

The Corporation of the Municipality of West Perth**By-law No. 005-2010**

Being a by-law to regulate the parking or stopping of vehicles
on highways within the Municipality of West Perth

Whereas under Section 8 of the Municipal Act a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act or under any other Act and Section 9 of the Act provides that Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

And Whereas the provisions of this by-law shall be subject to the provisions of the Highway Traffic Act, R.S.O., 1990, c. H. 8 and amendments thereto;

Now therefore be it resolved that the Council of the Municipality of West Perth enacts as follows:

1. For the purposes of this by-law, where no definition is made herein and definition is required, the applicable definition shall be as set forth in the Highway Traffic Act, R.S.O. 1990, Chapter H.8 as amended from time to time and;
 - (1) 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 municipal council for the purpose of regulating parking.
 - (2) Corner means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic.
 - (3) Crosswalk means that portion 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, from the edges of the roadway, or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface.
 - (4) Commercial Motor Vehicle means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, motor buses and tractors used for hauling purposes on the highway.
 - (5) Designated Parking Spaces means a parking space designated under this by-law for the exclusive use of a vehicle displaying a permit in accordance with the requirements of the Highway Traffic Act and the regulations made there under, and this by-law.
 - (6) Fire Route means any public or private roadway designated as a fire route and along which no parking of vehicles shall be permitted.
 - (7) Fire Lane shall have the same meaning as fire route.
 - (8) Handicapped Parking Permit means any physically handicapped person having a parking permit issued under the Highway Traffic Act or permit, number plate or other marker or device issued by another jurisdiction and recognized under that Act.
 - (9) Highway includes a common and public highway, street, avenue, public lane, parkway, driveway, square, place, bridge, viaduct, or trestle, designed and intended for or used by the general public for the passage of vehicles.
 - (10) Intersection means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines, of two or whether or not one highway crosses the other.

- (11) Motor Vehicle includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscle power, but does not include the cars of electric or steam railways, or other motor vehicles running only on rails, or a motorized snow vehicle, a motor assisted bicycle, traction engine, farm tractor, self propelled implement of husbandry or road building machines.
- (12) Municipality means the Municipality of West Perth.
- (13) One Way Street means a street upon which vehicular traffic is limited to movement in one direction.
- (14) Official Sign means a sign approved by the Ministry of Transportation and Communications.
- (15) Park or Parking 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.
- (16) Parking Infraction Notice means any unlawful parking, standing, or stopping of a vehicle that constitutes an offence.
- (17) Parking Space means a space within any parking area designated by suitable markings, such as signs or paint on the pavement, and intended for the parking of motor vehicles.
- (18) Physically Handicapped Person means any physically handicapped person as defined in the Highway Traffic Act and the regulations made there under.
- (19) Private Property means:
- i. property that has been clearly marked as such by fences; and/or
 - ii. property on which a legible sign or signs that have been erected by the owner, the occupant, or any agent for either, forbidding trespassing or parking; and/or
 - iii. a private roadway or driveway
- (20) Private Roadway means any private road, lane, ramp, or other means of vehicular access to, and egress from, a building or structure, and it may include part of a parking lot.
- (21) Police Officer means a member of the Ontario Provincial Police.
- (22) Roadway means that portion of a 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 roadway separately and not to all of the roadway collectively.
- (23) Schedule refers to a schedule to this By-law.
- (24) School Bus Zone means those zones more particularly defined in Schedule "A".
- (25) Sidewalk means that portion of a highway between the curb lines of roadway or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.
- (26) Stand or Standing means the halting of a vehicle, whether occupied or not, except for the purpose of, and while actually engaged in, receiving or discharging passengers.
- (27) Street see Highway.
- (28) Stop or Stopping -means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to other traffic or to comply with a traffic control sign or signal or with the directions of a police officer.

- (29) Traffic includes pedestrians, ridden or herded animals, vehicles and any other conveyances either singly or together while using any highway for the purposes of travel.
- (30) Time or Times 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 in periods when daylight saving time is in effect, in which periods it shall be daylight saving time.
- (31) Vehicle includes a motor vehicle, motor assisted bicycle, trailers, traction engine, farm tractor, road building machine, and any other vehicle drawn, propelled or driven by any power including muscle power, but does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails.

2. **Scope of the By-law**

This By-law provides for the regulations of parking within the Municipality, whether on highways, roadways, Municipal parking areas or private property.

3. **Method of Parking**

- (1) **Parallel** – No person shall park a vehicle on any street, other than a one way street, unless on the right-hand side of the street, having regard to the direction in which the vehicle had been proceeding and unless the right front and right rear wheels or runners are parallel to and distant respectively of not more than 15 cm from the curb or edge of the roadway.
- (2) **Angle** - Where angle parking is permitted on a highway, no person shall park a vehicle except at an angle of forty-five degrees with the edge of the roadway and so that the front of the vehicle is nearest to the edge of the roadway.
- (3) **One-way Streets** - Where parking is permitted on a highway designated for one-way traffic, no person shall park a vehicle except in the direction in which it was proceeding and not more than 15 cm parallel to and from the edge of the curb or edge of the roadway.

