

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BYLAW NUMBER 2009 - 40

Being a Bylaw to Prohibit or Regulate Parking  
within the Township of Sables-Spanish Rivers

WHEREAS Sections 10, 100, 101 and 102 of the Municipal Act, 2001 allows for a bylaw to be passed to prohibit or regulate parking;

AND WHEREAS the Council of the Corporation of the Township of Sables-Spanish Rivers deem it desirable to enact a bylaw for this purpose;

NOW THEREFORE the Council of the Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. This bylaw shall be known as the "Parking Bylaw";
2. DEFINITIONS:
  - 1) "Boulevard" means a strip of grass or other vegetation between a sidewalk and a roadway;
  - 2) "Bylaw Enforcement Officer" means the Bylaw Enforcement Officer for the Corporation of the Township of Sables-Spanish Rivers;
  - 3) "Council" means the Council of the Corporation of the Township of Sables-Spanish Rivers;
  - 4) "Director of Operations" means the Director of Operations, Public Works for the Corporation of the Township of Sables-Spanish Rivers;
  - 5) "Emergency / Health Care Vehicle" includes vehicles of the Fire Department, Police vehicles, ambulances, Victorian Order of Nurses, and any other emergency vehicles of Federal, Provincial or Municipal Departments or of public or private utilities;
  - 6) "Fire Route" means any part of a roadway or a private roadway designated by signage as a route that will be used for emergency vehicles or emergency personnel, including without limitation, fire trucks, emergency response vehicles, ambulances and any other similar motor vehicles;
  - 7) "Heavy Vehicle" means a transport truck or commercial vehicle having a weight of three (3) tons or more, but does not include a passenger vehicle, an ambulance or any vehicle of a police or fire department;
  - 8) "Highway" includes a common and public highway, street, road or bridge, 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 and includes the entire road allowance;
  - 9) "Motor Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any motor 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.
  - 10) "Municipality" means the Corporation of the Township of Sables-Spanish Rivers;
  - 11) "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;
  - 12) "Person" includes every natural person, firm, partnership, association or corporation;

- 13) “Physically Disabled Person” means a person who is permanently or temporarily physically disabled in such a way that mobility is seriously restricted and includes a person who uses a wheelchair, crutches, braces or other mobility assisted devices;
- 14) “Recreational Vehicle” means any vehicle used for recreational purposes, including all-terrain vehicles (ATV), off road motorcycles, snowmobiles, boats, jet skis (PWC), travel trailers, motor homes, and any trailer utilized for the aforementioned;
- 15) “Roadway” means the travelled portion of a highway designed and intended for the travel of motor vehicles and includes any designated parking areas;
- 16) “Sidewalk” means that portion of a boulevard, which is paved, bricked or otherwise hard surfaced and intended for the use of pedestrians;
- 17) “The Provincial Offences Act” means The Provincial Offences Act, R.S.O. 1990, Chapter P33 as amended and regulations thereto.

### 3. PARKING RESTRICTIONS

#### 1) NO PARKING – AT ANY TIME

- a) No person shall park a motor vehicle on the highways or part of the highways designated by signage as a “No Parking” area.
- b) No person shall park a motor vehicle on any highway unless on the right hand side of the highway having regard to the direction of the flow of traffic.
- c) No recreation vehicle shall be parked or left standing for a longer period than forty-eight (48) hours, upon any part of any highway.
- d) No person shall park a motor vehicle:
  - i) on a street within three metres of a fire hydrant;
  - ii) so as to obstruct a public or private roadway, driveway or entrance;
  - iii) so as to obstruct a sidewalk;
  - iv) so as to obstruct a pedestrian crosswalk;
  - v) so as to interfere with the clearing of snow from the street;
  - vi) on a boulevard
  - vii) in an area designated by signage as a Fire Route;
  - viii) in an area designated as parking for physically disabled persons.

#### 2) WINTER MONTHS

- a) During night hours in winter months, no person shall park a vehicle on any highway under the jurisdiction of the Municipality, between the hours of two (2) o’clock in the morning and eight (8) o’clock in the morning, during the period from the first day of November in one year until the last day of March in the next year, except emergency / health care vehicles.

#### 3) HEAVY VEHICLES

- a) No person shall park a heavy vehicle on any highway, except when actually engaged in the activity of loading or unloading the vehicle;
- b) The provisions of subsection (a) shall not apply to vehicles owned or contracted by the Municipality, or to emergency / health care vehicles.
- c) Heavy vehicle drivers are permitted to use the tractor for travelling to and from their homes, and to park same in private driveways.

### 4. REMOVAL OF ILLEGALLY PARKED VEHICLES

- 1) When any motor vehicle is parked in contravention of any section of this bylaw, the Bylaw Enforcement Officer may take such motor vehicle or cause same to be taken to and stored in a suitable place and all costs and charges for removal, care or storage thereof, shall be a lien upon said motor vehicle.

5. ENFORCEMENT AND PENALTY

- 1) The provisions of this bylaw shall be enforced by the Bylaw Enforcement Officer.
- 2) Every person who contravenes any provision of this bylaw is guilty of an offence and is liable upon conviction to a fine for each offence, recoverable under the Provincial Offences Act.
- 3) Should any section, subsection, clause or provision of this bylaw be declared by a court of competent jurisdiction to be invalid, the said section shall not affect the validity of this bylaw as a whole or any part thereof, other than the part so declared to be invalid.

6. ONTARIO HIGHWAY TRAFFIC ACT TO GOVERN

- 1) The provisions of this bylaw shall be subject to the provisions of the Highway Traffic Act as amended and to any regulations made there under and any reference in this bylaw to the said Highway Traffic Act or any provisions thereof shall be deemed to be a reference to the said Highway Traffic Act or provisions thereof as amended or re-enacted from time to time and to all Regulations made under the said Act.

7. TIMES

- 1) Whenever certain hours are named herein, they shall mean Standard Time or Daylight Savings Time, whichever shall be in official current use in the Municipality.

8. JURISDICTION

- 1) The provisions of this bylaw shall only apply to those highways in the Municipality that are under the jurisdiction of the Municipality.

9. This Bylaw shall repeal Bylaw 2002-08 and Bylaw 2002-21.

READ A FIRST AND SECOND TIME THIS 10<sup>TH</sup> DAY OF NOVEMBER, 2009.

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 10<sup>TH</sup> DAY OF  
NOVEMBER, 2009.

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MAYOR – L. GAMBLE

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CLERK – E. JORDAN