



The Corporation of The Township of Carlow/Mayo

By-Law 46-2024

Being A By-Law to Regulate Parking, Control Traffic or Leaving of a Vehicle on Roadways in The Township of Carlow/Mayo

Whereas, pursuant to the provisions of Section 9 of the Municipal Act, S.O. 2001, c25, as amended, A municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act. 2006, c 32, Sched. A, s. 8;

And Whereas, the Municipality is authorized pursuant to Section 428 of the Municipal Act S.O. 2001, c25, as amended, A By-Law may provide that, where a vehicle has been left parked, stopped or standing in contravention of a By-Law passed under this Act, the owner of the vehicle is guilty of an offence, even though the owner was not the driver of the vehicle at the time of the contravention of the By-Law, and is liable to the applicable fine unless, at the time of the offence, the vehicle was in the possession of another person without the owner's consent. 2006, c. 32, Sched. A, s. 184;

And Whereas pursuant to the provisions of Section 101(1) of the Municipal Act, S.O. 2001, c25, as amended, If a municipality passes a By-Law regulating or prohibiting the parking or leaving of a motor vehicle on land, it may provide for the removal and impounding or restraining and immobilizing of any vehicle, at the vehicle owner's expense, parked or left in contravention of the By-Law and subsection 170 (15) of the *Highway Traffic Act* applies with necessary modifications to the By-Law. 2006, c. 32, Sched. A, s. 43;

And Whereas pursuant to the provisions of Section 102(3) of the Municipal Act, S.O. 2001, c25, as amended, A By-Law passed in accordance with subsection (2) may provide for the removal and impounding of any vehicle, at its owner's expense, parked or left contrary to the by-law. 2006, c. 32, Sched. A, s. 44;

And Whereas, The Corporation of the Township of Carlow/Mayo deems it necessary to Regulate Parking, Control Traffic or Leaving of a Vehicle on Roadways;

Now Therefore be it resolved that the Council of The Corporation of the Township of Carlow/Mayo enacts as follows:

Part 1. Definitions

- 1.1. **"Emergency Vehicle"** shall mean:
 - A fire department vehicle
 - An ambulance
 - A police vehicle
 - A tow truck while in performance of its duties
 - Any vehicle operated by a Municipal employee while in performance of their duties.
- 1.2. **"Intersection"** shall mean the area where one roadway meets another roadway.
- 1.3. **"Municipality"** shall mean the Corporation of the Township of Carlow/Mayo.



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- 1.4. **“Officer”** shall mean a By-law Enforcement Officer as authorized by Council.
- 1.5. **“Parking”** shall mean the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while engaged in loading or unloading of cargo or passengers.
- 1.6. **“Person”** shall mean every person, firm, co-partnership, association or corporation.
- 1.7. **“Public Works Manager”** shall mean a person that is appointed by the Township as the Public Works Manager.
- 1.8. **“Public Works Lead Hand”** shall mean a person that is appointed by the Township as the Public Works Lead Hand.
- 1.9. **“Roadway”** means any part of a road, lane or highway that is improved, designed or ordinarily used for the purposes of vehicular traffic. Shall include Municipal Road Allowance and shoulders. The term “roadway” refers to any one roadway and not to all such roadways collectively.
- 1.10. **“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, traffic control person or traffic control sign.
- 1.11. **“Township”** shall mean the Corporation of the Township of Carlow/Mayo.
- 1.12. **“Utility Vehicle”** shall mean a vehicle owned or operated by the Township or a public utility, while being used in its duties in the installation, inspection, repair of the utility including roads, trail networks, telephone, internet service and hydro.
- 1.13. **“Vehicle”** includes a motor vehicle, trailer, farm tractor, road building equipment, ATV or UTV and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

Part 2. General Regulations

- 2.1. It is an offence for any person to do any forbidden act or fail to perform any act required by this By-law
- 2.2. No person shall fail or refuse to comply with any lawful order or direction of an Officer.
- 2.3. Failure to comply with any lawful order or direction from an Officer or failure to identify oneself to an Officer shall be deemed obstruction of an Officer.
- 2.4. The By-law Enforcement Officer and Public Works Manager shall have the duty of enforcing the provisions of this By-law.
- 2.5. The Public Works Manager is hereby authorized and directed to erect and maintain such signs, markings, barricades and other structures and equipment as are required to, stop, regulate, direct, warn or guide pedestrians and vehicular traffic for the safety and convenience of the public and workers.



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Part 3. Parking

- 3.1. No person shall park any vehicle on a roadway so as to blockade or obstruct the traffic of vehicles.
- 3.2. No person shall park any vehicle in such a manner as to obstruct an entrance to any Municipal roadway or private roadway
- 3.3. No person shall park any vehicle in such a manner as to obstruct the entrance to any land or driveway public or private.
- 3.4. No person shall park a vehicle used for transporting gas, propane gas or oil on any roadway for longer than is necessary for delivery and unloading.
- 3.5. No person shall park any vehicle within 9m (29.5ft) of any intersection.
- 3.6. No person shall park any vehicle on any bridge or within 15m (49ft) of a bridge.
- 3.7. No person shall park any vehicle on any roadway as to interfere in a manner with the work of Municipal Road maintenance services such as but not limited to:
 - A. Snow or ice removal operations
 - B. Cleaning operations including sweeping
 - C. Roadway repair
 - D. Roadside brushing

Part 4. Winter Parking

- 4.1. From November 1st to March 31st, no person shall park a vehicle, except a vehicle used for emergency or utility purposes, on any Maintained roadway within the Township of Carlow/Mayo.
- 4.2. From November 1st to March 31st no person shall park a vehicle, except a vehicle used for emergency or utility purposes, in any snowplow turn around.
- 4.3. The Public Works Manager, Public Works Lead Hand or an Officer may have a vehicle removed, towed and/or impounded at the owner's expense.

Part 5. Liability of Owner/ Township not Liable

- 5.1. The Owner of a vehicle shall be held responsible for any damage occurred while in violation of this By-Law
- 5.2. The Township of Carlow/Mayo shall not be responsible for any damage occurred by violating this By-Law including but not limited to damaged caused by equipment, vehicle removal, towing and impoundment.



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Part 6. Penalties

- 6.1. 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 by the Provincial Offences Act, R.S.O. 1990, c.P.133.

Part 7. Vehicle Removal

- 7.1. In addition to any other penalties provided by this By-law, upon discovery of a vehicle parked, stopped or standing on any roadway in contravention of any provisions of this By-Law, or apparently abandoned on any Municipal or public property, any Officer may cause such vehicle to be moved, removed, towed, impounded and placed or stored in a suitable place and all costs and charges for moved, removed, towed, impounded and stored of said vehicle therefor, if any, are a lien upon the vehicle being released and may be enforced in the manner provided in by the Repair and Storage Liens Act.

Part 8. Severability

- 8.1. Should any provisions, or any part of a provision, of this By-Law be declared invalid, or to be of no force or effect, by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-Law, and every other provision of this By-Law shall be applied and enforced in accordance with its terms to the extent possible according to law.

Part 9. Effective Date

- 9.1. This By-law shall come into force on the date that it is passed in open Council.

**Read A First, Second And Third Time And Finally Passed This Day
10th Of December, 2024.**

Original Signed Copy on File

Mayor,
Randy Wallace

Original Signed Copy on File

Clerk/CAO
Jenny Snider