

THE CORPORATION OF TOWNSHIP OF STONE MILLS

BY-LAW NO. 200516

A BY-LAW MADE PURSUANT TO THE AUTHORITY GRANTED TO THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF STONE MILLS UNDER THE MUNICIPAL ACT, 2001, c.25 AND THE HIGHWAY TRAFFIC ACT, R.S.O. 1990, c. H.8 AS AMENDED TO:

1. REGULATE THE USE OF HIGHWAYS AND BRIDGES UNDER THE JURISDICTION OF COUNCIL INCLUDING THE PARKING, STANDING AND STOPPING OF VEHICLES THEREON;
2. CREATE AND DESIGNATE PARKING SPACES AND PROHIBIT PARKING ON HIGHWAYS OR ON MUNICIPAL OR PRIVATE PROPERTY FOR THE EXCLUSIVE USE OF VEHICLES WHICH ARE DISPLAYING A DISABLED PERSON PARKING PERMIT;
3. DESIGNATE PRIVATE ROADWAYS AS FIRE ROUTES ALONG WHICH NO PARKING OF VEHICLES SHALL BE PERMITTED;
4. PROHIBIT THE PARKING OR STANDING OF MOTOR VEHICLES ON PROPERTY OWNED OR OCCUPIED BY THE TOWNSHIP OF STONE MILLS OR ANY LOCAL BOARD THEREOF, WITHOUT CONSENT; AND
5. PROVIDE FOR THE ENFORCEMENT OF THE MATTERS SET OUT IN THIS BY-LAW IN THE MANNER PRESCRIBED BY THE PROVINCIAL OFFENCES ACT, R.S.O. 1990, c. P.33, AS AMENDED.

PART 1 - DEFINITIONS

1. a) For the purpose of this by-law,
 - (i) "abandoned vehicle" means any vehicle apparently abandoned on a highway, or which is inoperable or which, if a motor vehicle, does not carry proper registration plates;
 - (ii) "boulevard" means that part of the highway which lies between the shoulder or curb and the property line including any municipal sidewalk;
 - (iii) "bicycle" means a vehicle having only two tandem wheels, propelled solely by human power, upon which typically one or two persons may travel. A bicycle includes tricycles and unicycles but does not include motor-assisted bicycles;
 - (iv) "bicycle lane" means a portion of a roadway which has been designated by striping, signing and pavement markings for the preferential or exclusive use of bicyclists;
 - (v) "bus stop zone" means any portion of a highway indicated by a sign on the highway as a place where buses used for public transportation may stop to pick-up or discharge passengers and shall include that portion of the highway running parallel to

the curb or shoulder in a direction opposite to the flow of traffic a distance of 30 meters (100 feet) from the bus stop sign;

- (vi) "disabled person parking permit" means a disabled person parking permit issued under The Highway Traffic Act or a permit, number plate or other marker or device issued by another jurisdiction and recognized under that Act;
- (vii) "disabled person parking space" means a parking space designated for the exclusive use of a vehicle displaying a disabled person parking permit in accordance with the requirements of The Highway Traffic Act and the regulations made thereunder and this by-law;
- (viii) "entranceway" means a private road, driveway, lane or other means of access for vehicles to and from a highway;
- (ix) "farm tractor" means a self-propelled vehicle designed and used primarily as a farm implement for drawing ploughs, mowing-machines and other implements of husbandry and not designed or used for carrying a load;
- (x) "Fire Chief" shall mean the Chief of the Fire Department of the municipality or his authorized subordinates or assistants;
- (xi) "fire route" shall mean a private roadway or any part thereof designated as a fire route by the posting of fire route signs;
- (xii) "fire route sign" shall mean a sign of the size and type illustrated in Schedule "A" to this by-law;
- (xiii) "heavy vehicle" means a vehicle having a weight, when unloaded, of two (2) tons or more or, when loaded, of three (3) tons or more, but does not include a vehicle designed primarily to carry passengers, an ambulance, or any vehicle of a police or fire department;
- (xiv) "highway" includes a common or public highway, street, road, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by the general public for the passage of vehicles, and includes the surface, roadway, median strip, shoulder, grassed area, boulevard, ditch, berm, gutter and any other portion of the road allowance owned by or under the jurisdiction of the municipality;
- (xv) "loading zone" means any portion of a highway indicated by one or more signs as a place where only commercial vehicles may park for the sole purpose of loading or unloading cargo;
- (xvi) "median strip" means the portion of a highway so constructed so as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier, unpaved strip of ground, or by markings on the surface of the pavement;
- (xvii) "motor vehicle" includes an automobile, motorcycle, motor assisted bicycle 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;

