

Corporation of the Township of Howick

By-law No. 5-2021

Being a by-law to regulate and control traffic and parking within
the Township of Howick

Whereas, the provisions of the Highway Traffic Act, R.S.O. 1990, C. H.8, as amended, and the Municipal Act, 2001, S.O. 2001, Sections 11(3), 26, 27(1) and 28(2), as amended, authorize municipal councils to pass by-laws to regulate and control certain activity on highways within the jurisdiction of the municipality; and

Whereas, the Council of the Township of Howick deems it expedient to pass a by-law to regulate and control certain activity on highways within the Township of Howick;

Now therefore, the Council of the Township of Howick enacts as follows:

1. Definitions

1.1 In this by-law:

- a) “**authorized sign**” means any sign or roadway, curb or sidewalk marking or other device placed or erected on a highway under the authority of the Council for the purpose of regulating, warning or guiding traffic. Also means a sign approved by the Council of the Township of Howick;
- b) “**boulevard**” means the strip of land between a sidewalk and a curb or the centre strip of land dividing traffic travelling in different directions;
- c) “**corner**” means the point of intersection of curbs or edges of the roadway;
- d) “**crosswalk**” means
 - (i) 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
 - (ii) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other marking on the surface;
- e) “**designated parking space**” shall mean a parking space exclusively for the use of a vehicle displaying a valid Disabled Person Parking Permit, (DPPP) in accordance with the Highway Traffic Act and Regulations thereof;
- f) “**Enforcement Officer**” means an enforcing officer appointed by the Township of Howick to enforce the provisions of this by-law or any parts thereof and who is designated as a Provincial Offences Officer pursuant to the regulations of the Provincial Offences Act;
- g) “**fire route**” means a public or private roadway providing vehicular access to or from a building or structure and designated as a fire route and shall include any part of a parking lot designated by visible markings or markers as a fire route;
- h) “**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;
- i) “**intersection**” means the area embraced within the prolongation or connection of the lateral curbs 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;
- j) “**township service vehicles**” includes but is not limited to vehicles owned by the Township of Howick and/or contractors having a valid contract with the Township to supply municipal services. These services may include road building, road maintenance, emergency services, garbage collection, recycling, hydro, water, etc;
- k) “**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;

By-law No. 5-2020 - Parking

- l) “**pedestrian**” means a person afoot and includes a person in a wheelchair;
- m) “**regulations**” means the regulations made under the Highway Traffic Act, R.S.O. 1990, Chapter H.8 as amended;
- n) “**roadway**” means the part of the 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 all of the roadways collectively;
- o) “**sidewalk**” means that portion of a highway between the curb lines of a roadway or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians;
- p) “**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 police officer or a traffic control sign or signal;
- q) “**through highways**” means a highway or part of a highway designated as such by the Minister of Transportation or by by-law of the Township of Howick and every such highway shall be marked by a stop sign or yield right-of-way sign in compliance with Ministry of Transportation regulations;
- r) “**traffic**” means lawful vehicle or pedestrian movement on the highway;
- s) “**traffic control signal**” means any device, manually, electrically or mechanically operated for the regulation or control of traffic;
- t) “**vehicle**” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn; propelled or driven by any kind power including muscular power but does not include a motorized snow vehicle;

Any reference in this by-law to the Highway Traffic Act or any provision thereof shall be deemed to be a reference to the Highway Traffic Act, R.S.O. 1990, Chapter H.8 or the provisions thereof amended or re-enacted from time to time.

1.2 Where any expression of time occurs or where any hour or other period of time is stated, the time referred to is standard except in periods when daylight savings time is in effect, in which periods it is daylight savings time.

2. PARKING PROHIBITED

2.1 No person shall park or stop any vehicle in the following places:

- a) On or over a sidewalk;
- b) Within or on a crosswalk;
- c) Within six (6) metres of a crosswalk;
- d) Within an intersection;
- e) Within six (6) metres of an intersection;
- f) Within three (3) metres of a fire hydrant;
- g) In a posted fire route;
- h) In front of or within one (1) metre of a private driveway or laneway or so as to obstruct vehicles in the use of a driveway or laneway and within three (3) metres of a commercial driveway or laneway;
- i) On any bridge or the approaches thereto;
- j) On any highway in such a manner as to obstruct traffic;
- k) In such a position as will prevent the convenient removal of any vehicle previously parked or left standing;
- l) On any highway for the purpose of displaying a vehicle for sale;
- m) On the roadway beside and parallel to any stopped or parked vehicle;
- n) In front of an entrance to or exit from any building or enclosed space in which persons may be expected to congregate in large numbers;
- o) On any highway between the hours of 1 am to 7 am inclusive during the months of November, December, January, February and March;
- p) On any highway for a period of time in excess of twenty-four (24) consecutive hours.

- q) Alongside or across the highway from any excavation or obstruction in the roadway when the free flow of traffic would thereby be impeded;
- r) Within fifteen (15) metres of any level crossing of railway;
- s) On any highway for the purpose of washing, greasing or repairing a vehicle except such repairs as have been necessitated by an emergency;
- t) In front of the entrance or exit to a lot or building where fire department vehicle, police vehicle or other emergency vehicle is kept or stored in such a manner as to impede the movement of such vehicles when responding to an emergency;
- u) When authorized signs have been erected and are on display, no vehicle shall be parked on any street marked as "No Parking";
- v) On any section of any highway designated by a sign as being reserved for parking for physically disabled passenger vehicles;
- w) On any property as designated by Council in agreement with the owner or owners and designated by sign as being reserved for parking for physically disabled passenger vehicles;
- x) On any section of any highway designated by a sign as being reserved for the purpose of a school bus loading and unloading zone;
- y) In front of the entrance to any place where goods or merchandise are regularly delivered or removed;
- z) On any highway unless on the right side of the highway, having regard to the direction in which the vehicle has been proceeding, but this provision shall not apply to prevent the parking of a vehicle on the left side of a one-way street nor to prevent the angle parking of a vehicle on highways or parts of highways where angle parking is permitted.

