

## **LEGAL CLINIC OF GUELPH AND WELLINGTON COUNTY** **TRAFFIC OFFENCE REFERRALS**

This has been provided to you as a courtesy by the Legal Clinic of Guelph and Wellington County. None of the referral information or the internet links provided below should be construed as legal advice. They are provided as a resource to help. **The Legal Clinic does not take responsibility for the accuracy for the information provided by the City of Guelph (below).**

**Provincial Offences** are non-criminal charges, issued pursuant to provincial and municipal legislation such as:

- *Ontario Highway Traffic Act* charges, such as speeding, careless driving and not wearing a seatbelt.
- *Compulsory Automobile Insurance Act* charges, such as failing to surrender insurance card or possessing an invalid or altered insurance card.
- *Liquor License Act* charges, such as being intoxicated in a public place or selling alcohol to a minor.
- *Trespass to Property Act* charges, such as entering premises when entry is prohibited or failing to leave premises after being directed to do so.
- *City Bylaw* charges pursuant to noise control, animal control, waste collection etc.

Payments for Provincial Offences can be made in person or by mail, phone or fax at the Ontario Court of Justice at Suite 215-55 Wyndham Street North (Old Quebec Street Mall), Guelph. Their telephone number is 519-826-0762.

**Parking Offences** are processed by the City of Guelph Parking Office at 55 Macdonell Street, Guelph. Their telephone number is 519-837-5612.

### **WHAT TO DO WITH A PROVINCIAL OFFENCES TICKET**

The following information is taken from the City of Guelph website:  
(<http://guelph.ca/living.cfm?subCATID=1645&smocid=2223>).

#### **What are my options once I receive a provincial ticket?**

Within 15 days, you must choose one of the following:

##### ***Option 1: Plea of Guilty – Payment out of Court***

By choosing this option, you are stating that you are guilty and you must pay the total payable as set on your ticket. Fine payments may be made either in person or by mail. If a partial payment is made, or if the defendant's cheque is returned for insufficient funds, the fine will not be considered fully paid,

##### ***Option 2: Plead of Guilty with Explanation***

Walk-in guilty pleas occur every Monday-Thursday at 9:00 am sharp (excluding holidays and court closures). This option is available to defendants who do not wish to dispute the

charge, however, wish to plead guilty before a Justice of the Peace and make a submission about the sentence.

You must attend in person at the court office designated on the back of the ticket. Time and dates are also listed. Upon your arrival at the court, you must register your name at the Administration Service counter. Staff will instruct you accordingly after you sign in. Before pleading guilty with an explanation, it is important that you understand what a Justice of the Peace can and cannot do when you plead guilty under this option.

Remember, you are pleading guilty to the offence on your notice and not to any other offence.

**THE JUSTICE OF THE PEACE CAN:**

- Reduce the amount of the set fine
- Give you an extension of time in which you can pay the fine

**THE JUSTICE OF THE PEACE CANNOT**

- Reduce the charge; for example, a speeding charge of 20 kilometres over the limit cannot be reduced to 15 kilometres
- Remove or reduce the demerit points to be applied

**Demerit points are applied by the Ministry of Transportation upon conviction and the court cannot change the demerit points to be applied.**

***Option 3 – Trial Option: Notice of Intention to Appear***

If you wish to request a court date, you must sign the notice of intention to appear on the back of the ticket under Option 3: Trial Option. Any requests for trial may then be hand delivered or mailed, to the Court office and must be received by the Court within 15 days. A trial date will be set and mailed to you.

**OTHER RESOURCES**

- **Lawyer Referral Service**

Telephone: 1-800-268-8326 or 416-947-3330 (GTA Area)

The service is available from 9 am to 5 pm Monday to Friday. The Lawyer Referral Service will refer you to a lawyer in your area with whom you will receive a free ½ hour legal consultation.

- **Your Legal Rights**

Your Legal Rights is a project of CLEO (Community Legal Education Ontario) and is funded by the Law Foundation of Ontario ([www.yourlegalrights.on.ca](http://www.yourlegalrights.on.ca)). This is a great online resource that offers a variety of information that will help individuals better understand and exercise their legal rights.

- **Justice Ontario**

Telephone: 1-866-252-0104

Website: <http://www.attorneygeneral.jus.gov.on.ca/english/justice-ont/>

Legal information is available regarding what you do if you receive a ticket and paying and/or fighting a ticket. The information is provided in 170 different languages via the telephone number above and on this website in 22 different languages.