- (xviii) "motorcycle" means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and includes a motor scooter, but does not include a motor assisted bicycle;
- (xix) "municipal property" shall mean any property owned or occupied by the municipality or a local board thereof, other than a highway;
- (xx) "municipality" means The Corporation of The Township of Stone Mills;
- (xxi) "no parking zone" means any portion of a highway indicated by one or more signs as a place where a vehicle shall not be parked or allowed to stand at any time or, if times are stated on the signs, at such times;
- (xxii) "no stopping zone" means any portion of a highway indicated by one or more signs as a place where a vehicle shall not be stopped at any time or, if times are stated on the signs, at such times;
- (xxiii) "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;
- (xxiv) "parking infraction" means any unlawful parking or stopping of a vehicle contrary to the provisions of this by-law;
- (xxv) "parking infraction notice" means a certificate of parking infraction and parking infraction notice in a form prescribed by regulations under the Provincial Offences Act, R.S.O. 1990, c.P.33;
- (xxvi) "parking ticket" means a notice, in a form approved by the Council of the municipality, of a parking infraction;
- (xxvii) "pedestrian" includes a person afoot and an invalid or child in a wheelchair or carriage;
- (xxviii) "pedestrian crossover" means any portion of a roadway, at an intersection or elsewhere, indicated for pedestrian crossing by signs on the highway and lines or other markings on the surface of the roadway;
- (xxvix) "pedestrian walkway" means a sidewalk or pathway between lots or buildings designated for pedestrian traffic;
- (xxx) "person" means and includes any person, firm or corporation;
- (xxxi) "private property" shall mean any property that is not municipal property or a highway;
- (xxxii) "private roadway" shall mean any private road, lane, ramp or other means of vehicular access to or egress from a building or structure and it may include part of a parking lot;
- (xxxiii) "property owner" shall mean any person, firm or corporation

that owns or occupies a property and includes a tenant or licensee.

- (xxxiv) "Provincial Offences Officer" means such one or more persons appointed by the municipality for the purpose of enforcing the provisions of this by-law;
 - (xxxv) "roadway" means that 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 to all the roadway collectively;
 - (xxxvi) "school bus" means any bus which is used for the express purpose of transporting students to and from school and,
 - a) is Chrome Yellow in colour;
 - b) displays on the front and rear thereof the words "School Bus" and on the rear thereof the words "Do Not Pass When Signals Flashing";
 - (xxxvii) "school bus loading zone" means any portion of a highway indicated by signs on the highway as an area designated for school bus loading;
 - (xxxviii) "set fine" means the fine for an offence under this by-law approved by the Chief Judge of the Ontario Court of Justice;
 - (xxxvix) "shoulder" means that portion of the highway which is unpaved and immediately adjacent to the roadway and which is not improved, designed or ordinarily used for vehicular traffic;
 - (xl) "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;
 - (xli) "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;
 - (xlii) "Treasurer" means the Treasurer of the municipality;
 - (xliii) "vehicle" includes a motor vehicle, heavy vehicle, school bus, motor assisted bicycle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, the cars of electric or steam railways running only upon rails;
 - (xliv) "wheelchair" means a chair mounted on wheels driven by muscular or any other kind of power and used for the carriage of a person who has a physical defect or disability.
- (b) Any expression or term used in this by-law and not specifically defined shall have the same meaning that such expression or term has under The Highway Traffic Act, R.S.O.1990, c. H.8, as amended.
- c) Where any expression of time occurs or where any hour or other period of

time is stated, the time referred to shall be standard time except when daylight saving time is in effect, in which case, it shall be daylight saving time.

