business or residential properties;
- 2.1.19. “Mayor” – means the mayor of the Corporation of the Town of Fort Frances;
- 2.1.20. “Metered Parking Ticket Dispensing Machine” – means a device which when an amount is deposited into it dispenses a ticket bearing an imprint of the time and date for which said ticket is valid for the purposes of parking a vehicle in a parking meter zone metered by a metered parking ticket dispensing machine;

TOWN OF FORT FRANCES**BY-LAW NO. 21/14**

- 2.1.21. “Municipal Parking Lot” – means a Lot or part of a Lot owned by the Town of Fort Frances and designated by this By-Law as an area for the purpose of off-street parking of vehicles;
- 2.1.22. “One-Way Street” – means a street upon which vehicular traffic is limited to movement in one direction;
- 2.1.23. “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;
- 2.1.24. “Parking Meter” – means a device which shall indicate thereon the length of time during which a vehicle may be parked in a particular place into which may be deposited an amount for a specified quantity of legal parking time and which shall also display a signal when the aforesaid interval of time shall have lapsed;
- 2.1.25. “Parking Meter Zone” – means a street or part of a street or a Municipal Parking Lot as an area where parking meters or a metered parking ticket dispensing machine shall be installed;
- 2.1.26. “Parking Permit” - means a permit, which when affixed to the interior surface of the lower right corner of the windshield of the vehicle, facing outward, will allow for such vehicle to be parked in any legal parking space metered or non-metered beyond the prescribed time limits, within the Town of Fort Frances;
- 2.1.27. “Pedestrian” – means a person on foot, in a wheelchair, baby carriage, or on a child’s play vehicle propelled by muscular power;
- 2.1.28. “Pedestrian Crossover” – means any portion of a roadway, designated by this by-law, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by signs on the highway and by lines or other markings on the surface of the roadway as prescribed by the regulations;
- 2.1.29. “Person” – shall include every person, firm, co-partnership, association or corporation;
- 2.1.30. “Peace Officer” – includes a Mayor, Police Officer, Constable, By-Law Enforcement Officer or any Officer or person employed or contracted for enforcing or carrying out the provisions of this by-law;
- 2.1.31. “Police Services” – means the Ontario Provincial Police or any policing agency that is under contract with the Corporation of the Town of Fort Frances to provide police services to the Town;
- 2.1.32. “Private Roadway” – means any private road, lane, ramp, or other means of vehicular access to or egress from a building or structure and may include part of a parking lot;
- 2.1.33. “Regulations” – means the Ontario Regulations as passed and revised from time to time by the Province of Ontario;
- 2.1.34. “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 roadways collectively;
- 2.1.35. “School Crosswalk” – means a crosswalk adjacent to school property;

TOWN OF FORT FRANCES**BY-LAW NO. 21/14**

- 2.1.36. “Sidewalk” – means that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians;
 - 2.1.37. “Sign, Signal, Markings” – shall include every sign, light signal or device not inconsistent with this by-law or the *Highway Traffic Act*, placed or erected by authority of this by-law, for the purpose of regulating warning or guiding traffic;
 - 2.1.38. “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;
 - 2.1.39. “Stop” - means a complete cessation of movement;
 - 2.1.40. “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 peace officer or of a traffic control sign or signal;
 - 2.1.41. “Traffic” – includes pedestrians, ridden or herded animals, vehicles and other conveyances either singularly or together while using any street for the purpose of travel;
 - 2.1.42. “Street” or “Highway” – means 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 and includes the area between the lateral property lines thereof;
 - 2.1.43. “Traffic Control Device” - means any sign, or marking on a roadway, curb or sidewalk; or other device erected or placed under the authority of this by-law for the purpose of guiding or directing traffic;
 - 2.1.44. “Traffic Signal” - means any device manually, electrically or mechanically operated for the regulation of traffic;
 - 2.1.45. “U-Turn” - means to turn a vehicle within a roadway so as to proceed in the opposite direction;
 - 2.1.46. “Vehicle” - means a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric or steam railways running only upon rails.
3. **SECTION THREE – OBEDIENCE TO SIGNS & ENFORCEMENT**
- 3.1 Every person shall promptly obey all signs given either by a peace officer or by the traffic control device or a traffic signal.
 - 3.2 The Police Service and the By-Law Enforcement Officer shall enforce the provisions of this By-Law.
4. **SECTION FOUR - PARKING**
- 4.1 Methods of Parking:
 - 4.1.1 Parallel – no person shall park a vehicle on any street other than a one-way street, unless on the right-hand side of the street, having regard to the direction in which the vehicle has been proceeding and unless the right-front and right-rear wheels or runners of the

TOWN OF FORT FRANCES

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vehicle are parallel to and not more than fifteen (15) centimeters from the edge of the roadway, provided that this provision shall not apply where angle parking is specifically authorized by by-law.

- 4.1.2 One-Way Streets – except where specifically provided otherwise in this By-Law, where parking is permitted on a one-way street, a person may park a vehicle facing only in the direction in which it was proceeding and with the left-front and left-rear wheels parallel to and not more than fifteen (15) centimeters from the edge of the roadway, provided that this provision shall not apply where parking on the right hand side of a one-way street is specifically authorized by by-law.
- 4.1.3 Angle-parking – when properly worded signs have been erected and are on display, no person shall park a vehicle on any street, part of a street, in a municipal parking lot or part of a municipal parking lot named in Part 1 or Part 2 of Schedule “A” attached hereto except at an angle of forty-five (45) degrees with reference to the edge of the roadway or municipal parking lot and:
- 1) vehicles parked in any street, part of a street, municipal parking lot or part of a municipal parking lot named in Part 1 of Schedule “A”, shall be parked such that the right front portion of the vehicle shall be nearest the edge of the road or municipal parking lot;
 - 2) vehicles parked in any street, part of a street, municipal parking lot or part of a municipal parking lot named in Part 2 of Schedule “A”, shall be parked such that the left front portion of the vehicle shall be nearest the edge of the road or municipal parking lot.
- 4.1.4 Parking of Large Truck and Trailers:
- 4.1.4.1 No vehicles, or combination of vehicles, having an overall length of 5.5 m. or more shall be angle parked.
- 4.1.4.2 When properly worded signs have been erected and are on display no person shall stop, stand or park a vehicle, or combination of vehicles, with an overall length of more than 6.75 m., in a Parking Meter Zone, or a Restricted Street Parking Zone (i.e. within separate marked spots only), at any time except for the purpose of loading or unloading such vehicle.
- 4.1.4.3 When properly worded signs have been erected and are on display, no person shall park a vehicle, or combination of vehicles, having an overall length of more than 6.75 m., on any street, at any time, for a period greater than one (1) hour.
- 4.1.4.4 No person shall park a trailer, as defined by the *Highway Traffic Act*, on any street or in a municipal parking lot at any time for any purpose unless it is securely attached to a vehicle capable of drawing it upon a highway.
- 4.1.4.5 No vehicle, or combination of vehicles, exceeding one-ton load capacity, or exceeding 6.75 m. in length, shall park on any street in any Residential Zone. Exception is permitted when parked temporarily for the purpose of active delivery, service or maintenance to the adjacent premises.
- 4.2 Parking Prohibited

TOWN OF FORT FRANCES**BY-LAW NO. 21/14**

- 4.2.1 Specified Places – No person shall park a vehicle including a bicycle but excepting an emergency vehicle, in any of the following places, or portions of same, including blocking any part of:
 - 4.2.1.1 On a sidewalk;
 - 4.2.1.1.1 Any bicycle found parked on a sidewalk is subject to the same seizure and penalty provision as set out in section 8.9.3 for contravention of Bicycle Parking Zones;
 - 4.2.1.2 In front of a public or private driveway;
 - 4.2.1.3 Within an intersection;
 - 4.2.1.4 Within 3 m. of a fire hydrant;
 - 4.2.1.5 On a crosswalk;
 - 4.2.1.6 Within 8 m. of the intersection of the street lines of the streets forming any intersection;
 - 4.2.1.7 On any bridge or overpass, or in any subway or the approaches thereto;
 - 4.2.1.8 On any street in such a manner as to obstruct traffic;
 - 4.2.1.9 In such a position as will prevent the convenient removal of any other vehicle previously parked or standing;
 - 4.2.1.10 In front of the entrance to a hotel;
 - 4.2.1.11 On any lane in such a manner as to obstruct traffic upon such lane or in such manner as to obstruct access to or egress from any property adjacent to such lane;
 - 4.2.1.12 In front of any entrance to a hospital;
 - 4.2.1.13 In front of the entrance to a theatre, auditorium, or other building while large assemblages are being held in such theatre, auditorium or other building;
 - 4.2.1.14 Except where specifically provided otherwise in this by-law, on any roadway for a period exceeding 24 hours;
 - 4.2.1.15 On any boulevard;
 - 4.2.1.16 On or within 6 m. of a Pedestrian Crossover;
 - 4.2.1.17 On any public boat launching ramp;
 - 4.2.1.17.1 Any vehicle and/or trailer parked or left unattended on a public boat launching ramp may, in addition to any penalty for contravention of this Traffic Control By-Law, be removed and/or impounded by the Town at its owner's expense.
- 4.2.2 In Specified Places where proper signs are displayed:
 - 4.2.2.1 When properly worded signs have been erected and are on display, no person shall park a vehicle in any of the places set out in Schedule "B" attached hereto;
 - 4.2.2.2 No person shall paint or otherwise mark any curb, street, or any portion thereof, in any manner so as to indicate or designate that any street or portion of street is a parking or no parking area,

TOWN OF FORT FRANCES

BY-LAW NO. 21/14

provided however that these provisions shall not apply to employees of the Town of Fort Frances carrying out the painting or otherwise necessary to indicate or designate parking or no parking areas as prescribed by this By-Law;

- 4.2.2.3 When properly worded signs have been erected and are on display, no person shall stop, stand or park a vehicle between the side limits of the land on which a fire hall is located, or within 8 m. on either side thereof on the opposite side of such street;
- 4.2.2.4 When properly worded signs have been erected and are on display, no person shall park a vehicle in any of the places set out in Schedule "C" (Handicapped Parking Only) attached to and forming part of this by-law, except those vehicles in which are displayed a disabled person parking permit as issued by the Ontario Ministry of Transportation or such equivalent permit issued by other governments.
- 4.2.2.5 When properly worded fire route signs have been erected and are on display, no person shall park a vehicle or leave a vehicle in a fire route as set out in Schedule "B-1" attached hereto.
- 4.3 Unlawful Parking
 - 4.3.1 No person shall stand or park a vehicle upon any street for the purpose of:
 - 4.3.1.1 Displaying it for sale;
 - 4.3.1.2 Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency;
 - 4.3.2 No person shall park any vehicle on a street for the express purpose of advertising, nor use a loud speaker on or from any vehicle on the street, except for charitable or community purposes, and when authorized by the Town of Fort Frances.
- 4.4 Parking Restrictions on Specified Streets;
 - 4.4.1 When properly worded signs have been erected and are on display, no person shall park a vehicle on any of the streets or part or sides of the streets set out in Column 1 of Schedule "D" attached hereto, during the period set out in column 5 of said Schedule "D". The parking restrictions on items 2, 3, 4, 5, 6, 7, 8, 9 and 10 shall be observed and in effect from January 1st to April 1st and November 1st to December 31st in each year;
 - 4.4.1.1 When properly worded signs have been erected and are on display, no person shall park a vehicle on any streets, parts of streets, side or sides of streets set out in Column 1 of said Schedule "D-1" for a period of time exceeding that set out in Column 5 of said Schedule "D-1".
 - 4.4.1.2 Any vehicle parked on a street or municipal parking lot listed in Schedule "E" attached hereto shall be parked within such painted lines or other markings that are in place to identify designated parking spaces. Lines shall be painted on the street or municipal parking lot; and/or marks shall be placed on the curb, about or alongside of each designated parking space. It shall be unlawful and an offence to park a vehicle in such a way that the vehicle shall not be within the area so designated by such lines or markings, including metered or non-metered parking spots.
That when properly worded signs have been erected and are on

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display no vehicle shall be parked in any such designated parking spaces on streets or parts of street identified on Schedule “E”, all items except items 15 and 21 for a period in excess of two (2) hours provided that such restriction shall not apply on Sundays or Public Holidays, including any holiday proclaimed as such by the Mayor of the Town of Fort Frances, nor shall the same apply between the hour of 6 o’clock in the evening and 9 o’clock in the forenoon of the next following day.

