

**The Corporation of the United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde**

**By-Law No. 2024-13**

**Being a by-law to regulate and control parking on highways under the jurisdiction of the Corporation of the United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde and on municipal and private property within the corporate boundaries**

**Whereas**, pursuant to the Municipal Act, R.S.O. 2001, c. 25, as amended, and the Motorized Snow Vehicle Act, R.S.O. 1990, c. M.44, a municipality may pass by-laws respecting the parking of vehicles on highways and on other lands, including by-laws to designate parking spaces for the exclusive use of certain vehicles, and to impose fees for parking;

**Now therefore**, the Council of the Corporation of the United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde enacts as follows:

**1. Short Title**

This by-law may be referred to as the Parking Control By-law and shall apply to all highways under the jurisdiction of the Corporation of the United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde, and on municipal and private property within the Corporate boundaries.

**2. Definitions**

In this by-law:

- 2.1 “*authorized sign*” means any sign or other device, which is not an *official sign*, and which has been placed or erected on a *highway*, *municipal property* or *private property* under the authority of this by-law.
- 2.2 “*boulevard*” means the part of a *highway* between the property line and the edge of the *roadway*. A *boulevard* may or may not contain a *sidewalk* or driveway;
- 2.3 “*highway*” includes a common and public *highway*, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of *vehicles* and includes the area between the lateral property lines thereof;
- 2.4 “*intersection*” means the arc embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of the two or more *highways* that join one another at an angle, whether or not one *highway* crosses the other;
- 2.5 “*official sign*” means a sign pursuant to either the Highway Traffic Act or the Ontario Traffic Manual;
- 2.6 “*park*” or “*parked*” or “*parking*” when prohibited means the halting of a *vehicle*, whether occupied or not, except when halted temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

- 2.7 “*police officer*” or “*officer*” for the purpose of this by-law means a member of the Ontario Provincial Police or a municipal law enforcement officer, authorized to enforce the provisions of this by-law and includes all other persons appointed as provincial offences officers pursuant to the Provincial Offences Act, R.S.O. 1990, chapter P33;
- 2.8 “*private property*” means property on which one or more signs have been erected by or on behalf of the owner or occupant prohibiting or restricting *parking* in any manner;
- 2.9 “*roadway*” means the part of the *highway* that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder;
- 2.10 “*sidewalk*” means a path or strip of land paved or otherwise on a *highway* physically set apart or designed, made available or intended for pedestrian use;
- 2.11 “*stop*” or “*stopping*” or “*standing*” means the halting of a *vehicle*, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic, or to comply with the direction of an *officer* or *police officer* or a traffic sign or signal;
- 2.12 “*taxicab*” means a *motor vehicle* kept or used for hire for the conveyance of passengers or goods;
- 2.13 “*Municipality*” means the Corporation of the United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde;
- 2.14 “*municipal property*” means any property owned or occupied by the Corporation of the United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde;
- 2.15 “*vehicle*” includes any automobile, motorcycle, motor assisted bicycle, trailer, traction engine, farm tractor, road building machine and *vehicle* drawn, propelled or driven by any kind of power, including muscular power and motorized snow vehicles but not including motor *vehicles* running only upon rails;
- 2.16 “*without consent*” means when a *vehicle* is *parked* on *municipal property* and the owner or operator has been notified by the *Municipality* that *parking* is prohibited. Notification may be verbal or written. Written notification is deemed served if it has been affixed to the *vehicle* in a conspicuous place for a twenty-four (24) hour period.

### **3. Parking Regulations and Prohibitions**

- 3.1 No person shall *park* a *vehicle* at any time:
- (1) on a *highway* facing in a direction opposite to that of the legal direction of traffic on the side of the *highway* that the *vehicle* is *parked*;
  - (2) on a *highway* unless the *vehicle* is parallel to the curb or the edge of the *roadway* and the right-hand side wheels are not

more than 15 centimetres (5.9 inches) onto the *roadway* from the curb or the edge of the *roadway*;