PART II - PARKING INFRACTIONS

2. No person shall park or stand a vehicle on a highway:
 - (a) in front of or within 2 metres (6.5 feet) of an entranceway or so as to obstruct vehicles using the entranceway;
 - (b) within 3 metres (10 feet) of the point on the edge of a roadway nearest a fire hydrant;
 - (c) within 30 metres (100 feet) of an intersection controlled by traffic signals.
 - (d) within 15 metres (50 feet) of the nearest rail of a level railway crossing;
 - (e) 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;
 - (f) in a position or place that prevents or is likely to prevent the movement of any vehicle already parked on the highway;
 - (g) in a loading zone;
 - (h) in a bus stop zone;
 - (i) in such a manner as to interfere with the clearing of snow, or the cutting of grass, or the removal of weeds on the whole or any part of a highway;
 - (j) for longer than twelve (12) consecutive hours or, in the case of a vehicle displaying a currently valid disabled person parking permit, for longer than twenty-four (24) consecutive hours;
 - (k) to prohibit the parking and leaving of motor vehicles on property of the municipality (which includes township roads and road allowances) from the first day of December of any year until the fifteenth day of April of the following year;
 - (l) in a school bus loading zone during the times stated on the signs designating the zone or, if no times are stated, between 7:00 a.m. and 6:00 p.m. on any day when the school is open for educational purposes;
 - (m) on a fire route; or
 - (n) in a no parking zone.
3. No person shall park, stand or stop a vehicle in a designated disabled person parking space on municipal property or private property as described in Appendix II of Schedule 'D'.
4. No person shall park, stand or stop a vehicle on a highway:
 - (a) so as to obstruct a sidewalk or an intersection; or
 - (b) so as to obstruct or within 3 metres (10 feet) of a pedestrian crossover or pedestrian walkway; or
 - (c) in such a manner as to interfere with the free, unobstructed and normal use of the highway by other traffic; or
 - (d) on the roadway alongside of any stopped or parked vehicle; or

- (e) upon any bridge or within any tunnel or underpass; or
 - (f) on any median strip, or adjacent to either side or the end of any median strip; or
 - (g) on any boulevard; where it is practicable to park in another location; or
 - (h) in a no stopping zone; or
 - (i) in a bicycle path.
5. No person shall park, stand or stop any vehicle on any highway or portion thereof except as follows:
- (a) where there is a raised curb, on the right side of the roadway, having regard to the direction such vehicle was proceeding, with its right front and right rear wheels or runners of the vehicle parallel to and distance not more than 0.15 metres (6 inches) out from such curb; or
 - (b) where there is no curb or a rolled curb, on the right side of the roadway, having regard to the direction such vehicle was proceeding, with the right front and right rear wheels parallel to and as near to the right hand limit of the shoulder as is practicable, without stopping or parking upon a sidewalk or footpath, or any part of the highway where grass is grown or which is not intended for the use of vehicles.
6. No person shall park, stand or stop any vehicle on the left-hand side of the roadway except where a highway is designated for one-way traffic and parking is permitted on the left-hand side of the roadway and:
- (a) where there is a raised curb on the left-hand side of the roadway having regard to the direction such vehicle was proceeding, the left front and left rear wheels of the vehicle are parallel to and not more than 0.15 metres (6 inches) out from such curb; or
 - (b) where there is no curb or a rolled curb on the left-hand side of the roadway, having regard to the direction such vehicle was proceeding, the left front and left rear wheels of the vehicle are parallel to and as near to the left-hand limit of the shoulder as is practicable without stopping or parking on a sidewalk or footpath or on any part of the highway where grass is grown or which is not intended for the use of vehicles.
7. Where angle parking is permitted on a highway, no person shall park, stand or stop any vehicle except at an angle of 40 to 50 degrees from the curb or boundary of the roadway with the front end of the vehicle at such curb or boundary.
8. Where angle parking spaces are designated by lines painted on the roadway, no person shall park, stand or stop any vehicle except within an area designated as an angle parking space.
9. No person shall park an abandoned vehicle on any highway at any time.
- PART III - MUNICIPAL PROPERTY PARKING INFRACTIONS**
10. No person shall park or stand a heavy vehicle on municipal property without the consent of the municipality or local board that owns or occupies the property.
11. No person shall park or stand a motor vehicle on municipal property without the consent of the municipality or local board that owns or occupies the property.

12. Where a municipal property has posted signs stating conditions on which vehicles may be parked or left standing on the property, or prohibiting the parking or standing of vehicles on the property, a vehicle parked or left standing on the property contrary to such conditions or prohibition shall be deemed to have been parked or left standing without consent.

