

The Corporation of the Township of Ignace

By-law 67.2021

Being a By-law to Regulate Traffic and Parking Within the Township of Ignace

Whereas, pursuant to the Municipal Act, S.o. 2001, c25, s.27(1) as amended, and the Highway Traffic Act, R.S.O. 1990, c.H.8, s. 195(4) as amended, Council may pass By-laws to regulate traffic and parking on Municipal Highways.

Whereas, the Township of Ignace Final Zoning By-law Section 3, s.s. 3.25 Parking does provide set regulations and definitions pertaining to parking within the Township of Ignace.

Now Therefore, the Council of the Corporation of the Township of Ignace hereby enacts as follows:

1.0 Definitions

Boulevard means all parts of the highway, save and except any roadway, shoulder, driveway or sidewalk.

By-law Enforcement Officer means an Officer appointed by the Municipality or designate for enforcing or carrying out the provisions of this By-law.

Corner with reference to a highway intersection, means the point of intersection of the prolongation of the lateral curb lines, or in the absence of curbs, the prolongation of the edges of the roadways.

Crosswalk means that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the roadway or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface.

Disabled Parking Permit means a permit issued by the Ministry of Transportation for a person with a disability or a permit, number plate or other marker or device issued by another jurisdiction and recognized under the Highway Traffic Act.

Driveway means the improved land on a highway which provides vehicular access from the roadway to a laneway or parking area on adjacent land.

Highway includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles.

Intersection means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other.

Kings Highway means a highway so designated under the Public Transportation and Highway Improvement Act.

Ministry means the Ministry of Transportation of Ontario.

Motor Vehicle includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power; but does not include a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act.

Municipality means the Corporation of the Township of Ignace.

Park or Parking, when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Pedestrian means a person on foot, in a wheeled chair, baby carriage, or a child's play vehicle propelled by muscular power.

Perpendicular Parking means vehicles shall stand at an angle of about ninety degrees (90°) to the curb and with the wheel touching or within 0.30 metres (0.3m) of the curb.

Plaza Parking means the Ignace Town Plaza; all paved portions within the parking lot from East Street to McLeod Street and Hwy 17 (a.k.a. Main Street) to the lane behind the plaza.

Police Force means (the Ignace Detachment of) the Ontario Provincial Police.

Roadway means that part of a highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately, and not to all of the roadways collectively.

Shoulder means that portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved to support a stopped vehicle.

Sidewalk means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

Stand or Standing, when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of, and while actually engaged in, receiving or discharging passengers.

Stop or Stopping, when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Constable or other Police Officer or of a traffic control sign or signal.

Traffic includes pedestrians, ridden, led or herded animals, vehicles, motorized snow vehicles and other conveyances, either singly or together, while using any portion of a highway for the purposes of travel.

Vehicle includes a motor vehicle, motorized snow vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power.

2.0 General

2.1 Abbreviation

In the schedules to this By-Law, the following abbreviations, definitions and symbols stand for the words respectively set forth opposite thereto as follows:

Ave. - Avenue
St. - Street
Rd. - Road
No. - Number
A.M. - Ante Meridian
P.M. - Post Meridian
M. – Metre
A.K.A. – Also Known As

2.2 Distances

Where a distance is used in this By-Law as from, to or within a specified distance of an object, structure, land, intersection or part of a highway, such distance shall be measured along the curb or edge of the roadway, from a point in such curb or edge of roadway opposite such object, structure, land, or intersection, unless the context otherwise requires.

3.0 General Regulations

3.1 Parallel Parking

3.1.1 Where there is a barrier curb, on the right-hand side of the roadway having regard to the direction in which the vehicle was travelling, with its right front and rear wheels parallel to and not more than 0.30 meters (0.3m) away from the curb; or

3.1.2 Where there is a shoulder, on the right side of the roadway, having regard to the direction in which the vehicle was travelling, with the right front and rear wheels parallel to and as near as is practicable to the right edge of the shoulder.