- (3) on a *sidewalk* or the improved portion of a *boulevard*;
  - (4) in front of a public or private driveway or laneway or within 1 meter (3.3 feet) of the limits thereof;
  - (5) within an intersection or 9 metres (29.5 feet) of the limits of an intersection;
  - (6) on any bridge or on the approach to any bridge;
  - (7) on any *highway* or portion thereof in such a manner as to obstruct traffic;
  - (8) in such a manner that the *vehicle* is not wholly within a designated *parking* space unless such *vehicle* is of such length so as to render it impossible to do so and section 5.2(4) hereof is complied with when applicable;
  - (9) in such a position so as to prevent the convenient removal of any *vehicle* previously *parked* or left *standing*;
  - (10) on the *highways* or portions thereof as specified in Schedule "A" attached hereto, or on a *highway* or portions thereof, or on *municipal property*, where an *authorized sign* or *official sign* which prohibits *parking* has been erected by resolution of the Council of the *Municipality*;
  - (11) on *municipal property without consent*;
- 3.2 No person shall *park* a *vehicle* on the *highways* or portion thereof or *municipal property* as set out in Schedule "B" in excess of the specified time limits therein on the days specified therein.
- 3.3 Despite any other provisions of this by-law, no person shall *park* or *stand* a *vehicle* in such a manner as to interfere with the clearing of snow, or the sanding or maintenance of a highway.
- 3.4 Despite the provisions of Section 3.1(10) and Section 3.2 of this by-law, no person shall *park* a *vehicle* on a *highway* from November 1 until April 15 of the following year between the hours of 12:00 midnight and 7:00 A.M.
- 3.5 The operator of a bus or *taxicab* shall not *stop* or *park* a bus or a *taxicab* upon any *highway* other than those portions designated as *bus* or *taxicab* stands provided that this provision shall not prevent the operator from temporarily *stopping* for the purpose of and while actively engaged in loading or unloading passengers.

#### **4. Standing Regulations**

- 4.1 No person shall at any time allow a *vehicle* to be *standing* on a *highway* or portion thereof specified in Schedule "C" attached hereto.
- 4.2 No person shall at any time allow a *vehicle* to be *standing* on a *sidewalk* or the improved portion of a *boulevard*.

- 4.3 No person shall at any time allow a *vehicle* to be *standing* with the right-hand side wheels more than 15 centimetres (5.9 inches) on to the *roadway* from the edge of the curb or *roadway*.

## 5. Specified Time Limit Parking Zones

- 5.1 Subject to the other provisions of this by-law, those portions of *highways* listed in Schedule "B" shall be and are hereby designated as time limited *parking* zones.
- 5.2 Notwithstanding anything in this by-law to the contrary, the following rules and regulations apply to time limited *parking* zones;
- (1) No person shall *park* a *vehicle* in a time limited *parking* zone for longer than 2 hours (120 minutes) at any one time between the hours of 9:00 A.M. and 6:00 P.M. on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and Saturdays throughout the year except when such days are legally and lawfully proclaimed holidays.
  - (2) If a *vehicle* is of such length that it cannot be *parked* within one *parking* space, the person *parking* the *vehicle* may occupy two (2) spaces and shall not occupy those spaces for longer than 2 hours (120 minutes).
  - (3) Nothing in this by-law shall be construed as prohibiting the *Municipality* from providing for a free *parking* space for loading or unloading, for *taxicab* or bus stands and for the matters of a similar nature or for removing or not installing *parking* meters in the said *parking* meter zones and for special consideration; and
  - (4) Any portion or portions of the areas designated in this by-law as "time limited parking zones" may be at any time be designated temporarily as "No Parking" areas by resolution of the Council of the *Municipality*.

## 6. Accessible Parking Regulations

- 6.1 In this section:
- (1) "*accessible parking space*" means a *parking* space designated under this by-law for the exclusive use of a *vehicle* displaying an *accessible parking permit* in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder and this by-law;
  - (2) "*permit*" means an *accessible parking permit* issued under the Highway Traffic Act and the regulations made thereunder or a permit, number plate or other marker or device issued by another jurisdiction and recognized under that Act.
- 6.2 An *accessible parking space*:
- (1) shall be distinctly indicated in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder; and
  - (2) shall include a part of any *highway* or of any *municipal property* or *private property* marked by *official signs* restricting its use as an *accessible parking space*.