PART IV - EMERGENCY VEHICLES

13. The provisions of Parts II and III inclusive of this by-law do not apply to ambulance, police department vehicles, fire department vehicles or other emergency vehicles while in performance of lawful or emergency duties.

PART V - DISABLED PERSONS PARKING

14. A disabled person parking space shall be distinctly indicated in accordance with the requirements of The Highway Traffic Act and the regulations made thereunder.
15. A disabled person parking space on municipal property or private property shall have a width of not less than 4.4 metres.
16. Disabled person parking spaces shall be designated
 - (a) on highways as described in Appendix I of Schedule "D", and
 - (b) on municipal property or private property as described in Appendix II of Schedule "D".
17. The owners and operators of parking lots or other parking facilities to which the public has access, whether on payment of a fee or otherwise, shall provide disabled person parking spaces in accordance with Appendix II of Schedule "D".
18. The driver or operator of a vehicle which displays a disabled person parking permit 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.

PART VI - FIRE ROUTES

19. Fire route signs shall be posted along all fire routes and shall:
 - (a) be permanently mounted on a rigid sign post or pole;
 - (b) be erected at a height of between 1.9 metres and 2.5 metres as measured from the edge of the travelled portion of the fire route to the bottom edge of the sign;
 - (c) be installed at a distance of between .3 metres and 3 metres from the travelled edge of the fire route; and
 - (d) be installed along the fire route at intervals no greater than 30 metres or with such greater frequency as may be reasonably necessary to identify the fire route.
20. A fire route or fire routes shall be established on those lands described in Schedule "C" to this by-law.
21. The location of all fire routes on the properties described in Schedule "C" shall be determined by the Fire Chief who shall forthwith after making such determination, notify in writing the property owner of the location of each fire route.
22. Upon receipt of notice given by the Fire Chief in accordance with paragraph 20, the property owner shall, at the property owner's expense, file with the Fire Chief a site

plan, in triplicate, in the form prescribed in Schedule "B" to this by-law, showing the following:

- (a) the property;
 - (b) the location of all fire routes on the property;
 - (c) the proposed location of all fire route signs; and
 - (d) the location of all fire hydrants on or adjacent to the property.
23. The Fire Chief shall review all site plans to ensure that the proposed location of all fire route signs conform with this by-law and may make any amendments to the site plan as may be required.
 24. Upon approval of the site plan by the Fire Chief, the property owner shall, at the owner's expense, erect and maintain fire route signs along each fire route on the property in accordance with the site plan as approved.
 25. Where the owner of a property fails or refuses to submit a site plan or to erect or maintain a fire route sign in accordance with this by-law, the Fire Chief or such other employee of the municipality as may be designated by him/her may enter on the property and erect fire route signs in accordance with this by-law at the expense of the property owner and any costs incurred as a result thereof may be recovered in like manner as municipal taxes in accordance with the Municipal Act.

PART VII - NO PARKING/STOPPING ZONES

26. "No stopping zones" shall be created on those highways and in the locations indicated in Appendix I of Schedule "E" to this by-law.
27. "No parking zones" shall be created on those highways and in the locations indicated in Appendix II of Schedule "E" to this by-law.

PART VIII - ENFORCEMENT - GENERAL

28. Any vehicle parked in contravention of the provisions of this by-law may, on the order of a police officer or Provincial Offences Officer, be moved or towed to or stored at a licensed wrecking yard, dump or other suitable location at the owner's risk, expense and cost.
29. All costs and charges for the removal, towing, care and storage of a motor vehicle shall form a lien on the motor vehicle and may be enforced in the manner prescribed by the Repair and Storage Liens Act, R.S.O. 1990, c. R.25, as amended.
30. Every person who contravenes any provision of this by-law other than through the commission of a parking infraction shall, in addition to any other penalty provided for in this by-law, be guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, Part II.
31. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, C.P.33, Part II..
32. The driver of a vehicle involved in the commission of a parking infraction, not being the owner, is liable to any penalty provided under this by-law, and the owner of the vehicle is also liable to such a penalty unless, at the time the offence was committed, the vehicle was in the possession of a person other than the owner without the owner's consent.
33. For parking infractions of a continuing nature, a parking infraction shall be deemed to

have been committed on each subsequent hour that a vehicle continues in violation of any said provisions beyond the first hour.