That when properly worded signs have been erected and are on display no vehicle shall be parked in any such designated parking spaces in municipal parking lots or part of municipal parking lots, street or part of streets identified on Schedule “E” item 21 for a period in excess of four (4) hours.

- 4.4.2 When properly worded signs have been erected and are on display no person shall park a vehicle in any School Bus Loading Zone set out in Schedule “F” attached hereto between the hours of 8:00 a.m. and 5:00 p.m. on any day when such school is in session.
- 4.5 Calendar Parking
 - 4.5.1 When properly worded signs have been erected and are on display, no person shall park a vehicle on the highways or portion of highways set out in Schedule “G” attached hereto, except as follows:
 - 4.5.1.1 On that side of the highway bearing even numbered street addresses on the even numbered days of the month;
 - 4.5.1.2 On that side of the highway bearing odd numbered street addresses on the odd numbered days of the month;
 - 4.5.2 For the purpose of this section a day shall be deemed to be a twenty-four (24) hour period commencing at nine (9) o’clock in the forenoon and after such time the day shall be deemed odd or even depending upon the calendar designation of such day or commencement of the said twenty-four (24) hour period;
 - 4.5.3 The Mayor shall have the authority, when an emergency arises, to temporarily suspend the operation of the said calendar parking provisions, and temporary signs indicating such suspension shall be erected on the affected streets and avenues.
 - 4.5.4 When properly worded signs have been erected, Calendar Parking provisions shall not apply as set out in Schedule “G-1”, (Calendar Parking – Modified) attached to and forming part of this By-Law.
- 4.6 Stopping Restrictions on Specified Streets:
 - 4.6.1 When properly worded signs have been erected and are on display, no person shall stop a vehicle on any part of the streets as set out in Schedule “I” attached to and forming part of this By-Law.
- 4.7 Non-Metered Municipal Parking Lots:
 - 4.7.1 When properly worded signs have been erected and are on display, no vehicle shall be left in municipal parking lots which are set out in Schedule “I” attached to and forming part of this By-Law, between the hours of 4:00 a.m. and 6:00 a.m. each day. Any vehicle found parked or left contrary to this prohibition may, in addition to the penalty for contravention of this Traffic Control By-Law, be removed and/or impounded at its owner’s expense.

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- 4.7.2 When properly worded signs have been erected and are on display the parking of single vehicles only is permitted in the municipal parking lot/part of municipal parking lot identified in Schedule “A”, Part 1, item 2
- 4.8 Civic Centre Parking Lots:
- No person shall park an unauthorized vehicle in the Civic Centre Parking Lots identified in Schedule “I-2” attached to and forming part of this by-law. Any vehicle found parked or left contrary to this section may, in addition to the penalty for contravention of this Traffic Control By-Law, be removed and/or impounded at its owner’s expense. For the purpose of this section, an unauthorized vehicle is a vehicle not on a list that is certified by the Town Clerk as vehicles authorized to park in Civic Centre Parking Lot A or Civic Centre Parking Lot B.
- 4.9 Private Parking Spaces (Rented):
- When properly worded signs have been erected and are on display, no person shall park an unauthorized vehicle in the parking spaces which are set out in Schedule “I-1” attached to and forming part of this By-Law. Any vehicle found parked or left contrary to this section may, in addition to the penalty for contravention of this Traffic Control By-Law, be removed and/or impounded at its owner’s expense.
- For the purpose of this section, an unauthorized vehicle is a vehicle not on a list that is certified by the Town Clerk as vehicles authorized to park in the parking spaces which are set out in Schedule “I-1”.
- The annual fee for each parking space set out in Schedule “I-1” shall be as set out in the current schedule of fees to the Town’s Fees By-Law, payable on or before January 1st of each year.
- 4.10 Parking by Parking Permit:
- 4.10.1 A parking permit may be issued to an applicant for commercial purposes only for the sole use of parking vehicles identified in the permit and the applications. Any other use of the parking permit constitutes misuse and may result in the invalidation of the permit, revoking of the permit without refund and the imposition of fines for contravention of the parking provisions that would apply in the absence of the permit.
- 4.10.2 No permit shall be in effect beyond December 31st in the year for which it is issued.
- 4.10.3 An application for a parking permit shall be in the form of Schedule “BB” attached to and forming part of this By-Law.
- 4.10.4 The fee for the issuance of a parking permit shall be as set out in the current schedule of fees to the Town’s Fees By-Law.
- 4.11 Parking Prohibition During Snow Plowing/Removal:
- 4.11.1 When properly worded temporary signs have been erected and are on display on any highway, advising of snow plowing or removal operations, no person shall park a vehicle on said highway in contravention of the signs so displayed.
- 4.12 Portage Avenue Municipal Parking Lot:

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- 4.12.1 The provisions of this section are in addition to other specific provisions in this By-Law which apply generally to regulate and control the use of and parking within the Portage Avenue Municipal Parking Lot.
 - 4.12.2 The designated parking spaces in the Portage Avenue Municipal Parking Lot are as set out in Schedule “U-1” attached to and forming part of this By-Law.
 - 4.12.3 Council may from time to time, by resolution, determine that one or more designated parking spaces, excluding those designated parking spaces included in Schedule “C” (Handicapped Parking Only), shall be classified as reserved parking spaces. Use of reserved parking spaces shall be restricted to those persons included on a list maintained by the By-Law Enforcement Officer or otherwise who have entered into an agreement with the Town for exclusive use of one or more of the reserved parking spaces.
 - 4.12.4 When properly worded signs are erected and are on display, no person other than those users identified in Subsection 4.12.3 shall park a vehicle in a designated parking space identified as a reserved parking space.
 - 4.12.5 Rates to be paid for rental of reserved parking spaces shall be as set out in the current schedule of fees attached to the Town’s Fees By-Law.
 - 4.12.6 Council may from time to time, by by-law, adopt and/or modify a form of agreement setting out the terms by which persons may rent reserved parking spaces for periods up to and including twelve months on approval authority of the Town Clerk.
 - 4.12.7 Council may from time to time approve, by by-law, separate agreements for the rental of reserved parking spaces with terms in excess of twelve months and at rental rates as set out in said agreements which may be different from those rates provided in 4.12.5 above.
5. SECTION FIVE-Operation of Vehicles
- 5.1 Rate of Speed:
 - 5.1.1 No person shall drive a motor vehicle on the highways or portions of highways designated in Column 1, 2 and 3 of Schedule “J” attached hereto at a greater rate of speed than is prescribed in Column 4 of said Schedule “J”;
 - 5.1.2 No person shall drive a motor vehicle on the highways or portion of highways in the Town of Fort Frances at a greater speed than 50 km. per hour, except as may be otherwise provided for within this By-Law.
 - 5.2 Turns:
 - 5.2.1 Every driver of a vehicle before starting, stopping, turning or changing its course shall take the necessary precautions to make such movement in safety without interfering with other traffic;
 - 5.2.2 No driver of a vehicle shall make a U-Turn upon any street unless it can be made in safety and without interfering with other traffic;
 - 5.2.3 When a properly worded sign to that effect is displayed, no vehicle in any intersection or portion of road set out in Column 1 of Schedule “K” attached hereto, proceeding in the direction or

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emerging from a property set out in Column 2 of the said Schedule “K” shall be turned in the direction set out in Column 3 of the said Schedule “K” during the times or days set out in Column 4 of the said Schedule “K”;

5.2.4 When a properly worded sign to that effect is displayed, no vehicle shall be permitted to turn right when a red signal-light is shown by a signal-light traffic control system at an intersection as set out in Schedule “L” attached to and forming part of this By-Law;

5.2.5 When a properly worded sign to that effect is displayed, no vehicle shall turn or proceed other than in the direction indicated as set out in Schedule “K” or Schedule “M” (Turns) attached to and forming part of this By-Law;

5.3 Driving on Sidewalk, Curb or Boulevard:

5.3.1 No person shall drive a vehicle within any sidewalk area, or on a curb or boulevard except at a permanent or temporary driveway installed in conformance with Town policy. No person shall drive a bicycle within any sidewalk area or on a curb.

5.4 Obstructing Traffic:

5.4.1 No person shall drive any vehicle upon or along any highways so as to obstruct traffic.

5.5 Entering Highway:

5.5.1 The driver of a vehicle emerging from a driveway, lane, lot or building shall stop the vehicle immediately prior to driving onto the sidewalk and shall not enter the roadway until it can be done safely.

5.6 Yield Signs:

5.6.1 The erection of yield right-of-way signs at the intersections set out in Schedule “N” attached hereto is hereby provided for.

5.7 Passing on Right:

5.7.1 The streets or highways described in Schedule “Y” shall be marked in the centre portion with a broken or solid yellow line or combination thereof, and on each side of the said centre line with a solid white line so as to provide for one lane of vehicular traffic in each direction adjacent to the said centre line of the street or highway and provide for a parking or a non-traveled lane, as the case may be, adjacent to the curb or edge of the street or highway;

5.7.2 Where properly worded signs have been erected and are on display, no person shall overtake and pass another vehicle proceeding in the same direction on the right of the vehicle being overtaken except where such vehicle being overtaken is or is in the process of making a left hand turn from the street or highway, where the making of such a left turn impedes the movement of vehicular traffic upon the traveled portion of the street or highway;

5.8 Keep to Right:

5.8.1 Where properly worded signs have been erected and are on display, vehicles shall keep to the right side of the roadways set out in Schedule “O” attached hereto.

