



TOWN OF POUCH COVE

TOWING & IMPOUNDING OF VEHICLES BY-LAW

1. TITLE

This document will be known and cited as the *Towing and Impounding of Vehicles By-Law*; hereinafter referred to as *this by-law*.

2. OBJECTIVE/PURPOSE

The purpose of this by-law is to regulate the removal, towing, and impoundment of vehicles within the Town of Pouch Cove in order to ensure the safe and efficient use of roadways and municipal property. This by-law is intended to:

- 2.1 Promote public safety by addressing vehicles that obstruct traffic, emergency access, or municipal operations;
- 2.2 Support the standards and maintenance expectations regarding town appearance;
- 2.3 Enable the timely removal of abandoned, illegally parked, or hazardous vehicles;
- 2.4 Establish clear authority and procedures for enforcement, towing, and impoundment; and
- 2.5 Ensure that all costs associated with enforcement actions are borne by the responsible vehicle owner or operator.

3. DEFINITIONS

- 3.1 **Vehicle** shall refer to any automobile, truck, motorcycle, trailer, recreational vehicle, commercial vehicle, portable vendor vehicle, or any other device in, upon, or by which a person or property may be transported or drawn upon a roadway.
- 3.2 **Roadway** shall refer to any street, road, lane, highway, bridge, or public place under the jurisdiction of the Town of Pouch Cove.
- 3.3 **Officer** shall refer to a municipal enforcement officer, or any person authorized by the Town of Pouch Cove to enforce this by-law.
- 3.4 **Town** refers to the Town of Pouch Cove.
- 3.5 **Tow Operator** shall refer to a person or company authorized by the Town to remove, transport and/or store vehicles within the municipality.
- 3.6 **Tow Notice** shall refer to a notice which states that a vehicle will be towed after the expiration of 24 hours from the time of issuance.
- 3.7 **Impound** shall refer to the detention or storage of a vehicle at a specific location approved by the Town for these purposes.

4. APPLICATION

This policy shall apply to any and all vehicles in contravention of this by-law or any other municipal ordinance regarding vehicle regulations.

5. AUTHORITY TO REMOVE VEHICLES

Where a vehicle is found in contravention of this by-law or any other applicable municipal regulation, an officer may:

- 5.1 Order the vehicle to be moved; or
- 5.2 Issue a tow notice for the vehicle; or
- 5.3 Cause the vehicle to be removed, towed, and impounded immediately.

6. TOWING

- 6.1** The Town may engage a Tow Operator for the purposes of removing, transporting and/or storing any vehicle which is parked, discarded, or dismantled in a manner that may:
- 6.1.1** constitute a hinderance to maintenance, repair, or improvement of the street; or
 - 6.1.2** impede the plowing or removal of snow or ice from the street; or
 - 6.1.3** cause interference with the flow of traffic; or
 - 6.1.4** cause interference with the access to or egress from private property; or
 - 6.1.5** causes a hazard and safety risk to the public; or
 - 6.1.6** is in contravention with the Unsightly Property and Waste Disposal By-Law.
- 6.2** A vehicle which, in the determination of the officer, has been abandoned on a street for a period in excess of 24 hours shall be monitored for a period of five (5) days and upon the expiration of which if the vehicle has not been removed from the street a tow notice shall be affixed to the vehicle and upon the expiration of 24 hours the vehicle may be towed and impounded.
- 6.2.1** Notwithstanding subsection 6.2, a vehicle, which in the determination of the officer, has been abandoned on a street for a period in excess of 24 hours or is in a dilapidated condition and which is parked in contravention of any statute, regulation, or by-law or, in the opinion of the officer, poses a safety hazard, the vehicle may be towed and impounded without notice.
- 6.3** A vehicle which is parked or abandoned on a street, and which does not have a current and/or valid motor vehicle registration, or which has no license plates may be towed and impounded without notice.
- 6.4** A vehicle which is parked or abandoned on a street, and which is impeding the plowing or removal or snow or ice from the street in contravention to the Snow Clearing By-Law may be towed and impounded without notice.

7. IMPOUNDING

Any vehicle towed in accordance with the provisions of this by-law shall be impounded in the municipal impound lot as designated by the Town until payment in full of all costs, charges, expenses, fines, and release, due and payable to the Town are paid.

- 7.1** The Town shall make reasonable efforts to notify the registered owner of the vehicle as soon as practicable after the vehicle has been impounded.
- 7.2** The costs, charges, expenses, fines, and release, referred to in section 7 shall include, but not be limited to:
- 7.2.1** all costs and expenses incurred by the Town in towing the vehicle or an amount equivalent to the fee charged by a private towing company where Town owned resources are used to carry out the tow;
 - 7.2.2** the daily impound fee as established by the Town for each day or part of a day the vehicle is impounded;
 - 7.2.3** all fees associated with vehicle release from impound lot; and
 - 7.2.4** all unpaid parking fines for which a Notice of Fine and Conviction has been issued.
- 7.3** Upon full payment of all costs, charges, expenses, fines, and release, as specified in section 7.2, and:
- 7.3.1** upon providing proof of vehicle registration and insurance acceptable to the officer, the vehicle may be released and driven from the impound; or
 - 7.3.2** where proof of vehicle registration and insurance cannot be provided the vehicle shall be released and removed from the impound only by means of towing at the vehicle owner's expense and arrangement.

8. VEHICLE DISPOSITION

- 8.1 Where a vehicle has been impounded pursuant to this by-law and remains unclaimed for a period of thirty (30) days or more from the date of impoundment, the vehicle may be deemed abandoned for the purposes of this by-law, subject to compliance with applicable provincial legislation including the *Towns and Local Service Districts Act* and the *Highway Traffic Act*, the Town may dispose of the vehicle. In this event the Town may:
 - 8.1.1 sell the vehicle by public auction or other lawful means; or
 - 8.1.2 transfer the vehicle to a licensed salvage or scrap facility; or
 - 8.1.3 donate the vehicle to a registered non-profit organization, charitable organization, educational organization, community group, or other organization within the municipality or surrounding region.
- 8.2 Prior to any such disposition, the Town shall make reasonable efforts to notify the registered owner and any known lienholders of the vehicle of the impending disposition.
- 8.3 Any proceeds derived from the sale or disposition of the vehicle may be applied to outstanding towing, storage, administrative, release, disposal, and related costs, with any surplus handled in accordance with applicable legislation.
- 8.4 The Town, its officers, employees, and agents shall not be liable for any loss or damage arising from the disposal or donation of a vehicle carried out in good faith and in accordance with this by-law and applicable legislation.
- 8.5 The Town shall keep a record of all vehicles disposed of under this section, including the date, authorization, and method of disposition.

9. REVIEW

This policy is subject to review and modification as necessary to ensure it remains compliant with current legal standards and aligned with the overall mission of the Town of Pouch Cove. Violations of this policy may be subject to corrective action. This policy will be reviewed and updated annually and may be amended as required at any time between scheduled reviews.

10. AMENDMENTS

11. EFFECTIVE DATE/RESOLUTION

This policy shall take effect in full and immediately as of April 27, 2026.



Acting Mayor
Kate Sullivan



CAO
Rodney Hynes

April 27, 2026

Date

April 27/26

Date