2.2 Notwithstanding any other provisions of this by-law, Police, during emergency or special circumstances, may declare a period of emergency parking prohibition and by use of appropriate signs or other clear directions suspend parking of vehicles on any streets or portions thereof. A vehicle parked previous to the declaration of the Police may be deemed to be parked in contravention of this section providing the owner or driver of the vehicle has been personally notified of the emergency parking prohibition and has been allowed a reasonable period of time to remove vehicle.

3. In Specified Places Where Authorized Signs are on Display

When authorized signs have been erected and are on display, no vehicle shall be parked on any section of any street when authorized signs have been approved and are on display, a time limit on parking.

4. Parking for Disabled Persons

4.1 The Township may designate certain parking spots for use by disabled persons only as defined in regulation 581 to the Highway Traffic Act, as amended. The designated parking spaces shall be for the exclusive use of any individual having a valid disabled person parking permit issued under and displayed in accordance with the Highway Traffic Act and the Regulations made thereunder.

4.2 No person or organization shall park a vehicle in a designated parking space unless a permit DPPP has been issued to that person, organization or 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 and Regulations made thereunder.

4.3 Any vehicle parked in contravention of this section may be removed and impounded at the owner's expense and all costs incurred become a lien against the motor vehicle.

5. Exceptions

The provisions of this by-law shall not apply to:

- a) Township service vehicles while engaged in the performance of their duties;
- b) A vehicle, the crew of which is engaged in making emergency repairs to a public utility or public service;
- c) Emergency vehicles, including but not limited to police vehicles, fire response vehicles, ambulances;
- d) A postal vehicle while engaged in loading mail.

6. Enforcement

Every person who contravenes any provision of this by-law is guilty of an offence and shall be liable to a penalty as provided in section 61 R.S.O. 1990, Chapter P.33 of the Provincial Offences Act.

Notwithstanding any penalties provided by the by-law, the Enforcement Officer or Police Officer upon discovery of any vehicle parked or standing 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 removal, care and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by the Mechanics Lien Act.

Notwithstanding the set fine, a voluntary option is provided for early payment within fifteen (15) days from the issuance of the infraction notice.

7. Severability

All sections of this by-law shall be deemed to be separate and independent and the invalidity of any section or provision thereof shall not affect the validity of the remaining sections.

8. Effective Date

This by-law shall come into force and effect on the date of final passing.

By-law No. 46-2020 shall be repealed as of the date this by-law comes into force and effect.

Read a first and second time this 19 day of January, 2021.

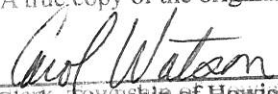
Read a third time and finally passed this 19 day of January, 2021.



Reeve Doug Harding



Clerk Carol Watson

CERTIFIED
A true copy of the original


Clerk, Township of Howick

Township of Howick
By-law No. 5-2021 – Traffic and Parking
Part II Provincial Offences Act

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Parked on or over sidewalk	2.1(a)	\$50.00
2	Parked within or on crosswalk	2.1(b)	\$50.00
3	Parked within 6m of crosswalk	2.1(c)	\$50.00
4	Parked within intersection	2.1(d)	\$50.00
5	Parked within 6m of intersection	2.1(e)	\$50.00
6	Parked within 3m of fire hydrant	2.1(f)	\$50.00
7	Parked in fire route	2.1(g)	\$50.00
8	Parked within 1m of private driveway, or within 3m of commercial driveway	2.1(h)	\$50.00
9	Parked on bridge or bridge approaches	2.1(i)	\$50.00
10	Parked in manner to obstruct traffic	2.1(j)	\$50.00
11	Parked in position that prevents removal of previously parked vehicle	2.1(k)	\$50.00
12	Parked displaying for sale	2.1(l)	\$50.00
13	Parked on roadway beside parked vehicle	2.1(m)	\$50.00
14	Parked in front of entrance or exit of building or enclosed space	2.1(n)	\$50.00
15	Parked between 1:00 am and 7:00 am during November, December, January, February or March	2.1(o)	\$50.00
16	Parked in excess of 24 consecutive hours	2.1(p)	\$50.00
17	Parked alongside excavation/obstruction - impede traffic	2.1(q)	\$50.00
18	Parked within 15m of railway crossing	2.1(r)	\$50.00
19	Unauthorized parking to repair vehicle	2.1(s)	\$50.00
20	Parked in front of entrance or exit to lot or building where fire, police or other emergency vehicles are kept or stored	2.1(t)	\$50.00
21	Parked in signed "No Parking" area	2.1(u)	\$50.00
22	Unauthorized parking on street in posted handicapped space	2.1(v)	\$300.00
23	Unauthorized parking on property in posted handicapped space	2.1(w)	\$300.00
24	Parked in school bus loading and unloading zone	2.1(x)	\$50.00
25	Parked in loading zone	2.1(y)	\$50.00
26	Parked wrong side of road	2.1(z)	\$50.00
27	Parked in specified places where authorized signs are on display	3	\$50.00

Note: The general penalty provision for the offences listed above is section 6 of By-law 5-2021, as amended, a certified copy of which has been filed.

Township of Howick
By-law No. 5-2021 – Traffic and Parking
Part II Provincial Offences Act

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3	Parked within 6m of crosswalk	2.1(c)	
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