34. Upon a conviction being entered for any offence under this by-law, the Court may, in addition to any other remedy or penalty imposed, make an Order prohibiting the continuation or repetition of the offence by the person convicted.

PART IX - ENFORCEMENT - PARKING INFRACTION NOTICE

35. Any person who commits a parking infraction that he/she does not wish to dispute may, within fifteen (15) days of the time when a parking infraction notice was attached to the vehicle, deliver during regular office hours, exclusive of holidays, the notice and the amount of the set fine to the Treasurer or other designated official on duty at the municipal offices in Centreville who is authorized to accept such payment and furnish an official receipt therefore.
36. Any person who is served with a parking infraction notice and wishes to plead not guilty may, within fifteen (15) days of the time when the parking infraction notice was attached to the vehicle, deliver to the Treasurer or other designated official on duty at the municipal offices in Centreville during regular office hours, exclusive of holidays, the notice with the not guilty plea on the notice signed together with the form on the notice indicating his/her desire to appear or be represented at trial.
37. Upon failure to either make payment of the set fine in accordance with paragraph 34 of this by-law or deliver the notice in accordance with paragraph 35 of this by-law within the time prescribed, a person shall become liable to be convicted pursuant to Part II of the Provincial Offences Act or, at the option of the municipality to be liable for prosecution pursuant to Part III of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

PART X - ENFORCEMENT - PARKING TICKET

38. Any person who commits a parking infraction that he/she does not wish to dispute may, within fifteen (15) days of the time when a parking ticket was attached to the vehicle, deliver during regular office hours, exclusive of holidays, the parking ticket together with the fine prescribed by Schedule "F" of this by-law to the Treasurer or other designated official on duty at the municipal offices in Centreville who is authorized to accept such payment and furnish an official receipt therefore. Upon failure to make such payment within the time prescribed, such person shall become liable for prosecution pursuant to Part III of the Provincial Offences Act, R.S.O. ;1990, c. P.33, as amended.

PART XI – VALIDITY

39. It is declared that notwithstanding that any part or parts of this by-law, or sections thereof, may be found by any court of law to be invalid or illegal or beyond the power of the Township to enact, such part or parts or sections thereof shall be deemed to be severable and that all other parts or sections of this by-law are separate and independent therefrom and enacted as such.

PART XII - REPEAL OF EXISTING BY-LAWS

40. That By-law # 98-53 and any and all by-laws or portions thereof conflicting with this by-law are hereby repealed.
41. This by-law shall come into force and take effect after receiving approval from the Ministry of the Attorney General.

First and Second Reading 21st, day of November, 2005.

Third and Final 6th, day of February, 2006.


CHIEF ADMINISTRATIVE
OFFICER/CLERK


REEVE

SCHEDULE 'D' TO BY-LAW 2005-316

APPENDIX I

The following disabled person parking spaces on highways are hereby designated:

APPENDIX II

Disabled person parking spaces on Municipal or Private Property are hereby designated:

<u>Location</u>	<u>No. of automobile Parking Spaces</u>	<u>No. of designated parking spaces for the Disabled</u>
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SCHEDULE 'E' TO BY-LAW 2005-316

APPENDIX I - NO STOPPING ZONES

SIDE

FROM/TO

SCHEDULE 'E' TO BY-LAW 2005-316**APPENDIX II - NO PARKING ZONES**

		<u>SIDE</u>	<u>FROM / TO</u>
1.	Bradshaw Road	Both Sides	From Southshore Drive to Beaver Lake
2.	Varty Lake Road	North Side	From 95 metres East to Varty Lake
3.	Mill Street	Both Sides	From County Road #6 38 metres West to 58 metres West on County Road #6
4.	Factory Street	South Side	From 68 metres East of County Road #27 to 93 metres East of County Road #27
5.	Factory Street	North Side	From George Street Westerly to 30 metres West of George Street
6.	Concession Street South	East Side	From Ottawa Street for a distance of 100 metres South of Ottawa Street
7.	Addington Street	South Side	From 33 metres East of Concession Street north to 40 metres East of Concession Street North