3.2 Final Zoning By-law

3.2.1 Section 3.25 Parking describes the regulations

4.0 Stopping Prohibited

No person shall park or stop any vehicle or permit any vehicle to remain stopped on any highway:

- 4.1 on or partly on or over a sidewalk or footpath;
- 4.2 within an intersection or crosswalk;
- 4.3 adjacent to or across the roadway from any obstruction in the roadway, when such action would impede the free flow of traffic;
- 4.4 on the roadway side of any stopped or parked vehicle;
- 4.5 on any boulevard; or
- 4.6 in such a manner as to interfere with the movement of traffic.

5.0 Parking Prohibited

No person shall park a vehicle in any of the following places:

- 5.1 within three meters (3m) of an intersection;
- 5.2 within three meters (3m) of a fire hydrant;
- 5.3 on a boulevard;
- 5.4 on or so as to overhang a sidewalk or footpath in a manner that obstructs that sidewalk or footpath, or obstructs access to travel on it;
- 5.5 in front of or within two meters (2m) of a laneway or driveway or curb cut thereto;
- 5.6 so as to obstruct a vehicle in the use of any lane way or any public or private driveway;
- 5.7 in such a position that will prevent the convenient removal of any other vehicle previously parked or standing;
- 5.8 on any highway in such manner as to obstruct traffic;
- 5.9 in such a manner as to interfere with the movement of traffic;
- 5.10 on a roadway where the roadway is six meters (6m) or less in width;
- 5.11 in such a manner as to interfere with any highway flushing, cleaning operations or the removal of snow;
- 5.12 in such manner as to interfere with any sidewalk cleaning, repair, snow plowing or snow removal;
- 5.13 so as to interfere with the formation of a funeral procession;
- 5.14 within an intersection or crosswalk;

- 5.15** on land owned or occupied by the Municipality, without written consent of the Municipality, for a period longer than 24 hours;
- 5.16** on property owned by the Municipality where parking by the public is not authorized;
- 5.17** an area posted as a fire route;
- 5.18** in front of or within eight metres (8m) of a property on which there is a fire hall;
- 5.19** in front of or within three metres (3m) of the main entrance to, or any emergency exit from, any public house, hotel, motel, hospital, nursing home, church, auditorium or other building or enclosed space in which persons may be expected to congregate in large numbers;
- 5.20** within fifteen metres (15m) of the end of the roadway on a dead-end highway.

6.0 Snow Removal

No person shall park or permit any vehicle to be parked on any highway between the hours of **7:00 am and 6:00 pm daily** from November 1st to April 30th inclusive of the following year.

7.0 Parking Prohibited – Special Circumstances

- 7.1** If, for some temporary period, the safety of the public, the proper movement of traffic, or the proper and safe performance of some vital function to the Municipality requires the prohibition or limitation of parking on a highway in excess of that provided herein, such prohibition or limitation of parking on such highway during such times and days as is proper and necessary, in the discretion of the Municipality, shall be permitted and authorized signs shall be erected or other public notice shall be given to indicate such prohibition or limitation.
- 7.2** When authorized signs are on display or public notice has otherwise been given under Subsection 7.1, no person shall park a vehicle or permit a vehicle to remain parked on the highway at any time during which such parking is so restricted, and a vehicle already parked when such signs are erected, or notice given, shall be removed forthwith at the expense of the registered vehicle owner.

8.0 Forty-Eight Hour Limit on Parking

Subject to all of the provisions of this By-Law relating to the parking of vehicles, no person shall park a vehicle on any highway for any consecutive period exceeding forty-eight (48) hours.

9.0 Parks, Beaches and Municipal Property

- 9.1** No person shall park any vehicle in the travelled portion of any roadway in any Public Park or Municipal Property, except for the purpose of allowing persons to enter or to descend from such vehicle.
- 9.2** No person shall park any vehicle in any Public Park or Municipal Property, except in places designated for that purpose, and/or written permission is granted by the Municipality permitting that person to park at the Public Park or Municipal Property.
- 9.3** No person shall park any vehicle between DUSK and DAWN in any Public Park or Municipal Property, unless written approval from the Municipality is obtained.
- 9.4** No person shall park a commercial vehicle over 11,000 kg on Municipal Property (Town Plaza, Travel Centre, Beaches etc.) without prior written consent from the Municipality. All deliveries are to be made from the rear of the said buildings.

