

CORPORATION OF THE TOWNSHIP OF EAST HAWKESBURY

BY-LAW NO. 2018-80

BEING a By-Law to regulate parking within the limits of the Township of East Hawkesbury.

WHEREAS, Section 27 of the Municipal Act, 2001, as amended provides that the Council of a municipality may pass by-laws in respect of a highway over which it has jurisdiction;

AND WHEREAS, the Council of the Corporation of the Township of East Hawkesbury deems it desirable to do so;

THEREFORE, the Council of the Corporation of the Township of East Hawkesbury enacts as follows:

SHORT TITLE

1. This By-Law may be cited as the “**Parking By-Law**”.

DEFINITIONS

2. In this By-Law:

2.1 “**Crosswalk**” shall mean

- 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 travelled portion of the highway; or
- ii) Any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface;

2.2 “**Farm Tractor**” shall mean a self-propelled vehicle designated and used primarily as a farm implement for drawing ploughs, mowing machines and other implements of husbandry and not designated or used for carrying a load;

2.3 “**Corporation**” shall mean the Corporation of the Township of East Hawkesbury;

2.4 “**Highway**” shall mean the following unless they have been closed:

- i) All highways that existed on December 31, 2002;
- ii) All highways established by by-law of a municipality on or after January 1, 2003;
- iii) All road allowances made by Crown surveyors that are located in municipalities;
- iv) All road allowances, highways, streets and lanes shown on a registered plan of subdivision.

2.5 “**Intersection**” shall mean 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;

2.6 “**Motorcycle**” shall mean a self-propelled vehicle having a seat or saddle for the use of the driver and designated to travel on not more than three wheels in contact with the ground, and includes a bicycle with a motor attached and a motor scooter;

2.7 “**Municipal Law Enforcement Officer**” shall mean the Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Township of East Hawkesbury;

2.8 “**Motor Vehicle**” includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power but does not include a traction engine, farm tractor or road building machine;

2.9 “**Park**” shall mean to allow a motor vehicle or other vehicle which is practicable and lawful to move, to remain stationary on a highway for a longer period of time than is necessary in order to take on or discharge passengers or merchandise therefrom;

- 2.10 **“Township”** means the Township of East Hawkesbury;
- 2.11 **“Physically Handicapped Parking”** shall mean a parking area whereby parking is allowed only to motor vehicles that:
 - i) Display in the right-hand lower corner of the windshield, a permit issued by the Minister of Transportation; or
 - ii) Have a special Provincial license plate issued for physically disabled;
- 2.12 **“Road Building Machine”** shall mean a self-propelled vehicle designed and used primarily in connection with the building or maintaining of highways and not designed or used for carrying a load;
- 2.13 **“Sidewalk”** includes all such parts of a highway as are set aside for the use of pedestrians;
- 2.14 **“Trailer”** shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon a highway, and, except a side car attached to a motorcycle, shall be considered a vehicle and not part of the motor vehicle by which it is being drawn;
- 2.15 **“Vehicle”** includes a motor vehicle, 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 or the cars of electric or steam railways running only upon rails;
- 2.16 **“Fire Route”** shall mean any road, land, ramp or other means of vehicular access to or egress from a building or structure specifically identified as such for use of emergency vehicles;
- 2.17 **“Prohibited Parking Zone”** shall mean an area of the untraveled portion of a highway clearly marked as a prohibited parking area by signs placed at intervals of no more than 25 meters.

PARKING OFFENCES

- 3.1 No person shall park a vehicle:
 - 3.1 within an intersection or within six (6) meters thereof;
 - 3.2 within a distance of three (3) meters from any fire hydrant, such distance being measured from that point on the curb which is found by taking the shortest distance between the fire hydrant and the curb;
 - 3.3 in front of any church or other building used for religious purposes while a funeral service is taking place;
 - 3.4 on a sidewalk or crosswalk;
 - 3.5 in such a manner as to obstruct the entrance to a private lane unless he or she is the owner thereof or a person authorized by the owner to park in such a manner;
 - 3.6 upon any bridge;
 - 3.7 in such a manner as to obstruct traffic;
 - 3.8 within six (6) meters of a designated crosswalk;
 - 3.9 in such a manner as to interfere with the maintaining or construction of a highway.
- 4. No person shall, within the limits of the Corporation of the Township of East Hawkesbury, park or allow to remain standing on any highway any vehicle between the hours of 11:00 p.m. and 07:00 a.m. from the first (1st) day of December on one year to the first (1st) day of April in the following year.
- 5. No person shall park a vehicle or permit a vehicle to remain parked on any highway;
 - 5.1 while the work of removing snow or ice therefrom or clearing of snow therefrom is in progress; or
 - 5.2 in such a manner as to interfere with street cleaning operations.
- 6. No person shall park a vehicle on a highway for the purpose of exhibiting the vehicle or of offering the vehicle for sale.