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- 5.9 No Entry:
 - 5.9.1 Where properly worded signs have been erected and are on display, vehicles shall not enter roadways as set out in Schedule “P” attached hereto.
- 5.10 Funeral and Other Processions:
 - 5.10.1 No person shall intersect a funeral or other properly authorized procession while it is in motion except under the direction of a peace officer;
 - 5.10.2 The driver of a vehicle in a funeral or other procession shall drive as near to the right-hand edge of the roadway as is practicable and follow the vehicle ahead as closely as it is practicable and safe.
- 5.11 Roller Skate, Etc.:
 - 5.11.1. No person upon roller skates or a skateboard or riding in or by means of a coaster, toy vehicle or similar device, shall go upon the roadway except while crossing a street on a crosswalk.
- 5.12. Entering or Exiting Vehicles:
 - 5.12.1. No person shall enter or exit any vehicle while such vehicle is in motion.
- 5.13. Pedestrians:
 - 5.13.1 Pedestrians shall keep to the right while walking on the sidewalks. Where sidewalks do not exist, pedestrians shall walk on the left side of a street facing oncoming traffic;
 - 5.13.2. Pedestrians shall not step from the sidewalk in crossing a street without looking in both directions and shall cross only on crosswalks or pedestrian crossovers;
 - 5.13.3. Pedestrians shall observe the movement of traffic at street intersections and govern themselves accordingly;
 - 5.13.4. Pedestrians shall observe the signal of a peace officer in charge of directing traffic;
- 5.14. Control of Horses, and Other Animals, etc.:
 - 5.14.1. The rider, driver or person in charge of horses, cattle, sheep, pigs, or other animals, shall at all times observe the rules of the road as contained in this By-Law and the *Highway Traffic Act*.
 - 5.14.2. No person shall drive a herd or drove of animals through or upon any paved street nor through or upon any street whereon a boulevard is constructed unless the animals are led by halter, rope or otherwise by persons having full power and control over same; or unless a sufficient number of persons be in charge of the animals to prevent them from going on the boulevards or injuring the grass or trees.
- 5.15. One-Way Traffic:
 - 5.15.1. Where properly worded signs have been erected and are on display, vehicles shall not drive in the direction prohibited on

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designated one-way roadways, as set out in Schedule “Q”: attached hereto.

- 5.16. Signal-Light Traffic Control System:
 - 5.16.1. No person shall proceed contrary to the signals of a signal-light traffic control system as set out in the *Highway Traffic Act*;
 - 5.16.2. The provision of signal-light traffic control systems at the locations set out Schedule “R” attached hereto is hereby provided for.
- 5.17. No exit:
 - 5.17.1. Where properly worded signs have been erected and are on display, vehicles shall not exit from properties onto the roadways as set out in Schedule “R-1” attached hereto.
 - 5.17.2. The erection of Special Stop Signs at the intersections set out in Schedule “T” attached hereto is hereby provided for.
6. SECTION SIX – Through Highways
 - 6.1. The streets and parts of streets set out in Schedule “S” attached hereto are designated as “Through Highways” within the meaning assigned by the *Highway Traffic Act*.
7. SECTION SEVEN – Community Safety Zones
 - 7.1 The streets and parts of streets set out in Schedule “CC” attached hereto are designated as “Community Safety Zones” as defined in this by-law.
8. SECTION EIGHT – Parking Meters, Metered Parking Ticket Dispensing Machines, and Parking Meter Zones
 - 8.1. The streets, or portions of streets or Municipal Parking Lots, listed in Schedule “U” attached hereto are established as Parking Meter Zones.
 - 8.2. Parking Time in Metered Zones – Legal parking time in the areas established as Parking Meter Zones shall be as follows:
 - 8.2.1. Legal parking shall be allowed for the deposit of each Canadian coin, or its United States counterpart, and the legal parking time shall be for the period of time as is designated on each meter or, in the case of a metered parking ticket dispensing machine, as is indicated on the dispensed parking ticket.
 - 8.2.1.1. Parking Meters - the amount to be paid for varying quantities of legal parking time shall be as set out in the current schedule of fees attached to the Town’s Fees By-Law;
 - 8.2.1.2. Metered Parking Ticket Dispensing Machine – the amount to be paid for varying quantities of legal parking time shall be as set out in the current schedule of fees attached to the Town’s Fees By-Law.
 - 8.3. Method of Operation:
 - 8.3.1 Parking Meters shall be placed upon the curb alongside of or next to individual parking places to be designated as hereinafter provided.

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- 8.3.1.1 Each said parking meter shall be so set as to display a signal showing legal parking upon the deposit therein of an amount provided in the Town's Fees By-Law.

When any vehicle shall be parked in any space alongside of or next to which there is located under this by-law a parking meter, the operator of such vehicle shall, upon entering the said parking space immediately deposit an amount in the parking meter alongside of or next to said parking space to obtain a quantity of legal parking time. Once the legal parking time has expired, the parking meter shall display a sign showing illegal parking. No person shall leave a vehicle parked in a metered parking space if the meter displays illegal parking.

- 8.3.2 A metered parking ticket dispensing machine shall be located on each municipal parking lot that has parking spaces metered by said metering devices. Each metered parking ticket dispensing machine shall be programmed such that upon the deposit therein of an amount as provided in the current schedule of fees attached to the Town's Fees By-Law, a parking ticket shall be dispensed which shall indicate thereon the date and time of entry and the departure time being the end of the period of time for which the ticket is valid. The ticket as dispensed from the machine provides for legal parking for a specified time commencing from the time the ticket is purchased or 8:00 a.m. of the next operating period if the ticket is purchased outside the operating period of 8:00 a.m. to 6:00 p.m. provided all the requirements of this section are satisfied. Upon occupying a parking space metered by a metered parking ticket dispensing machine, the operator of such vehicle shall immediately proceed to the respective metered parking ticket dispensing machine and deposit the coin(s) necessary to purchase the desired legal parking time. The ticket, as dispensed by the machine, is perforated. The larger portion with the bold print shall be displayed on the top of the dash and be visible for inspection through the windshield of the vehicle, the parking of which the ticket validates. The operator of a vehicle being parked in a parking space in said municipal parking lot covered by this section may elect to not purchase legal parking time from the metered parking ticket dispensing machine as required above and, if such election is made, then his/her vehicle shall, from the time it was parked be eligible for two (2) consecutive hours of legal parking time free of charge while parking in that space.

- 8.4 Method of Parking in Metered Zones:

- 8.4.1 Except where angle parking is indicated any vehicle parked in any parking meter zone shall be parked with the bumper of such vehicle alongside of such parking space in parallel parking spaces. Lines shall be placed or marks on the curb or on the street about or alongside of each parking meter to designate the parking space for which said meter is to be used and each vehicle parking alongside of or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and an offence to park said vehicle in such a way that the same shall not be within the area so designated by such lines or markings.
- 8.4.2 Where angle parking is indicated, a vehicle shall be parked in accordance with the lines or markings indicated and the provisions of Section 4.1.3. of this by-law shall apply.
- 8.4.3 No person shall park a vehicle on any street or part of a street designated as a Parking Meter Zone except in compliance with the provisions of this By-Law.

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- 8.5 Coin or Metallic Substitute:
- 8.5.1 No person shall deposit or cause to be deposited in any parking meter anything other than legal Canadian, or its United States counterpart, coin tender.
- 8.6 Wilful Damage:
- 8.6.1 No person shall deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter or metered parking ticket dispensing machine installed under the terms of this By-Law.
- 8.7 Provisions Not to Apply on Sundays or Public Holidays:
- 8.7.1 The provisions requiring the purchasing of parking meter time shall not apply on Sundays or public holidays, including any holiday proclaimed as such by the Mayor, nor shall the same apply between the hours of five o'clock in the evening and nine o'clock in the forenoon of the next following day and in the case of parking metered by a metered parking ticket dispensing machine, nor shall the same apply between the hours of six o'clock in the evening and eight o'clock in the forenoon of the next following day and at any time on Saturdays.
- 8.7.2 When properly worded signs have been erected and are on display, no person shall park a vehicle between the hours of 2:00 a.m. and 4:00 a.m. local time in the Municipal Parking Lot identified on Schedule "U" (Parking Meter Zones) "Parking meter Zones metered by a Metered Parking Ticket Dispensing Machine: - No.1.
- The owner of any vehicle parked or left unattended contrary to the provisions of section 8.7.2. may, in addition to other penalties as prescribed elsewhere in this By-Law, have said vehicle removed or impounded by the Town of Fort Frances at the owner's expense.
- 8.8 Unrestricted Parking:
- 8.8.1 Vehicles parked in a Parking Meter Zone during hours when the restrictions under Parking Meters are not effective shall be subject to the general provisions of this By-Law.
- 8.9 Bicycle Parking Zones:
- 8.9.1 When signs have been erected signifying a Bicycle Parking Zone and a bicycle rack for the holding and parking of bicycles is provided within the parking meter zone, no person shall park during the period set out in section 8.9.2, any other vehicle in such designated bicycle parking zone as set out in Schedule "V" attached to and forming part of this By-Law.
- 8.9.2 Bicycle Parking Zones shall be in effect for the period from April 1st to October 31st in each year.
- 8.9.3 Bicycles shall be properly parked in the bicycle racks. Bicycles improperly parked may be seized and impounded.
- 8.9.4 Recovery of a bicycle shall be subject to proper identification of the bicycle; payment to the Treasurer of the Town of a fee as set out in the current schedule of fees as authorized by the Fees By-Law, if applicable.

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- 8.9.5 Bicycles not recovered by the owner within thirty (30) days of seizure and impoundment may be sold by the Town or its agents by public auction.
9. SECTION NINE – Pedestrian Crossover, Crosswalk and School Crosswalk
- 9.1 No person shall drive a vehicle over or upon any pedestrian crossover while a pedestrian is thereon or is about to enter thereon.
- 9.2 The portion of roadways set out in Column 1 of Schedule “W” to this By-Law, at the locations named in Column 2 of Schedule “W” are designated as pedestrian crossovers.
- 9.2.1 The portion of roadways set out in Column 1 of Schedule “W-1” to this By-Law, at the locations named in Column 2 of Schedule “W-1” are designated as school crosswalks.
- 9.3 The penalties provided in of the *Highway Traffic Act* shall apply to offences against this Section.
10. SECTION TEN – Taxi-Stands
- 10.1. Subject to the subsequent provisions of this By-Law, no owner or driver of a taxi shall park his vehicle on any street except while picking up or delivering fares.
- 10.2. No person shall stop, stand or park a vehicle, other than a taxi licensed for operation in the Town of Fort Frances in any taxi stand which has been officially designated and marked by appropriate signs.
- 10.3. Discharging Passengers from Taxi-Cabs:
- 10.3.1. All operators of taxi-cabs shall permit the passengers to leave from the curbside of the car only and shall take every precaution to see that all passengers are clear of the taxi-cab before said operator shall drive away.
- 10.4. The portions of streets set out in Schedule “X” attached hereto are hereby designated as taxi stands for use by taxis licensed for operation in the Town of Fort Frances.
11. SECTION ELEVEN – Loading Zones
- 11.1. The portions of the streets set out in Schedule “AA” attached hereto are hereby designated as loading zones.
- 11.2. When properly worded signs have been erected and are on display, no person shall park or stand a vehicle in a loading zone on any day, other than a Sunday or a public holiday, between the hours of 8:00 o’clock in the forenoon and 6:00 o’clock in the afternoon, except for the purpose of and while actually engaged in loading or unloading goods, wares and merchandise on to or from such vehicles; but notwithstanding the provisions hereof, it shall be lawful for the operator of a taxi-cab to pick up or discharge passenger in a loading zone.
- When properly worded signs have been erected and are on display, no person shall park or stand a vehicle in the loading zone identified in Schedule “AA”, item 2, except for the purpose of and

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while actually engaged in loading or unloading items or passengers, at any time for a period in excess of fifteen (15) minutes.

