

THE MUNICIPAL CORPORATION OF THE CITY OF IQALUIT, NUNAVUT
BY-LAW No. 944
IMPOUNDED VEHICLE AND EQUIPMENT BYLAW NO. 944

A By-law of the Municipal Corporation of the City of Iqaluit.

WHEREAS Council wishes to enact an Impoundment of Vehicles and Equipment By-Law, in the City of Iqaluit, Nunavut;

WHEREAS Council is given the power under section 54.2 to pass by-laws a) to give broad authority to the council and to respect its right to govern the municipality in whatever way the council considers appropriate, within the jurisdiction given to it under this and other Acts;

WHEREAS a Council provided by the Cities, Towns and Villages Act may pass by-laws for municipal purposes respecting d) local transportation systems and h) the enforcement of by-laws

WHEREAS pursuant to the provision of the Cities, Towns and Villages Act, R.S.N.W.T. 1988, c.C-8, and the Traffic Safety Act R.S.N.W.T. 1988, c M-16

NOW THEREFORE, the Council of the Municipal Corporation of the City of Iqaluit, in a regular session, duly assembled, enacts as follows:

SHORT TITLE

This By-law may be cited as the Impounded Vehicle and Equipment By-law No. 944.

1. DEFINITIONS

“CAO” means Chief Administrative Officer;

“City Impound Lot” means the storage lot of the City of Iqaluit for the impoundment of vehicles and equipment.

“Council” means the council of the City of Iqaluit;

“Driver” means a person who operates a vehicle or, where the vehicle is not in motion, the person who is in actual physical control of the vehicle;

“Impounded Vehicle or Equipment” means any vehicle or equipment seized and taken legal custody of because of a contravention under a governing bylaw or act.

“Peace officer” means

- (a) a person appointed as a ‘By-law Enforcement Officer’ or ‘Municipal Enforcement Officer – Peace Officer’ in accordance with the Cities, Towns, and Villages Act for the purpose of the enforcement of City of Iqaluit By-

- laws;
- (b) a member of the Royal Canadian Mounted Police;
- (c) a person prescribed as a 'peace officer or a member of a class of persons prescribed as peace officers under the Criminal Code of Canada relating to summary conviction offences as referenced in section 2 of the Summary Conviction Procedures Act, as amended from time to time.

“Proprietor” shall mean the owner of a business, organization, corporation or holder of a property.

“Summary Offence Ticket Information” means a ticket information issued for a contravention of a Municipal bylaw or Territorial Act as set out in the Summary Offence Procedures Act.

2. GENERAL PROVISIONS

1. The City of Iqaluit Municipal Enforcement Department may hold an impounded vehicle until all fees and outstanding fines in the form of a Summary Offence Ticket Information are paid, where a conviction in the Nunavut Court of Justice has been entered against the operator or owner of the vehicle or equipment.
2. The termination of seizure shall be upon payment in full of all fees and all outstanding fine orders levied by the Nunavut Court of Justice associated to the operator or owner of the impounded vehicle or equipment.


3. LIENS AND SALE OF VEHICLE OR EQUIPMENT

1. The reasonable charges for the care and storage of the vehicle are a lien on the vehicle in favour of the proprietor of the place where the vehicle is stored, so long as the vehicle is in the possession of the proprietor.
2. The proprietor of a place that has stored a seized vehicle may sell the vehicle to recover the reasonable charges for the care and storage of the vehicle where the proprietor
 - (a) has not received payment in full for the reasonable charges for the care and storage of the vehicle; and
 - (b) is in possession of the vehicle

EFFECTIVE DATE

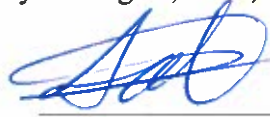
This By-law shall come into force upon receiving third reading.

THIS BY-LAW READ a First Time this 23rd day of August, 2022, A.D.

Deputy  *Solomon Auz*
Kenny Bell
Mayor


Amy Elgersma
Chief Administrative Officer

THIS BY-LAW READ a Second Time this 23rd day of August, 2022, A.D.

Deputy  *Solomon Auz*
Kenny Bell
Mayor


Amy Elgersma
Chief Administrative Officer

THIS BY-LAW READ a Third and Final Time this 13th day of September, 2022 A.D.



Deputy  *Solomon Auz*
Kenny Bell
Mayor


Amy Elgersma
Chief Administrative Officer