10.0 VEHICLES CROSSING SIDEWALKS, BOULEVARDS AND CURBS

- 10.1 Vehicles on Sidewalks Prohibited** No person shall drive a vehicle upon a sidewalk or footpath along a highway, except to cross to a permanent or temporary driveway authorized by the Municipality.
- 10.2 Curb and Sidewalk Depressions** No person shall drive a vehicle over a raised curb or sidewalk, except at a place where there is a ramp, mountable curb, or depressed curb.
- 10.3 Vehicles on Boulevards Prohibited** No person shall drive any vehicle on any boulevard, except for the purpose of directly crossing a boulevard at a driveway or other designated vehicular crossing.

11.0 EXEMPTIONS - MUNICIPAL VEHICLES

- 11.1** The provisions of this By-Law, does not apply to vehicles operated by or on behalf of the Municipality while engaged in the performance of cleaning, clearing, maintenance, repair, construction or other work on any highway.
- 11.2** Sections 3 through to Section 10 of this By-Law shall not, in the case of emergency, apply to ambulances, police, fire department or other Municipal vehicles.

12.0 Conflicting Private Signs

- 12.1** No person shall place, maintain or display upon or make visible from any highway, any sign, signal, marking or device which:
- 12.1.1** conceals a traffic control device, traffic signal from view;

12.1.2 interferes with the effectiveness of a traffic control device, traffic signal;

12.1.3 purports to be, in an imitation of, or resembles any official or authorized sign, traffic signal or traffic control device; or

12.1.4 conflicts with any section of this By-Law.

13.0 DEFACING SIGNS AND TRAFFIC SIGNALS

13.1 No person shall move, deface, remove or in any manner, interfere with any sign, traffic signal, marking or other traffic control device placed, erected or maintained by the Municipality or Police Force, pursuant to the provisions of this By-Law.

14.0 OFFENCES AND PENALTIES

14.1 Any fine imposed or offence created by this By-Law is subject to and shall be governed by the provisions of The Provincial Offences Act R.S.O. 1990, c. P.33, and amendments thereto.

14.2 Any person who contravenes any of the provisions of the sections or subsections of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act.

14.3 If the owner of a vehicle was not the driver of the vehicle at the time of the contravention of the by-law, the owner is guilty of an offence and is liable to a fine unless, at the time of the offence, the vehicle was in the possession of some person other than the owner without the owner's consent.

15.0 TOWING - ILLEGALLY PARKED VEHICLES

15.1 Where a vehicle is found parked in contravention of any of the parking provisions of this or any other By-Law of The Corporation of the Township of Ignace, the Municipality or member of the Police Force may cause the vehicle to be moved or taken to, and placed or stored in a suitable place, and all costs and charges for removing, carrying and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by the Repair and Storage Lien Act R.S.O. 1990, Chapter R.45.

16.0 ISSUANCE AND PAYMENT PROCEDURES

16.1 Where a vehicle is found parked, standing or stopped in contravention of the provisions of this By-Law, a Police Officer, By-Law Enforcement Officer or other person duly appointed to enforce this By-Law, so finding the vehicle, may attach to the vehicle, a parking ticket in the form of a serially numbered notice stating:

16.1.1 the permit number and/or a concise description of the vehicle;

16.1.2 that the vehicle is unlawfully parked, stopped or standing, as the case may be;

16.1.3 the date, time and place of the alleged offence;

16.1.4 the address of the Municipal Office.

16.2 When a parking ticket is issued, it shall be completed in duplicate, and the Police Officer, By-Law Enforcement Officer or other person duly appointed to enforce this By-Law, shall attach one copy to the vehicle and deliver the other copy to the Corporation of the Township of Ignace.

16.3 An early payment period of 7 days from the date of infraction shall be allowed; and a voluntary payment of set fines within 15 days of date of infraction shall be allowed, except where a ticket is issued for violation of parking in a designated parking space for disabled persons, where there shall be only the set fine.

16.4 The seven- and fifteen-day periods after a ticket has been issued shall include all statutory holidays and weekend days.

16.5 The owner or operator of a ticketed vehicle may attend in person at the Municipal Office for payment or mail the ticket by prepaid mail, together with the applicable sum, to the Municipal Office, as designated on the ticket.

16.6 The failure to issue a parking ticket to, attach a parking ticket to, or place a parking ticket upon a vehicle found in contravention of this By-Law, shall not prejudice any prosecution for an offence hereunder.