- 11.3. When properly worded signs have been erected and are on display, no person shall park or stand a vehicle in a loading zone during any period during which parking is prohibited by the other provisions of this by-law.
 - 11.4. The fee for a loading zone set out in Schedule “AA” is as provided in the current schedule of fees attached to the Town’s Fees By-Law. Fees are payable on or before January 1st of each year.
 - 11.5. The portions of streets set out in Schedule “AA-1” attached hereto are designated as church loading zones.
 - 11.6. When properly worded signs have been erected and are on display, no person, without consent from the respective church as identified in Schedule “AA-1”, shall park or stand a vehicle in a church loading zone.
 - 11.7. The fee for church loading zones that are set out in Schedule “AA-1” is as provided in the current schedule of fees attached to the Town’s Fees By-Law. Fees are payable on or before January 1st of each year.
12. **SECTION TWELVE – Load Weights and Snow Removal and Deposit:**
- 12.1. Weight of Load During Spring of the Year – The provisions of The Highway Traffic Act, shall extend to and apply to highways within the Town of Fort Frances during the period of half-load restrictions applied by the Ministry of Transportation (Ontario) in the District surrounding the Town of Fort Frances.
 - 12.2. Vehicles interfering with the Traffic and Snow Removal – No person shall park or stand a vehicle on a highway in such a manner as to interfere with the movement of traffic or the clearing of snow from the highway.
 - 12.3. Deposit Snow on Highway – No person shall deposit snow or ice on a roadway without permission in writing so to do from the Town.
13. **SECTION THIRTEEN – Penalties**
- 13.1. Where a vehicle is parked in contravention of the parking provisions of this by-law, a peace officer so finding the vehicle shall attach to the vehicle a parking ticket, in the form of a serially numbered notice stating:
 - 13.1.1. The license plate number and a concise description of the vehicle;
 - 13.1.2. That the vehicle is unlawfully parked;
 - 13.1.3. The date, time and place of the alleged offence.
 - 13.2. The ticket may be voluntarily paid at the offices of the Treasurer of the Town of Fort Frances within seven days, exclusive of Saturdays, Sundays, or holidays, after the day when the ticket is issued or voluntary payment may be made by mail service or Fine-O-Meter box;

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- 13.3. The Town of Fort Frances assumes no responsibility for receipt of any such voluntary payments other than those for which it has issued a receipt
- 13.4. In the event of failure to make such voluntary payment a Notice of Impending Conviction will be issued to the owner of the vehicle.
- 13.5. The ticket shall be paid at the offices of the Treasurer of the Town of Fort Frances within seven days, exclusive of Saturdays, Sundays or holidays, after the date when the ticket is issued. A receipt, if requested, shall be given to the person making the payment.
- 13.5.1. The following amounts shall be accepted as payment of a penalty in full satisfaction in respect to the alleged offences respectively:
 - 13.5.1.1. For each meter parking violation, twenty dollars (\$20.00)
 - 13.5.1.2. For each parking violation by a non-handicapped licensed vehicle in a Handicapped Parking Only spot, three hundred dollars (\$300.00).
 - 13.5.1.3. For all other parking violations, twenty dollars (\$20.00).
- 13.6. If voluntary payment is not made in accordance with the procedure provided in this section, the provisions of subsection 13.7 hereof shall apply.
- 13.7. Except as herein otherwise provided, any person who contravenes the provision of this By-Law is liable to a fine not exceeding \$300.00, exclusive of costs. This subsection shall not apply to the following sections: 5.1, 5.2, 5.9, 6., 7., 9 and 12. of this By-Law.
- 13.8. Any vehicle found parked or left contrary to this By-Law, may, in addition to the penalty for contravention, be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the *Repair and Storage Liens Act*, R.S.O. 1990, c.R.25.
- 14. SECTION FOURTEEN – Ontario Traffic Act and Provincial Offences Act to Govern
- 14.1. The provisions of this by-law shall be subject to the provisions of The *Highway Traffic Act* and the *Provincial Offences Act*.
- 15. SECTION FIFTEEN – Exception of Municipal Authorities:
 - 15.1. For the purposes of maintenance and emergency or provisions of public services, the parking provisions of this by-law and amendments thereto shall not apply to the equipment and vehicles owned by or to any equipment or vehicles under contract or hire with the Town of Fort Frances. Such equipment and vehicles where parking is necessary for purposes of maintenance and emergency or provisions of public services shall park so that there is a minimum of inconvenience to traffic and shall observe reasonable safety precautions.
 - 15.2. The person in charge of the Planning and Development Division or By-Law Enforcement Officer are hereby granted authority to cancel parking tickets which, in their discretion, have been issued under circumstances justifying cancellation.
- 16. SECTION SIXTEEN – This By-Law Effective:

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- 16.1. This By-Law shall come into force and effect upon its final passing thereof.

READ THREE TIMES and finally passed in open Council this 9th day of June 2014.

R. Avis, Mayor

L. Slomke, Clerk

TOWN OF FORT FRANCESBY-LAW NO. 6/77-F

(Being a by-law to amend Town of Fort Frances By-Law No. 6/77, a by-law to limit the tenure of office of appointments by Council to boards and committees.)

WHEREAS on February 22, 2010, Council approved limiting the maximum tenure of office of appointments by Council to boards and advisory committees from 9 consecutive years to 8 years;

NOW THEREFORE Council for the Corporation of the Town of Fort Frances HEREBY ENACTS as follows:

1. That Town of Fort Frances By-Law No. 6/77, as amended, be now further amended as follows:
 - 1) Section 2. be repealed and subsequently re-enacted as follows:
 - "2. That any board or committee member who, as of November 30th in the final year of their term of appointment, has served the maximum of eight (8) consecutive years on a board or committee, shall not be eligible for reappointment to such board or committee until December 1st in the next succeeding year. Council has the authority to, and may, forego the enforcement of term limits (on a specific Board or Committee) if an insufficient number or unsuitable applications are received.

This by-law shall come into force and take effect on the final passing thereof.

READ THREE TIMES and finally passed in open Council this 24th day of November 2014.

R. Avis, Mayor

E. Slomke, Clerk



AMO Communications
<communicate@amo.on.ca>

11/12/2014 03:35 PM

To "Islomke@fort-frances.com" <Islomke@fort-frances.com>

cc

bcc

Subject AMO Policy Update - Bill 8, Public Sector and MPP
Accountability and Transparency Act, 2014

November 12, 2014

Bill 8, Public Sector and MPP Accountability and Transparency Act , 2014

This Bill is proceeding through 2nd reading debate and is anticipated to be at a Legislative Standing Committee for public hearing before the end of the month. AMO will ask to appear.

The Premier has made it clear that she is committed to additional oversight across the broader public sector. If passed, the Bill will require mandatory municipal accountability officers and expand the Ontario Ombudsman's jurisdiction in the municipal government sector; introduce a Patient Ombudsman with oversight of hospitals and long-term care homes; make changes to the record-keeping requirements in the *Municipal Freedom of Information and Privacy Protection Act*, and provide for additional transparency and accountability rules for the province's own political and public service.

AMO supports accountability and transparency in local government and the broader public sector. In terms of Bill 8, the same steps are being followed when any other laws are tabled that affect municipal government - is its legal language clear, practical, effective and, is it efficient, would it create unintended consequences and if so, are there ways to mitigate them. Policy changes need to achieve the results that they are intended to achieve in a manner that is accountable and respectful to all.

AMO has a group of municipal lawyers and senior administrators looking at the proposed legislation and amendments that should be presented. Transparency and accountability are positive principles, but implementation will determine success or failure of this or any other legislation. We believe that the Ontario Government shares our commitment to working together on improvements to this Bill.

However, it is clear through media reports and social media that the Ontario Ombudsman appears to think that it is wrong for AMO or municipal governments to have any opinion on this Bill or how to improve it. AMO will continue to do this work no matter who tries to demean us or municipal governments. Groups or individuals with their own ideas should not be discredited. In this province, all voices are encouraged to be heard, even when creating new systems of accountability.

We expect the Standing Committee will hear depositions and read written submissions and that it will similarly share the basic goal - to achieve the intended results, earn public confidence, strive for systems that are efficient and practical, and make sure that any are cost effective.

If we differ with the Ombudsman, it is here:

- AMO believes that accountability can and should be achieved in a manner that respects municipal government. We don't improve Ontario by diminishing or belittling municipal government indiscriminately.
- AMO believes that good government is best achieved when municipal governments take on the difficult task of earning the trust and respect of the public that they serve. Every municipality that accepts that goal makes Ontario stronger and should be supported not vilified.

AMO will share with its members its submission to the Standing Committee as we hasten to meet the Legislature and Standing Committees timelines. We will advise the memberships when this is posted.

AMO Contact: Pat Vanini, Executive Director, pvanini@amo.on.ca, 416.971.9856 ext. 316.

PLEASE NOTE: AMO Breaking News will be broadcast to the member municipality's council, administrator, and clerk. Recipients of the AMO broadcasts are free to redistribute the AMO broadcasts to other municipal staff as required. We have decided to not add other staff to these broadcast lists in order to ensure accuracy and efficiency in the management of our various broadcast lists.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

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AMO Communications
 <communicate@amo.on.ca>

11/13/2014 02:51 PM

To "Islomke@fort-frances.com" <Islomke@fort-frances.com>

cc

bcc

Subject AMO POLICY UPDATE

November 13, 2014

Provincial Funding Announcements - 2015 OMPF and Public Transit

A. 2015 OMPF Allocations Announced

Today the Ministry of Finance issued 2015 allocation notices from the Ontario Municipal Partnership Fund (OMPF). Letters to heads of council and treasurers are being mailed at this time.

Allocation notices may also be viewed on the [Ministry's website](#). Below are key aspects of the funding announcement for 2015 and issues on the funding horizon for 2016 and beyond. This will be of importance to current and new councils.

A reduced envelope province-wide

The total envelope continues to decrease. A \$35 million cut will occur in 2015 dropping the total Fund to \$515 million. It was \$550 million in 2014 and \$575 million in 2013. If the government continues with its fiscal plan, an additional cut of \$15 million should be expected in 2016. The 2014 Provincial Budget profiled a commitment of a \$500 million envelope by 2016.

AMO advocated for a deferral of the expected cut of \$25 million for 2015. AMO was extremely disappointed when the 2014 provincial budget included a cut of \$35 million. AMO and municipal treasurers who were consulted on the Fund's 2015 design noted the Ministry's competing goals of stability for all recipient municipalities and targeting assistance for municipalities in greatest need within a declining overall funding envelope.

Impact on recipient municipalities

Of the 388 municipalities which receive OMPF dollars, 245 will experience a decrease while 143 will either have stable or increased funding. Individual municipal reductions for the coming year will be primarily determined as a percentage of 2014 allocations and for northern and rural municipalities, will be scaled based on the relative fiscal health of those municipalities.

Generally, northern municipalities experienced a cut of up to 10% of their total 2013 OMPF allocation. This year they will experience the same cut of up to 10% for 2015. Generally, southern municipalities experienced a cut of up to 15% of their total 2013 OMPF allocation. This year they will experience a cut of up to 20% for 2015. These changes are very significant for many communities.

How does OMPF structure for 2015 compare to 2014?

For 2014 and 2015, the grant structure within the OMPF remain the same. They are: Assessment Equalization, Northern Communities, Rural Communities, Fiscal Circumstances and Transitional. The Transitional Assistance grant component for 2015 has been reduced by \$40 million while the Fiscal Circumstances grant component has been enhanced by \$5 million. No changes were made to the other three components.

