THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	**POLICY**	**Policy No**	**POL - 1602**
Title	**Village of Lions Bay Towing Policy**		
Author	**CAO**	**Reviewed By:**	
Date	**May 30, 2016**	**Version**	**3.1**

Purpose

The purpose of this Policy is to provide guidance for Bylaw Enforcement Officers, other staff and the general public with respect to the towing of vehicles within the Village of Lions Bay (the "Municipality") in accordance with Traffic and Parking Bylaw No. 413, 2009 ("Bylaw No. 413").

Application

This Towing Policy applies to all persons and corporations in respect of vehicle parking in the Village of Lions Bay. Excluded from this Policy are those functions or areas which are outside the jurisdiction of the Municipality (eg: MOTI rights of way). All previous Municipal towing policies are hereby rescinded.

Policy

The Village of Lions Bay puts priority on protecting the safety of Village residents by strictly enforcing rules regarding parking in fire lanes and in front of fire hydrants, blocking ingress and egress to municipal or private property, and parking of vehicles on Municipal highways in heavy snow situations, which impedes plowing the highways. The following guidelines are provided with respect to enforcement through towing.

1. Towing throughout the Municipality may be requested by a Bylaw Enforcement Officer in the following circumstances:

   (a) vehicle blocking a fire lane;

   (b) vehicle stopped or parked on a bridge;

(c) vehicle without a disabled parking permit stopped or parked in a stall or area reserved for persons with disabilities;

(d) vehicle stopped or parked within 5 metres of a fire hydrant or standpipe;

(e) vehicle stopped or parked within 5 metres of the edge of a marked crosswalk;

(f) vehicle stopped or parked within 6 metres of a stop sign or an intersection;

(g) vehicle stopped or parked on any portion of highway in such a way as to interfere with or obstruct the normal flow of traffic or the maintenance of the highway (eg: vehicle on highway longer than 24 hours after the commencement of snowfall so as to obstruct snowplows);

(h) vehicle without a valid parking permit stopped or parked on a highway longer than 72 consecutive hours or contrary to signage requiring a permit, or parked in Lions Bay Beach Parking Lot, Kelvin Grove Beach Parking Lot, or Sunset Trailhead Parking Lot without having paid the requisite fee (during the seasonal period when meters are in place);

(i) vehicle without a valid insurance decal stopped or parked on highway or in beach parking lots longer than 72 hours.

2. Towing is to be performed only by a commercial towing service with whom the Municipality has entered into a contract.

3. The contracted towing company will be responsible for placing appropriate signage around the Village in accordance with the directions of Public Works and/or Bylaw Enforcement staff, showing the company's contact phone number for any person whose vehicle has been towed.

4. Prior to requesting a tow, a Bylaw Enforcement Officer must issue a Bylaw Notice (i.e. a ticket) and indicate on the Notice that a tow has been requested.

5. Where, in the opinion of the Bylaw Enforcement Officer, there is inadequate or no signage from the towing company to inform a towee as to who has impounded their vehicle, then upon requesting a tow, the Bylaw Enforcement Officer shall contact the RCMP to advise of the tow request, the vehicle and licence particulars, and the phone number and address of the towing company's impoundment facility.

6. Towing requests shall be supported with clear evidence of the parking infraction, including photographs of the vehicle and the signage or other evidence (eg: measurement of distance from vehicle to fire hydrant).

7. Where circumstances are ambiguous, or there is a note on the vehicle indicating the driver is dealing with an emergency, the Bylaw Enforcement Officer should exercise his or her discretion to issue a warning notice rather than towing the vehicle.

8. Where a vehicle is parked in a resident parking only area with an out of date parking permit, the Bylaw Enforcement Officer:

   (a) shall issue a warning on the first instance;
   (b) may issue a Bylaw Notice (i.e. a ticket) on the second instance, provided the time period between the first and second instance is greater than 72 hours; and
   (c) may tow the vehicle on the third instance, provided the time period between the second and third instance is greater than 72 hours.

9. There shall be no appeal process to the Municipality's administration or to Council with respect to towing costs. If a person believes they have been towed improperly, they may contest the Bylaw Notice (i.e. ticket) to the designated Screening Officer and if the ticket is upheld, to the Adjudicator under the Bylaw Notice Enforcement Bylaw No. 385, 2006, as amended.

10. This Policy shall be posted to the Village of Lions Bay website.

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Corporate Officer Mayor or Delegate

Adopted by Council:	June 7, 2016

Updated:	June 4, 2019