17.0 Enforcement

17.1 This By-law shall be enforced by the By-law Officer or such person(s) designated by the Municipality.

18.0 Application of this By-law

18.1 This By-law applies to all highways and parts of highways under the jurisdiction of the Corporation of the Township of Ignace.

19.0 Validity

If a court of competent jurisdiction declares any provision or any part of a provision, in the By-Law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-Law that each and every provision in this By-Law authorized by By-Law be applied and enforced in accordance with the terms to the extent possible according to law.

20.0 Effective Date

This By-law shall come into force on the date of its passing.

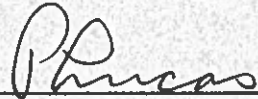
21.0 Repeals

This By-law repeals and rescinds any previous By-laws pertaining to parking within the Township of Ignace with the exception of By-law 40.2021.

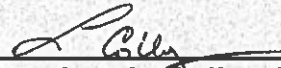
Read a First and Second Time This 20th Day of September, 2021.

Read a Third and Final Time This 20th Day of September, 2021.





Penny Lucas, Mayor



Lynda Colby, Clerk

The Corporation of the Township of Ignace

Schedule "A" to By-law 67.2021

Part I of the Provincial Offences Act

Set Fine Schedule

<u>Item Number</u>	<u>Short Form Wording</u>	<u>Provision Creating/Defining the Offence</u>	<u>Set Fine</u>
1	Parking within three meters (3m) of an intersection;	Section 5.1	\$50.00
2	Parking within three meters (3m) of a fire hydrant;	Section 5.2	\$50.00
3	Parking on a boulevard;	Section 5.3	\$50.00
4	Parking on or so as to overhang a sidewalk or footpath in a manner that obstructs that sidewalk or footpath, or obstructs access to travel on it;	Section 5.4	\$50.00
5	Parking in front of or within two meters (2m) of a laneway or driveway or curb cut thereto;	Section 5.5	\$50.00
6	Parking so as to obstruct a vehicle in the use of any lane way or any public or private driveway;	Section 5.6	\$50.00
7	Parking in such a position that will prevent the convenient removal of any other vehicle previously parked or standing;	Section 5.7	\$50.00
8	Parking on any highway in such manner as to obstruct traffic;	Section 5.8	\$50.00
9	Parking in such a manner as to interfere	Section 5.9	\$50.00

	with the movement of traffic;		
10	Parking on a roadway where the roadway is six meters (6m) or less in width;	Section 5.10	\$50.00
11	Parking in such a manner as to interfere with any highway flushing, cleaning operations or the removal of snow;	Section 5.11	\$100.00
12	Parking in such manner as to interfere with any sidewalk cleaning, repair, snow plowing or snow removal	Section 5.12	\$100.00
13	Parking so as to interfere with the formation of a funeral procession;	Section 5.13	\$150.00
14	Parking within an intersection or crosswalk;	Section 5.14	\$100.00
15	No person shall park or permit any vehicle to be parked on any highway between the hours of 7:00 am and 6:00 pm daily from November 1st to April 30th inclusive of the following year.	Section 6.0	\$100.00
16	No person shall park a commercial vehicle over 11,000 kg on Municipal Property (Town Plaza, Travel Centre, Beaches etc.) without prior written consent from the Municipality	Section 9.4	\$500.00
17	No person shall drive a vehicle upon a sidewalk or footpath along a highway, except to cross to a permanent or temporary driveway authorized by the Municipality.	Section 10.1	\$150.00

18	No person shall drive a vehicle over a raised curb or sidewalk, except at a place where there is a ramp, mountable curb, or depressed curb.	Section 10.2	\$100.00
19	No person shall drive any vehicle on any boulevard, except for the purpose of directly crossing a boulevard at a driveway or other designated vehicular crossing.	Section 10.3	\$100.00
20	Posting a sign concealing traffic control device or traffic signal.	Section 12.1.2	\$100.00
21	Posting a sign which interferes with traffic control device or traffic signal.	Section 12.1.3	\$100.00

NOTE: the general penalty provision for the offences listed above is Section 14 of By-Law 67.2021, a certified copy of which has been filed and Section 61 of the Provincial Offences Act, R.S.O. 1990, c P.33.