OMPF Grant Components	2012	2013	2014	2015	2016
Social Services Grant	30		0	0	
Policing Grant	94		0	0	
Farmland and Managed Forests Grant	46		0	0	
Assessment Equalization Grant	148		149	149	
Northern Communities Grant	86		79	79	
Rural Communities Grant	162		138	138	
Fiscal Circumstances Grant			50	55	
Transitional and Stabilization Grants	30		134	94	
TOTAL OMPF	596	575	550	515	500

The Municipal Fiscal Circumstances Index (MFCI) measures such factors as weighted assessment per household, median household income and employment rates among others, on a relative basis, for northern and rural municipalities that have been receiving OMPF. As noted above, the degree of cuts for the majority of recipient municipalities will be determined in part by the use of this measure. This approach demonstrates some sensitivity to the fiscal condition of municipalities and the limited capacity of some to shoulder any cuts.

The 2008 upload agreement of social assistance and court security costs affected different municipalities in different ways. Despite the merits of the uploads, many communities continue to face limited or declining fiscal health and face fundamental operating budget challenges. AMO is concerned about the cumulative fiscal impact of a variety of provincial government initiatives. These include the 2011-2014 OPP wage increase, social assistance benefit adjustments, OPP billing changes, and special dam payment cuts to name just a few program cost changes that have occurred during the ensuing years.

Through a discussion with AMO, Premier Kathleen Wynne, Ted McMeekin, Minister of Municipal Affairs and Housing, and Deb Matthews, President of the Treasury Board, have agreed to the need to examine this provincial multi-ministerial cumulative impact on municipal governments' fiscal health. Discussions are underway with the government on how this can occur.

Contact: Matthew Wilson, Senior Advisor, mwilson@amo.on.ca, 416-971-9856 ext. 323.

B. Ontario Delivers Permanent Funding for Transit

The Honourable Steven Del Duca, Minister of Transportation, today announced that the Province is providing \$321.5 million this year to support municipal public transit systems through the Ontario Gas Tax for Transit program ([link to attachment](#)).

Municipalities are managing an infrastructure funding gap estimated in 2008 to be \$60 billion over ten years. To help communities manage this funding crunch and continue to deliver transit for our

residents, AMO called on the Province to make the Ontario Gas Tax permanent for municipalities who have transit systems and to create a permanent fund for municipal roads and bridges in small, rural and northern communities.

The 2013 Budget delivered on our ask. Municipal governments can count on permanent support for transit through this program. Ontario's Gas Tax Fund delivers two cents for every litre of gasoline sold in the province to support transit providing \$3.1 billion for municipal transit since its creation.

In 2014 the Ontario Budget responded to AMO's call for permanent funding for roads and bridges in small, rural and northern communities by creating the Ontario Community Infrastructure Fund (OCIF) for municipalities with under 100,000 residents. AMO understands that municipalities should have received their formula allocations under OCIF. Announcements regarding project applications will be made in the coming months.

Contact: Craig Reid, AMO Senior Advisor, creid@amo.on.ca, (416) 971-9856 ext. 334.

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Representing the Districts of Kenora, Rainy River and Thunder Bay
 P.O. Box 10308, Thunder Bay, ON P7B 6T8
www.noma.on.ca
 p. 807.683.6662 e. admin@noma.on.ca

November 3, 2014

Lisa Slomke Clerk
 320 Portage Ave.
 Fort Frances, ON
 P9A 3P9

RE: Intervener Status – Energy East Project

Dear Lisa,

On behalf of the Board of Directors, I am writing today to advise that NOMA will be seeking intervener status in the National Energy Boards process for the TransCanada Pipelines Energy East Project.

NOMA is supportive of this project and has sited that shipping crude oil by pipeline is by far, safer than transporting by rail or truck. There is a total population of 165,294 who live in our member municipalities directly impacted by rail lines and this number increases with the inclusion of First Nations communities and unincorporated areas.

The Energy East Project would move crude oil utilizing an existing natural gas pipeline located underground. The only above ground pipe is located at pump station sites, valve station sites, metering facilities and tank facilities.

NOMA is recommending that TransCanada Pipelines commit to installing valves on both sides of significant water crossings; ensure that the pipeline will be shut down at the first sign of a potential problem and conduct frequent inspections. We have also suggested that TransCanada Pipelines consult with all impacted communities to identify what a significant waterway entails. Safety in our communities and natural resources is paramount!

I have attached the presentation given to the Ontario Energy Board for your reference. I kindly request that you share this information with your Mayor, Council and Senior Staff.

Please provide your feedback to Kristen Oliver, Executive Director at (807) 683-6662 or admin@noma.on.ca by **Tuesday, November 25, 2014.**

Sincerely,

A handwritten signature in black ink that reads "David Canfield". The signature is written in a cursive, flowing style.

David Canfield, President



Representing the Districts of Kenora, Rainy River and Thunder Bay

P.O. Box 10308, Thunder Bay, ON P7B 6T8

www.noma.on.ca

p. 807.683.6662

e. admin@noma.on.ca

Presentation to Ontario Energy Board re: Energy East Project

The Northwestern Ontario Municipal Association (also called NOMA) welcomes the opportunity to provide the Ontario Energy Board with the municipal perspective on the proposed conversion of one of the existing TransCanada Pipeline's natural gas lines to crude oil.

NOMA represents the interests of 37 municipalities from Kenora and Rainy River in the west to Hornepayne and Dubreuilville in the east. We represent the Districts of Kenora, Rainy River and Thunder Bay and the City of Thunder Bay. It provides leadership in advocating regional interests to all orders of government and other organizations. NOMA approaches the conversion issue from two perspectives:

1. What is the alternative, and
2. The protection of the natural environment

There are 28 NOMA member communities located immediately adjacent to or are divided by CN and CP rail lines here in the Northwest. There is a total population of 165,294 people who live in those communities. Over and above those numbers are the people who live in a number of First Nation Reserves and in the townships without municipal organization along the tracks.

The vast majority of the population of the Northwest are exposed on a daily basis to the hundreds of rail cars carrying some form of fossil fuel beside their homes and businesses. As we all have seen in the last year, rail accidents involving a cargo of fossil fuel can have devastating results – with significant loss of life. As municipal leaders, it is our responsibility to do what we can to minimize the dangers to our residents.

Shipping crude oil by pipeline is a much safer way of transporting such a commodity than by rail car or truck. At the same time the current use of rail for this commodity and we know that the quantity is growing, means that there is less capacity for other essential commodities such as grain and forest products. In addition, at least one of our member community has found that the emergency road by-pass they constructed in order to get around stopped trains with their emergency services – fire, police and ambulance, is no longer usable because of the new length of the trains. For that reason NOMA supports the conversion of the natural gas line to transport crude oil.

Let me now turn to the actual conversion itself.

NOMA has been pleased to confirm from TransCanada Pipelines that 100% of the existing natural gas pipeline is located below grade – that it is buried. The only above ground pipe will be within the pump station sites, valve station sites, metering facilities and tank facilities. From our perspective that situation significantly reduces the threat to the environment, either through the failure of the pipe or through external activities. It would be our preference that the design of those stations maximize the underground nature of the connection to the pipeline rather than automatically bringing the pipeline to the surface where an accident or breakage could more readily occur.

We are also pleased to learn that TransCanada is committed to the following improvements:

TransCanada utilizes a state-of-the-art leak detection system which can isolate any section of pipe by remotely closing valves and shutting down pump stations.

- These valves will be installed on both sides of significant water crossings to immediately isolate the section of pipe in the unlikely event of a leak.
- This system and the highly trained staff that monitor it 24 hours a day ensure that the pipeline will be shut down at the first sign of a potential problem.
- Frequent visual inspection of the pipeline route by TransCanada personnel
- Aerial inspections by TransCanada and industry partners

NOMA believes that these aforementioned improvements need verification as the planning and implementation process proceeds. We encourage the OEB to recommend to the National Energy Board key strategies for the confirmation and monitoring of these commitments by TransCanada Pipelines.

In addition, we ask that you recommend that, irrespective of the role of the National Energy Board, TransCanada Pipeline conduct a consultation with the communities in the Northwest to assist them in defining what they mean by a “significant water crossing” so that when they do seek final approval from the National Energy Board it is done with a comfort level here in the Northwest.

Finally, it is imperative that TransCanada Pipeline be required to ensure that all staff involved in the monitoring of the line actually have toured the line by air and land so that they can fully comprehend the neighbourhood through which the pipeline travels. At the same time, detailed water flow information should be incorporated into all of the monitoring equipment so that in the event of a spill, and even with the quick cut-off at a particular crossing, the implications and the response can be quickly identified and implemented.

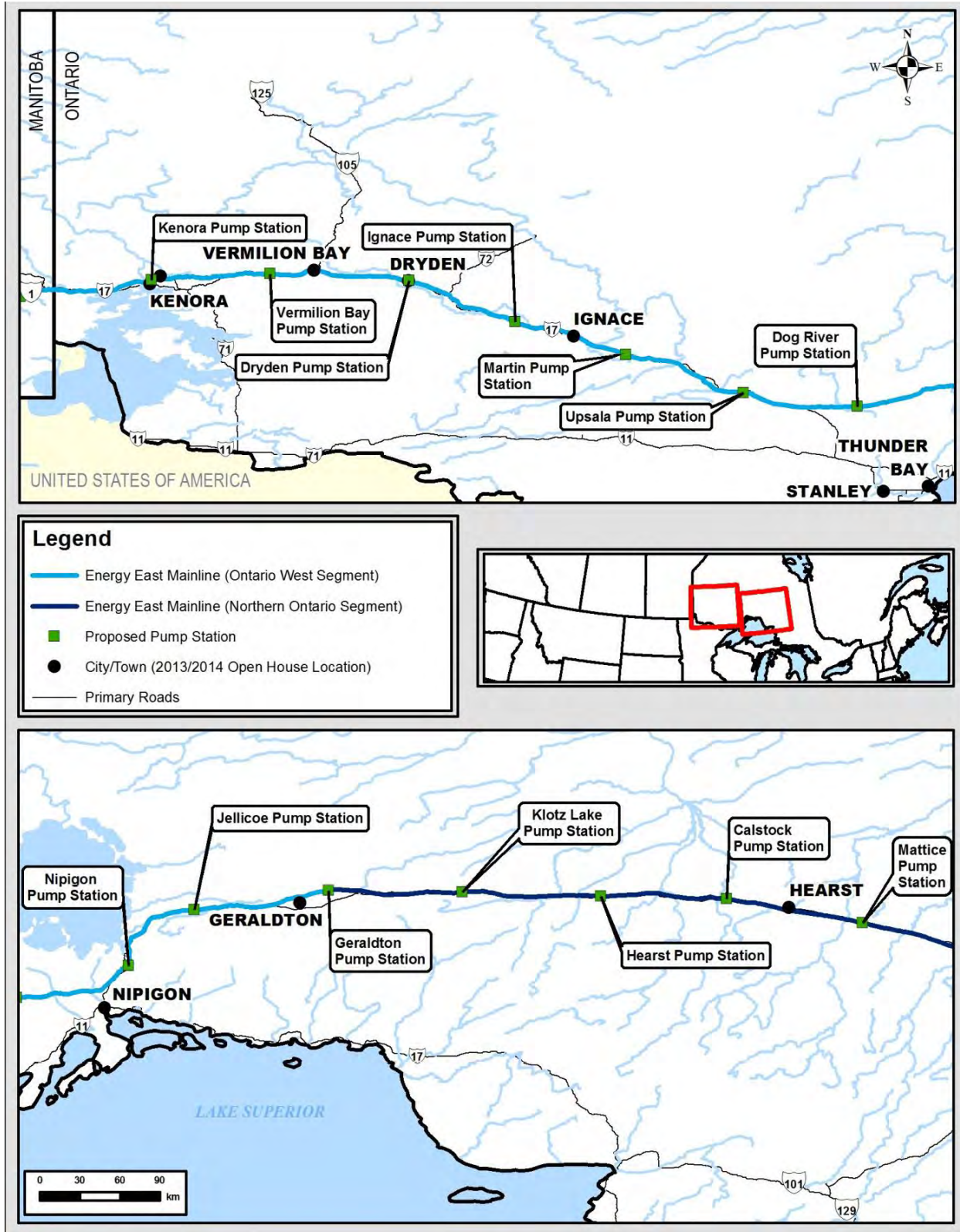
We would like to raise one issue related to the Energy East Conversion which is specifically in the jurisdiction of the Ontario Energy Board.