- 6.3 No person or organization shall *park a vehicle* in an *accessible parking space*, unless a currently valid *permit* has been issued to that person, or organization, or to a passenger being picked-up or transported in the *vehicle* and such *permit* is displayed on or in the *vehicle* in accordance with the requirements of the Highway Traffic Act, the regulations made thereunder and this by-law.
- 6.4 The driver or operator of a *vehicle* which displays a *permit* in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder and this by-law shall not be required to pay an amount in excess of the normal fee paid by other users of the same *parking* lots or other *parking* facilities to which the public has access.

## 7. Penalties

- 7.1 Where a *vehicle* is found *parked* in contravention of the provisions of this by-law, the *police officer* or *officer* so finding the *vehicle* may issue a certificate of parking infraction and a parking infraction notice. The said parking infraction notice may be served upon the owner of the *vehicle* identified in the notice or upon the operator of the *vehicle* by a method prescribed by the Provincial Offences Act, R.S.O. 1990, chapter P33.
- 7.2 The following offences are offences in which voluntary payment in full satisfaction in respect to the offences may be made:
- (1) *park vehicle* facing opposite direction of traffic contrary to Section 3.1(1) herein;
  - (2) *park vehicle* more than 15 cm (5.9") from edge of *roadway* / curb contrary to Section 3.1(2) herein;
  - (3) *park vehicle* on *sidewalk* / *boulevard* contrary to Section 3.1(3) herein;
  - (4) *park vehicle* obstructing driveway / laneway contrary to Section 3.1(4) herein;
  - (5) *park vehicle* within 9 m (29.5') of an *intersection* contrary to Section 3.1(5) herein;
  - (6) *park vehicle* on bridge or on approach to bridge contrary to Section 3.1(6) herein;
  - (7) *park vehicle* obstructing traffic contrary to Section 3.1(7) herein;
  - (8) *park vehicle* not totally in designated *parking* space contrary to Section 3.1(8) herein;
  - (9) *park vehicle* preventing convenient removal of other *vehicle* contrary to Section 3.1(9) herein;
  - (10) *park vehicle* in prohibited area contrary to Section 3.1(10) herein;
  - (11) *park vehicle* on *municipal property without consent* contrary to Section 3.1(11) herein;
  - (12) *park vehicle* interfering with *highway* maintenance contrary to Section 3.3 herein;

- (13) *park vehicle* on *highway* between 12:00 midnight and 7:00 A.M. contrary to Section 3.4 herein;
- (14) *park* bus or *taxicab* in an area not designated contrary to Section 3.5 herein;
- (15) *stand vehicle* in prohibited area contrary to Section 4.1 herein;
- (16) *stand vehicle* on *sidewalk / boulevard* contrary to Section 4.2 herein;
- (17) *stand vehicle* more than 15 cm (5.9") from edge of *roadway / curb* contrary to Section 4.3 herein;
- (18) *park vehicle* in excess of maximum time limit contrary to Section 5.2(1) herein;
- (19) *park vehicle* in *accessible parking space* without *permit* contrary to Section 6.3 herein;

7.3 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33.

7.4 The owner of a *vehicle* shall incur the penalties provided for any violator of this by-law unless, at the time of such violation, the *vehicle* was in the possession of some person other than the owner or his chauffer, without the owner's consent and the driver of the *vehicle* not being the owner shall incur the penalties provided for any violation of the terms of this by-law.

7.5 The provisions of this by-law shall not apply in respect of *municipally* owned or emergency vehicles while the occupants of such *vehicles* are engaged in the performance of their duties.

## **8. Removing and Impounding Vehicles**

8.1 Any municipal law enforcement officer, *police officer*, police cadet or any person appointed for carrying out the provisions of the Highway Traffic Act may, under the authority of Section 170(15) of the Highway Traffic Act, R.S.O. 1990, chapter H8, upon discovery of any *vehicle* found in contravention of this by-law may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, caring and storage thereof, 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, chapter R25.

## **9. Implementation**

9.1 Municipal law enforcement officers of the Corporation of the United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde are hereby appointed to enforce this By-law.

9.2 The Road Superintendent is hereby authorized and directed to obtain, erect and maintain such *official signs* and *authorized signs* as are necessary to give effect to the provisions of this by-law.