7. No person shall park a vehicle or allow a vehicle to be parked in any parking space designated as a physically handicapped parking space unless that vehicle is identified as specified in Section 2.11 of this By-Law.
8. No person shall cause or allow the unauthorized use of a permit issued pursuant to Section 2.11 of this By-Law.
9. No person shall park a vehicle or permit a vehicle to remain parked on any highway within a prohibited parking zone.
10. No person shall park or leave a vehicle in any area designated as a fire route.
11. No person who is operating a vehicle for the purpose of delivering goods, wares, merchandise, milk, bread or any other commodity shall stop or park said vehicle at any place on any highway other than at the curb or side of the highway.

ADMINISTRATION

12. The provisions of this By-Law shall be enforced by the Municipal Law Enforcement Officer.

PENALTIES

13. Whenever a vehicle is parked in contravention of any Section of this By-Law, the Municipal Law Enforcement Officer may cause the said vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care of storage thereof, shall be paid by the owner of the said vehicle in the manner provided in the Repair and Storage Liens Act, R.S.O. 1990, Ch. R.25.
14. Every person who contravenes any of the provisions of this By-Law is guilty of an offence and, on conviction thereof, shall forfeit and pay a penalty for each such offence and every such penalty shall be recoverable under the Provincial Offences Act, R.S.O. 1990, Ch. P.33.
15. When a person has been convicted of an offence under this By-Law any Court of competent jurisdiction thereafter, may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

SEVERABILITY

16. The requirements of this By-Law are severable. If any requirements of this By-Law are held invalid, the application of such requirements to other circumstances and the remainder of this By-Law shall not be affected.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 26TH DAY OF NOVEMBER, 2018.

Robert Kirby, Mayor

Luc Lalonde, Clerk

SEAL

CORPORATION OF THE TOWNSHIP OF EAST HAWKESBURY

PART I PROVINCIAL OFFENCES ACT

BY-LAW NO. 2018-80: PARKING

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Unauthorized use of a handicapped permit	Section 8	\$50.00

NOTE: The penalty provisions for the offences indicated above is Section 14 of By-Law No. 2018-80, a certified copy of which has been filed.

CORPORATION OF THE TOWNSHIP OF EAST HAWKESBURY

PART II PROVINCIAL OFFENCES ACT

BY-LAW NO. 2018-80: PARKING

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Park within intersection	Section 3.1	\$50.00
2	Park within six (6) meters of intersection	Section 3.1	\$50.00
3	Park within three (3) meters of a fire hydrant	Section 3.2	\$65.00
4	Park in front of church during a funeral service	Section 3.3	\$50.00
5	Park on a sidewalk	Section 3.4	\$50.00
6	Park on a crosswalk	Section 3.4	\$50.00
7	Park obstructing a private entrance	Section 3.5	\$50.00
8	Park on a bridge	Section 3.6	\$50.00
9	Park obstructing traffic	Section 3.7	\$50.00
10	Park within six (6) meters of a crosswalk	Section 3.8	\$50.00
11	Park when prohibited by winter parking restrictions	Section 4	\$65.00
12	Park in a snow removal area	Section 5	\$65.00
13	Park for purpose of sale	Section 6	\$50.00
14	Park in handicapped space	Section 7	\$300.00
15	Park in prohibited parking zone	Section 9	\$65.00
16	Park in a fire route	Section 10	\$85.00
17	Park delivery vehicle away from curb	Section 11	\$50.00

NOTE: The penalty provisions for the offences indicated above is Section 14 of By-Law No. 2018-80, a certified copy of which has been filed.