This project, once approved by the National Energy Board, will require upwards of 110 MW of electrical power. The 11 pumping stations – located about 100 km apart – will require a connection to the grid. That's 110 MW of power that we do not have here in the Northwest today. That 110 MW is on top of the new demand of the growing mining industry in the region in the range of 634 MW, plus forestry growth and First Nations finally being connected to the grid.

This is all occurring at the same time as the two thermal generating stations in Thunder Bay and Atikokan are being taken off coal and converted to a form of biomass at 2% of their licenced capacity. So instead of 506 MW of generating capacity, in reality they will have the ability to provide the grid with 10 MW on a continuous basis. Even with the currently planned enhanced east-west tie in place no earlier than 2018, there will not be enough power in this region to meet our needs.

NOMA's request directly to the Ontario Energy Board is to ensure that when applications for generation or transmission are submitted to you for consideration they be expedited. Given the time required to go from concept to construction to powering up, delays are unacceptable. The first of these new mines is scheduled to come on line in April of 2015 – and there is not enough power available to them.

Thank you for this opportunity to provide our input on behalf of our constituents throughout the Northwest.





Northwestern Ontario Municipal Association News Update Fall 2014

Vol. 1 Issue 1

ISSUES NOMA IS ADDRESSING

- **Seeking Intervener Status in TransCanada Pipelines Energy East Project**

NOMA is recommending that TransCanada Pipelines commit to installing valves on both sides of significant water crossings; ensure that the pipeline will be shut down at the first sign of a potential problem and conduct frequent inspections. We have also suggested that TransCanada Pipelines consult with all impacted communities to identify what a significant waterway entails.

- **Request that the Ministry of Finance move on PLT Reform**

NOMA is requesting a phased in approach be undertaken that specifically looks at social costs, policing, health unit, etc. Further, NOMA is requesting that the unincorporated areas payment be based on an updated cost at the current level.

- **Supporting a resolution to expand VIA Rail Service**

NOMA is supporting a resolution put forward to see VIA Rail expand train service along the north shore to the Manitoba border.

- **Working with the Energy Task Force on Energy Needs for the Northwest**

The Energy Task Force conducted a meeting with officials from the Ontario Power Authority, Ontario Energy Board, Ministry of Energy and Independent Energy System Operator. While there has been some movement recognizing energy needs, there is still a lot of work to do. This issue will be brought forward with Minister's at every chance.

- **Provincial Policy Statement**

NOMA has met with officials from the Ministry of Municipal Affairs and Housing to discuss the Northern Primer of the Provincial Policy Statement. NOMA will be requesting some revisions to the Primer.

NOMA Wins Wood Works Award

David Canfield, NOMA President and Mayor of Kenora was presented with a Wood Champion Award in recognition of NOMA's advocacy for changes to the Ontario Building Code that now allow for structures up to six storeys built using wood.

A Fond Farewell

As a result of the recent municipal election, Mayor Roy Hoffman, Mayor Gord Dingman and Councillor Andrew Hallikas will be leaving the NOMA board. Reeve Gary Gamsby retired from political life. We wish them well in their future endeavours. Best wishes gentlemen!

VIA EMAIL

November 19, 2014

Mike Wallace, MP, Burlington
The Honourable Lisa Raitt, MP Halton
Terence Young, MP, Oakville
The Honourable Michael Chong, MP, Wellington-Halton Hills
Eleanor McMahon, MPP, Burlington
Indira Naidoo-Harris, MPP, Halton
Kevin Flynn, MPP, Oakville
Ted Arnott, MPP, Wellington-Halton Hills
Federation of Canadian Municipalities (FCM), Brad Woodside
Canadian Manufacturers and Exporters, Jayson Myers

Please be advised that at its meeting held Wednesday, November 19, 2014, the Council of the Regional Municipality of Halton adopted the following resolution:

RESOLUTION: "Buy American" Provisions in the American Recovery and Reinvestment Act

WHEREAS cities and communities across Canada support free and fair trade between Canada and the United States;

AND WHEREAS bilateral trade between Canada and the United States amounts to over \$600 billion per year in economic activity, significantly contributing to Canada's long-term economic competitiveness;

AND WHEREAS many of the most important supply chains and industry linkages that fuel our respective economies are inexorably linked;

AND WHEREAS provisions, such as 'Buy American' requirements, which serve to inhibit this important economic partnership directly affects the economic prosperity of our country, our businesses and our communities;

AND WHEREAS Halton Hills and Halton Region showed leadership in 2009 by passing resolutions calling on the Federal, Provincial and municipal governments of Canada to push back against unfair U.S. legislation;

AND WHEREAS organizations like Canadian Manufacturers and Exporters estimate that thousands of manufacturing jobs are continuously at risk from continued Buy American provisions being proposed across the United States;

AND WHEREAS Halton companies were directly impacted as jobs were lost due to the Buy American provisions being inserted into projects receiving federal and municipal funding;

AND WHEREAS Canadian cities and communities are committed to open and fair trade with American governments and businesses;

AND WHEREAS recent agreements between Canada and the United States have recognized the critical economic linkages between our two countries, fostering secure, predictable trade and investment environments;

THEREFORE BE IT RESOLVED THAT all municipalities be requested to express support for free, fair and reciprocal trade between the United States and Canada and support the principle that any restrictive 'Buy American' provisions in U.S. legislation are contrary to that spirit of free trade;

AND THAT the Region of Halton call on the Federation of Canadian Municipalities (FCM) to support and work with the Government of Canada, the Canadian Manufacturers and Exporters and other stakeholders in their efforts to urge the United States Congress and state governments to abstain from the use of 'Buy American' provisions;

AND THAT FCM be requested to write to the U.S. National League of Cities and the United States Conference of Mayors urging them to also support the spirit of this resolution and the spirit of free trade, so that businesses and industries on both sides of the border can compete for contracts in the fairest and most efficient manner;

AND THAT the Regional Chair write to the Prime Minister, the leader of the Opposition and the leader of the Liberal Party advising them of Regional Council's position and enclosing a copy of Regional Council's resolution in this regard;

AND THAT the Regional Clerk forward a copy of Regional Council's resolution to all Ontario municipalities requesting that they endorse and support Halton's position and to Halton MP's, MPP's, FCM and the Canadian Manufacturers and Exporters for their information.

As per the above resolution, please accept this correspondence for your information and consideration.

If you have any questions please contact Ms. Karyn Bennett, Regional Clerk & Director of Council Services.

Sincerely,



Kathy Kielt
Deputy Clerk and Supervisor of
Council & Committee Services

c. Karyn Bennett, Regional Clerk & Director of Council Services



Ontario
LEGISLATIVE ASSEMBLY

ERNIE HARDEMAN, M.P.P.
Oxford

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N4S 3C2

Tel. (519) 537-5222
Fax (519) 537-3577

October 27, 2014

Hon. Kathleen Wynne
Premier of Ontario
Legislative Bldg, Rm 281
Queen's Park
Toronto ON M7A1A1

Dear Premier,

As you will recall two months ago at the Association of Municipalities of Ontario conference, municipalities spoke to you about the challenges that your changes to the Power Dam Special Payment Program would cause. They explained the impact that reducing the payments would have on their budgets and asked that power dams once again be subject to municipal taxes.

During your speech at AMO you told municipalities that this needed to be fixed. In fact during the bear pit at the conference you stated clearly that you had directed finance officials to make taxation part of the discussion.

However, Premier, municipalities tell me the opposite has occurred.

I was recently told by one of the municipalities who will be significantly impacted by the reduction that the Ministry of Finance is pushing ahead with a decrease, but refusing to discuss taxation of the power dams until a later date. Premier, if a solution is to be found it must be done before the reductions occur.

Premier, for many of the 111 municipalities who will face reductions this represents a significant loss of revenue. It is not fair or sensible to put them through this hardship and then try to find a solution at a later date.

I ask you to maintain the Power Dam Special Payment Program payment level until a new sustainable plan is in place and to direct Ministry of Finance officials to ensure that that they are having full and open discussions with municipalities, looking at every option as you committed.

Sincerely,

Ernie Hardeman, MPP Oxford
PC Critic for Municipal Affairs and Housing





Flood Damages Survey 2014

(November 6, 2014) As part of ongoing efforts to review and evaluate the performance of water level management strategies for Rainy and Namakan Lakes under the Commission's 2000 Order, the International Joint Commission has been funding a project on behalf of the International Rainy-Lake of the Woods Watershed Board to assess the risk of flood damages in the study area including the shoreline of Rainy, Namakan, Kabetogama, Sand Point, Little Vermillion, and Crane Lakes (collectively the Rainy and Namakan chain of lakes). The flood risk assessment considers a variety of components including the completion of over 130 face-to-face interviews with shoreline property owners in the fall of 2013 to discuss their perspectives on potential risk of flooding damages.

Given the flood conditions observed in June and July of 2014 within the study area, additional input from shoreline property owners is required to ensure the flood risk assessment adequately captures the types of flooding damages experienced during that event as well as the magnitude of those damages.

The International Rainy-Lake of the Woods Watershed Board invites shoreline property owners on the Rainy and Namakan chain of lakes report on their damages during the past summer by completing a brief [survey](#) that is available on the board's [website](#) until Friday, December 5, 2014. The survey also allows for damage reports from property owners on the Rainy River and Lake of the Woods shoreline as the information will support future water level management activities in those areas. **Your participation in the process is completely voluntary** and you can choose to skip any questions on the survey. However, **your participation is critical to the success of the project**. Detailed information on the types and extent of observed flooding will help verify whether the flood risk assessment is properly representing property owner concerns. Any information gathered through the surveys will be held in strict confidence and will only be used for consolidated reporting. Please note this is not an application for assistance. This is a request for information on private property damage to support future review of water management strategies in the system.

For more information:

International Rainy – Lake of the Woods Watershed Board http://ijc.org/en/_RLWWB

Todd Sellers: todd sellers2@gmail.com 204-487-6294

IJC

Nick Heisler Ottawa 613-992-8367 heislern@ottawa.ijc.org

Frank Bevacqua Washington 202-736-9024 bevacquaf@washington.ijc.org

Applicant: Nicholas Sivonen & Lindsey Langton
File No.: B2/2014
Property Address: 1653 Colonization Rd. W.