- 9.3 This by-law comes into force and takes effect on March 27, 2024 subject to the provisions of the Provincial Offences Act, R.S.O. 1990, chapter P33.
- 9.4 By-laws numbered 2010-42, 2011-94, 2013-15, 2021-55, 2023-68 or any preceding by-laws regulating *parking* shall be repealed on March 27, 2024 when this by-law comes into force and takes effect.

## **10. Enforcement**

The provisions of this by-law shall be enforced by any police officer or officer as defined by Section 2.7 herein.

Read a first, second and third time, signed and the Corporate Seal attached hereto this 27<sup>th</sup> day of February, 2024.

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Mayor: Murray Fearrey

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Clerk: Mallory Bishop

## Schedule "A"

### (List of *highways* or portions of *highways* where *parking* is prohibited.)

1. Independent Street, north and south sides of road between intersection of Eastern Avenue and Cattail Road between the hours of 8:00A.M. and 6:00 P.M. daily;
2. Victoria Street adjacent to school property between hours of 8:30 A.M. and 4:40 P.M., Monday through Friday;
3. The east half (33 feet) of the original road allowance between the Township of Sherborne and the Township of Havelock, being located at Lot 1, Concession 12, Township of Havelock;
4. Wigamog Road – "No Parking" as indicated between signs in the vicinity of Lot 6, Concession 3, Township of Dysart, Silver Beach Campground;
5. Grass Lake Road from the intersection of County Road 1 (Gelert Road) to 1061 Grass Lake Road on both sides and from 1061 Grass Lake Road to 1173 Grass Lake Road on the west side;
6. Blue Heron Trail on both sides of the road at Plan 633, Block 21, Township of Guilford for a distance of about 1100 feet between posted signs in front of the Blue Heron Boat Launch Area;
7. Cedar Avenue on the east side from Highland Street heading south for a distance of 30 metres (98.4 feet);
8. North side of Mountain Street from Dysart Avenue heading east for a distance of 15 metres (49.2 feet);
9. West side of Dysart Avenue from Mountain Street heading north for a distance of 33 metres (108.3 feet);
10. West side of Dysart Avenue from Highland Street heading south for a distance of 22.5 metres (74 feet);
11. East side of Dysart Avenue from Mountain Street heading north for a distance of 33 metres (108.3 feet);
12. South side of York Street from Maple Avenue heading west for a distance of 103 meters (337.9 feet);
13. West side of Cedar Avenue from Highland Street to Mountain Street from November 1 until April 15 of the following year;
14. North side of Park Street from Maple Avenue to Pine Avenue from November 1 until April 15 of the following year;
15. Maple Avenue on the east side from Park Street to Sunnyside Street for a distance of 140 meters (459.3 feet);
16. Sunnyside Street on the north side from Maple Avenue to 1 Sunnyside Street for a distance of 118 meters (387.1 feet).
17. North side of Mountain Street heading east from a point of 72.17 meters to a point of 76.22 meters (250 feet).
18. The west corner of 206 Highland Street heading west towards the east corner of 194 Highland Street, to a point of 20 meters (65.6 feet).

## Schedule "B"

### (List where time limit on *parking*)

1. 15 minutes *parking* maximum on east side of Maple Avenue within limits of width of Post Office property as posted;
2. 15 minutes *parking* maximum at Haliburton Medical Centre 7217 Gelert Road in designated short-term parking spaces;
3. 3 hours (180 minutes) *parking* maximum on highways between 12:00 Midnight and 7:00 A.M.
4. 2 hours (120 minutes) *parking* on Highland Street north and south sides between the intersections of Cedar Avenue to the west and Dysart Avenue to the east.
5. 2 hours (120 minutes) *parking* on Maple Avenue east and west sides between the intersection of Mountain Street to the south and York Street to the north.
6. 2 hours (120 minutes) *parking* on Highland Street north and south sides between the intersections of Cedar Avenue to the west and Maple Avenue to the east.

## **Schedule “C”**

**(List highways where no *standing*)**

1. Within 9 metres (29.5 feet) of all intersections.
2. In front of Vehicle Access Doors to the Municipal Fire Hall.
3. In front of Vehicle Access Doors to the Ambulance Hall.