Date of Decision: 17 November 2014
Date of Notice: 19 November 2014
Last Date for Appeal: 9 December 2014

NOTICE OF DECISION

On Application for Consent
 Subsection 53(17) of the Planning Act

TAKE NOTICE THAT the Committee of Adjustments for the Town of Fort Frances did, on the date referenced above, grant provisional approval to **create a new residential lot with approximately 25 metres frontage and an irregular depth of approximately 38 metres on the west and approximately 54.5 metres on the east.**

Provisional approval was given based on the reasons set out on the Decision and subject to specific conditions which must, in accordance with section 53(41) of the Planning Act, be fulfilled within one year from the date of this notice. The legislated time period for satisfying conditions imposed is one year from the date of this Notice. Therefore if all conditions are not satisfied by 19 November 2015, approval will lapse. A certified copy of the Decision is attached.

Approval is also subject to a legislated appeal period. Pursuant to section 53(19) of The Planning Act, any person or public body may, no later than twenty (20) days from the date of this notice, appeal the decision or any condition imposed or both the decision and any condition to the Ontario Municipal Board by filing with the undersigned a Notice of Appeal. The last date for filing a Notice of Appeal is noted above.

Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. An unincorporated association or group may not file a Notice of Appeal. However, a Notice of Appeal may be filed on behalf of the association or group in the name of an individual who is a member of the association or group.

The Notice of Appeal must include the reasons for the appeal and be accompanied by a cheque or money order in the amount of \$125.00 payable to the "Minister of Finance".

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you make a written request to be notified of changes to the conditions of approval of the provisional consent.

Additional information about the application is available for public inspection between the hours of 8:30 and 4:30 at the Office of the Secretary-Treasurer for the Committee of Adjustment.

Dated at Fort Frances this 19th day of November 2014.

N. Faye Flatt, AMCT, ACST, CPT
 Municipal Planner/Comm. S/T
 Town of Fort Frances
 320 Portage Avenue
 Fort Frances, On P9A 3P9
 Telephone: (807) 274-5323 (ex. 275)

TOWN OF FORT FRANCES
320 Portage Avenue, Fort Frances, On P9A 3P9
COMMITTEE OF ADJUSTMENT DECISION
Section 53 of the Planning Act, R.S.O. as amended

File No.
B2 / 2014

AGENDA ITEM #8.9

Application By: Nicholas Sivonen and Lindsey Langton

To: create a new residential lot on the south side of Colonization Rd. W. with approximately 25 metres of frontage and a depth of 38 metres (west side) and 54.5 metres (east side).

At: 1653 Colonization Rd. W.

On the 17th day of November 2014, Provisional Approval was ☐ Not Granted or ☐ Granted
subject to the following Conditions:

1. **REFERENCE PLAN** – That the Municipal Planner be provided with a deposited reference plan bearing the seal of the Land Registrar depicting the severed property a part thereon or a Letter of Exemption from the Land Registrar or proper legal description endorsed by evidence of approval of the Land Registrar.
2. **LEGAL DESCRIPTION** - That the Municipal Planner be provided with the legal description of the severed property for the issuance of the Certificate of Official.
3. **PARKLAND "CASH-IN-LIEU"** - That Subsection 51.1(1) and 51.1(3) of Section 50 of the Planning Act apply.
4. **ZONING COMPLIANCE** - That the Municipal Planner be provided with evidentiary confirmation that the existing buildings on the severed property complies with zoning regulations for permitted use (side yard, lot area, etc) either by way of (a) a current Surveyors Real Property Report (SRPR) prepared by an Ontario Land Surveyor (OLS) depicting the whole property with location of all buildings; (b) a partial SRPR prepared by an OLS depicting the location of building in question.
5. **MINOR VARIANCE** - That a minor variance application be obtained to correct any non-compliant issues relative to condition #4 above.
6. **PAYMENT OF ACCOUNTS PAYABLE** - That all current and outstanding accounts payable to the Town of Fort Frances by the property owner be paid in full to the date of Consent.
7. **PAYMENT OF MUNICIPAL TAXES** - That all current and outstanding municipal tax paid in full to the date of Consent.
8. **EXISTING BUILDINGS – RENDER UNINHABITABLE** - That the existing residential building on the ~~retained~~ property be rendered uninhabitable either by way of closing off connection to municipal services for said building and that the Municipal Planner be provided with evidentiary confirmation. (Note – Accessory buildings are not permitted unless the main is in existence, therefore if existing residential building is demolished, all buildings must be).
9. **SERVICE EASEMENT** - That municipal sanitary sewer and water services be provided to the severed ~~and retained~~ properties either by direct connection to main or by way of easement if required.

Certification of Decision:

Jackie Lampl-Hughes

Cindy Mason

Alan Zucchiatti

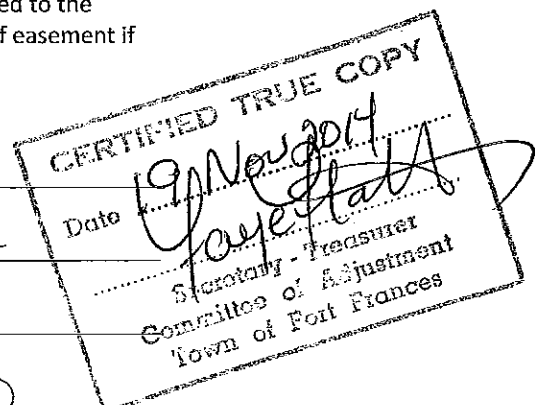
Vacant Seat

Irene Laing

Gary Rogozinski

Vacant Seat

Secretary/Treasurer: N. Faye Flatt



WARNING:

ALL CONDITIONS MUST BE FULFILLED WITHIN ONE YEAR OF THE DATE OF THE GIVING OF THE NOTICE OF DECISION, FAILING WHICH THIS APPLICATION SHALL THEREUPON BE DEEMED TO BE REFUSED Section 53(41), The Planning Act, R.S.O. 1990

Applicant: Nicholas Sivonen & Lindsey Langton
File No.: B1/2014
Property Address: 1645 Colonization Rd. W.

Date of Decision: 17 November 2014
Date of Notice: 19 November 2014
Last Date for Appeal: 9 December 2014

NOTICE OF DECISION

On Application for Consent
 Subsection 53(17) of the Planning Act

TAKE NOTICE THAT the Committee of Adjustments for the Town of Fort Frances did, on the date referenced above, grant provisional approval to **create a new residential lot with approximately 25.5 metres frontage and an irregular depth of approximately 35 metres on the west and approximately 51.816 metres on the east.**

Provisional approval was given based on the reasons set out on the Decision and subject to specific conditions which must, in accordance with section 53(41) of the Planning Act, be fulfilled within one year from the date of this notice. The legislated time period for satisfying conditions imposed is one year from the date of this Notice. Therefore if all conditions are not satisfied by 19 November 2015, approval will lapse. A certified copy of the Decision is attached.

Approval is also subject to a legislated appeal period. Pursuant to section 53(19) of The Planning Act, any person or public body may, no later than twenty (20) days from the date of this notice, appeal the decision or any condition imposed or both the decision and any condition to the Ontario Municipal Board by filing with the undersigned a Notice of Appeal. The last date for filing a Notice of Appeal is noted above.

Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. An unincorporated association or group may not file a Notice of Appeal. However, a Notice of Appeal may be filed on behalf of the association or group in the name of an individual who is a member of the association or group.

The Notice of Appeal must include the reasons for the appeal and be accompanied by a cheque or money order in the amount of \$125.00 payable to the "Minister of Finance".

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you make a written request to be notified of changes to the conditions of approval of the provisional consent.

Additional information about the application is available for public inspection between the hours of 8:30 and 4:30 at the Office of the Secretary-Treasurer for the Committee of Adjustment.

Dated at Fort Frances this 19th day of November 2014.

N. Faye Flatt, AMCT, ACST, CPT
 Municipal Planner/Comm. S/T
 Town of Fort Frances
 320 Portage Avenue
 Fort Frances, On P9A 3P9
 Telephone: (807) 274-5323 (ex. 275)

TOWN OF FORT FRANCES
320 Portage Avenue, Fort Frances, On P9A 3P9
COMMITTEE OF ADJUSTMENT DECISION
Section 53 of the Planning Act, R.S.O. as amended

File No.
B1 / 2014

AGENDA ITEM #8.10

Application By: Nicholas Sivonen and Lindsey Langton

To: create a new residential lot on the south side of Colonization Rd. W. with approximately 25.5 metres of frontage and a depth of 35 metres (west side) and 51.816 metres (east side).

At: 1645 Colonization Rd. W.

On the 17th day of November 2014, Provisional Approval was ☐ Not Granted or ☐ Granted subject to the following Conditions:

1. **REFERENCE PLAN** – That the Municipal Planner be provided with a deposited reference plan bearing the seal of the Land Registrar depicting the severed property a part thereon or a Letter of Exemption from the Land Registrar or proper legal description endorsed by evidence of approval of the Land Registrar.
2. **LEGAL DESCRIPTION** - That the Municipal Planner be provided with the legal description of the severed property for the issuance of the Certificate of Official.
3. **PARKLAND "CASH-IN-LIEU"** - That Subsection 51.1(1) and 51.1(3) of Section 50 of the Planning Act apply.
4. **PAYMENT OF ACCOUNTS PAYABLE** - That all current and outstanding accounts payable to the Town of Fort Frances by the property owner be paid in full to the date of Consent.
5. **PAYMENT OF MUNICIPAL TAXES** - That all current and outstanding municipal tax paid in full to the date of Consent.
6. **EXISTING BUILDINGS – RENDER UNINHABITABLE** - That the existing residential building on the **retained property** be rendered uninhabitable and that the Municipal Planner be provided with evidentiary confirmation. (Note – Accessory buildings are not permitted unless the main is in existence, therefore if existing residential building is demolished, all buildings must be).

Certification of Decision:

Jackie Lampi-Hughes

C. Mason

Cindy Mason

Alan Zucchiatti

Alan Zucchiatti

Vacant Seat

Irene Laing

Irene Laing

Gary Rogozinski

Gary Rogozinski

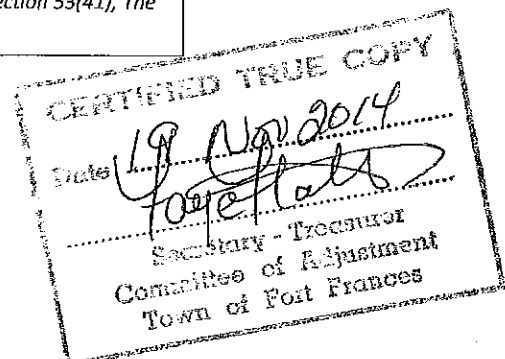
Vacant Seat

N. Faye Platt

Secretary/Treasurer: N. Faye Platt

WARNING:

ALL CONDITIONS MUST BE FULFILLED WITHIN ONE YEAR OF THE DATE OF THE GIVING OF THE NOTICE OF DECISION, FAILING WHICH THIS APPLICATION SHALL THEREUPON BE DEEMED TO BE REFUSED Section 53(41), The Planning Act, R.S.O. 1990





Town of Fort Frances

Notice is given of all regular and special meetings of Committee of Whole Council in the Committee Room, Civic Centre during the month of December 2014:

Monday, December 1, 2014 – Inaugural Meeting of Council
Monday, December 8, 2014 – Special Meeting of Committee of Whole
Monday, December 15, 2014 – Regular Meeting of Committee of Whole

A public meeting of Council may be held following the regular and special meetings of Committee of the Whole Council to consider resolutions arising from the Committee meetings.

Agendas for these meetings will be posted on the Town's web site www.fort-frances.com.

Elizabeth Slomke, Town Clerk

COMMITTEE OF ADJUSTMENT
Minutes of Meeting – 22 October 2014

The regular meeting of the Committee of Adjustment for the Town of Fort Frances was held on October 22, 2014 in the Civic Centre Committee Room with the following present:

Gary Rogozinski, Cindy Mason, Irene Laing, Jackie Lampi-Hughes, Alan Zucchiatti, Faye Flatt, Municipal Planner/Secretary-Treasurer, Nick Sivonen, Steve Both, Lori Pattison, Gord Lemay

1. **Call to Order** –The Vice- Chair confirmed quorum and called the meeting to order at 5:00 pm.
 2. **Declarations, Municipal Conflict of Interest Act** – None
 3. **Minutes** - The minutes of the September 15, 2014 meeting was approved as prepared and circulated.
 4. **Committee Applications**
 - a) **B1/2014 – 1645 Colonization Road West** – deferred
 - b) **B2/2014 – 1653 Colonization Road West** – deferred
 - c) **A14/2014 – 642 Second St. E.** – Steve Both, agent for owners, was present to provide an outline of, and to respond to questions regarding, an application to reduce front yard setback for a main building in a residential zone from 7.5 m to 5.2 m.
Decision of Committee – The application was **approved**.
Conditions – (1) That a building permit be obtained for the contemplated construction within one year from the date of this approval.
Reasons for Decision – (1) There were no objections to the request; (2) No adverse affects have been identified nor any anticipated for either the subject land nor the adjacent lands as a result of the approval of the requested.
 - d) **A13/2014 – 1127 First St. E.** – The property owner, Lori Pattison, was present to respond to questions from the committee on her application to reduce the minimum distance between an accessory building and main from 2.0 m. to 0.712 m.
Zucchiatti/Mason – That the committee move to an *in camera* session to discuss personal matters about an identifiable individual, including municipal or local board employees (6:09 pm to 6:37 pm).
CARRIED
- The consensus of the committee was that the application was not minor and that the contractor was more culpable than the property owner in this case because contrary to the direction of the property owner he had not obtained a building permit before constructing the deck. There was also concern that a written response specific to this application had not been received from the Fire Department. The matter was deferred to April 2015 so written reply could be requested from the Fire Department and so that the property owner had an opportunity to come up with a less egregious plan to bring the structure closer to compliance.
5. **Council Referrals** - none
 6. **Information** – None
 7. **Adjournment** – The meeting closed at 6:45pm



Chair/Vice-Chair



Secretary-Treasurer

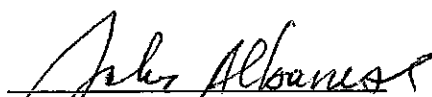
The Planning and Development Executive Committee held it's regular meeting in the Civic Centre Committee Room on Monday the 3rd day of November 2014 at 8:00 a.m., with the following persons present:

John Albanese (Chair), Rick Wiedenhoeft, Doug Kitowski, Faye Flatt, Mark McCaig, Patrick Briere (8:00 – 8:12), Travis Rob, Roy Avis, Ken Perry, Doug Brown (8:20 – 8:40)

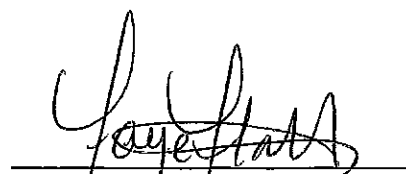
1. CALL TO ORDER – 8:00 a.m.
2. IDENTIFICATION OF NON-AGENDA ITEMS - None
3. DISCLOSURE OF PECUNIARY INTEREST – Doug Kitowski declared on item 7 as the property owner is a close relative. He left the committee room and did not participate in discussions on the matter.
4. MINUTES OF PREVIOUS MEETING – The minutes of October 6, 2014 were approved as circulated (Wiedenhoeft/Kitowski).
5. BUSINESS
 - a. Referral (session 117) – Don Lee request dated September 16, 2014 for two rental parking spaces - a recommendation will be made to Council deny the request.
6. NON-AGENDA ITEMS - None
7. IN-CAMERA
Res. No. 2014-08 – (Wiedenhoeft/Kitowski) That the meeting of the Planning and Development Executive Committee now meet in-camera at 8:12 am in order to address (a) a proposed or pending acquisition of land for municipal or local board purposes or disposal of land no longer needed for municipal purposes.

CARRIED

- a. Request to join Part 1 and Part 7 of Parcel 37-2 (session 115) – no recommendation at this time pending discussions with requester.
8. NEXT REGULAR MEETING DATE - 20 October 2014 at 8:00 am
9. MEETING CLOSE – The meeting closed by R. Wiedenhoeft at 8:40 a.m.



Chairperson



Municipal Planner/Secretary
Page 83 of 88

TOWN OF FORT FRANCES

Administration and Finance Executive Committee

Minutes of Meeting No. 18

Wednesday, November 5, 2014

A meeting of the Administration and Finance Executive Committee was held in the Committee Room – Civic Centre on Wednesday, November 5, 2014 at 12:00 p.m.

PRESENT: Councillor Ken Perry, Councillor Andrew Hallikas, Councillor Paul Ryan, and Mayor Roy Avis

ALSO PRESENT: Mark McCaig, CAO, Laurie Witherspoon, Treasurer, and Aaron Petrin, HR Manager

REGRETS: None

Called to order 12:05 p.m.

1. **Non-Agenda:** i) M. McCaig, CAO Rainy River District Delegation Travel Claim

2. **Disclosure of pecuniary interest and the general nature thereof:** None

3. **Andrew Hallikas – Paul Ryan:** That the minutes from the previous meeting held on October 21, 2014 be approved as circulated.

CARRIED

4. **Aaron Petrin, HR Manager**

- i) Social Media Policy – New Policy was reviewed.

5. **Laurie Witherspoon, Treasurer**

- i) 347/358 Application for Tax Adjustment (2014) – The Committee recommended to approve the adjustment of 2014 taxes under Section 357/358 of the *Municipal Act* for property located at 525 Portage Avenue in Fort Frances.

6. **Outstanding Items:**

- i) Old Shambles Road – CAO/Solicitor
 - ii) Couchiching Sewer and Water Agreement Signage

7. **Non-Agenda Items:**


- i) M. McCaig, CAO Rainy River District Delegation Travel Claim – The Committee recommended to approve the Travel Expense claim for November 3 & 4, 2014 in the total amount of \$147.00 as submitted by Mark McCaig, CAO to attend the Rainy River District Delegation at Queen's Park.

Meeting – November 5, 2014
Page 2

8. **Information:** None

9. **Next Meeting Date:** Tuesday, November 18, 2014


Ken Perry, Chair


Mark McCaig, CAO

Operations & Facilities Executive Committee

Minutes of Meeting

Date: Wednesday, November 5, 2014 Session No. 86

A meeting of the Operations & Facilities Executive Committee was held in the Committee Room on Wednesday, November 5th, 2014 from 7:31 a.m. to 8:45 a.m.

Committee Members Present: Rick Wiedenhoeft, Chair, Ken Perry, Paul Ryan, Mark McCaig, CAO, and Doug Brown.

Also Present: Mayor Roy Avis

Guests: Travis Rob (7:35 a.m. to 8:45 a.m.), Jack Gray (7:35 a.m. to 8:00 a.m.) and Doug Herr (7:35 a.m. to 8:45 a.m.)

1. Call to Order 7:31 a.m.
2. Disclosure of pecuniary interest as required under the *Municipal Conflict of Interest Act* by Committee Members on agenda items. None
3. Agenda items considered at this meeting:
 - 1) Approve the minutes of the meeting of this Committee on October 22nd, 2014 – the minutes were approved as circulated.
 - 2) 2014 Tonnage at the Landfill Site – as of October 31, 2014 – the Landfill Spreadsheet was reviewed and will be forwarded on to Council for information only. No action required.
 - 3) Water & Sanitary Sewer Service Lines for the Reconstruction of a house at 118 Third Street West – Jack & Camie Gray – after a lengthy discussion with Jack Gray and the Operations and Facilities Executive committee made the following recommendations:
 - 1) That the Town will complete a spot repair of the existing service line for 118 Third Street West by accessing the repair site through the existing sanitary Manhole.
 - 2) That the cost to complete the repair is estimated at less than \$1,000.00 where Jack & Camie Gray, the property owners of 118 Third Street West would be Responsible for the exact cost of the repair.

The administration report will be revised to include the recommendations and will be forwarded to Council for approval. Jack Gray left the meeting at 8:00 a.m.

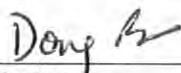
4. Non-Agenda Items: None

5. Resolutions: None

Adjourned at 8:45 a.m.

There being no further matters before this Committee at this time this meeting was closed.


Chair


Manager

November 5, 2014 O&F Exec Minutes.doc

FORT FRANCES MUSEUM ADVISORY COMMITTEE

Meeting: Mon Nov 17, 2014, 4:15 p.m.

Present: Debbie Ballard ✓ Bruce Caldwell ✓ Robert Schulz ✓ Judy Kielczewski ✓ Mary Hickling ✓
Committee Secretary: Sherry George ✓ Guests:

Minutes from last meeting, Oct 20: adopted as sent.

Governance: It was suggested that we accompany the motions carried last meeting with a letter to council, so that matters proceed smoothly. Attached. Advisory Committee applications distributed. Current committee will re-apply with the exception of Bruce Caldwell, who is stepping down after dedicating 8 years to the committee. Thank you, Bruce!

Finance: Museum will be receiving a donation of money. Estate settlement will not be finalized until spring; need to be thinking about the best way to spend that money. Sherry will speak with executor to ensure we respect any wishes of our benefactor.

Collections: As discussed, accessioning seriously backlogged.

Exhibitions:

- Anniversaries of world wars. Exhibit continues to draw visitors and family stories are still coming in. Will hold the exhibit over the winter. Time that is not invested in putting together a new exhibit, can be spent on the collection.

Interpretation & Education: Adults visiting the exhibit are not slowing down, but few children. Sherry will send an invitation to schools in hopes of attracting more children. Committee feels strongly that we need focus more on children... run workshops once per month, etc., with volunteers if necessary.

Research: Maxine Hayes still busy with local stories. We are also setting aside information on Noden causeway.

Conservation: Looking at purchasing an environmentally-controlled exhibit case for Noden's regalia.

Physical Plant: Hallett clean-up scheduled for spring. T.Rob had contractors here to look at the HVAC system. The main floor humidifier is still not working; proper maintenance appears to be the issue as it was the last time.

Community: Friends Fundraising Gala on Thurs Nov 6: 'An Evening at the Officers' Club' a great success. Well attended. The evening ran smoothly and was well received. Kudos to our Friends group!

Human Resources:

1. As in Governance above, a letter from committee requesting help for the museum should be outlined in a letter.
2. Museum will have a placement from Seven Gens Dec 1-12. Need to determine what she will be working on.

New Business:

1. Numbers: Oct 2014 visitors: 442; (263 in 2013).
2. Snowbirds will visit this summer; looking at an event to tie-in to museum. Snowbirds trivia? With prize as VIP status to visit the crew?

Old Business: Report to management - tabled.

Ontario Arts Council: Reminder sent to Arts Community about upcoming deadline for exhibition assistance. No applications thus far.

Follow-up: *Recommendations to be made to Executive Committee of Community Services... A letter will accompany the Motions passed during last meeting: request to hire an assistant, plus need for council member to sit on Committee.*

Meeting adjourned at 5:45 p.m.

Next meeting: Mon Dec 15 at 4:15 p.m.