4. **Parking/Stopping Prohibited in Specified Places**

No person shall park/stop a vehicle, on a highway, in any of the following places:

- (1) On or over a sidewalk.
- (2) In front of a public or private driveway or in such a manner as to obstruct in anyway traffic entering or leaving such public or private driveway.
- (3) Within an intersection.
- (4) On a roadway beside and parallel to any stopped or parked vehicle.
- (5) On a crosswalk.
- (6) In any place, on a highway, so as to interfere with the formation of a funeral procession.
- (7) Within 9.2 metres of an intersection.
- (8) Within 9.2 metres of a crosswalk.
- (9) Within 4 metres of a point on the curb or edge of the roadway opposite any fire hydrant.
- (10) On any bridge or within any tunnel or underpass or approaches thereto.
- (11) On any street in such a manner so as to obstruct traffic.
- (12) On private property without permission.
- (13) In such a position as will prevent the convenient removal of any vehicle previously parked or left standing.
- (14) In front of the entrance to any place where goods or merchandise are regularly delivered or removed.
- (15) In front of the entrance to a hospital or nursing home.
- (16) 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.

- (17) Alongside or across the highway from any excavation or obstruction in the roadway when the free flow of traffic would thereby be impeded.
- (18) Within 15 metres of any level crossing of a railway or along the tracks of such railway.
- (19) On any street for the purpose of displaying a vehicle for sale.
- (20) On any street for the purpose of washing, greasing or repairing a vehicle except such repairs as have been necessitated by an emergency.
- (21) In front of the entrance or exit to any lot or building where fire department vehicle, public utility emergency 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.
- (22) On any street between the hours of 2:00 a.m. and 6:00 a.m. inclusive, during the months of December 1st to March 31st.
- (23) On any roadway having an overall width of less than 6.1 metres.
- (24) On any street for more than two hours in the downtown core between the hours of 9 a.m. till 6 p.m.
- (25) On any street for more than a period of 12 hours.
- (26) Parking outside marked spaces.

5. Parking Prohibited in Specified Places Where Signs are on display

Where properly worded signs are erected and are on display, no person shall park a vehicle on a highway in any of the following places:

- (1) In front of the entrance to a hotel or motel.
- (2) In front of the entrance to an office building or other place of business.
- (3) Within 24.5 metres of any designated bus or coach stop.
- (4) Within 7.5 metres from the entrance way on the same side of the highway as the fire hall, or 100 metres from the entrance-way on the opposite side of the highway to that of the fire hall.
- (5) Within 9.2 metres of an intersection.
- (6) At any place so designated so as to facilitate the orderly movement of traffic.
- (7) Between 8:30 a.m. and 4:30 p.m. upon that side of a highway adjacent to any school property.
- (8) Within 30.1 metres of an intersection controlled by traffic control signals.
- (9) In a space designated for use by handicapped licensed vehicles only.
- (10) In locations designated as 'No Parking' as noted on Schedule 'A' attached hereto and forming a part of this by-law.

6. Parking in Fire Routes Prohibited

- (1) All or any portion of a private or public roadway providing access to or from the building upon which authorized signs marked "No Parking-Fire Route", as noted on Schedule 'C', are erected is hereby designated as a fire route.
- (2) No person shall park or leave a vehicle in a fire route at any time, as noted on Schedule 'C'.

7. Parking on Private Property Prohibited

- (1) No person shall park or leave any motor vehicle on private property without the consent of the owner or occupant of the property.

8. Parking on Municipal Property Prohibited

- (1) No person shall park or leave any motor vehicle on property owned or occupied by the Municipality where parking by the public is not authorized.

9. Restricted Parking in Spaces for Handicapped Persons

- (1) No person shall park or stop a motor vehicle, or leave a motor vehicle standing, in any designated parking space unless a currently valid permit has been issued to that person, organization or to a 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, the regulations made there under and this by-law.

10. Handicapped Parking Permits

- (1) No person or organization that has been issued a permit for the purpose of parking in a handicapped parking space shall use the permit when not carrying a physically disabled person.
- (2) A permit issued for the purpose of parking in a handicapped parking space shall be displayed on the sun visor or on the dashboard of a vehicle so that the international symbol of access for the physically handicapped, the permit number and the expiry date of the permit, are clearly visible from the outside of the vehicle.

11. Bus and Taxicab Stands

- (1) The driver of a bus or taxicab shall not stand or park upon any highway (in any business district) at any place other than at a bus or taxicab stand respectively, except that this provision shall not prevent the driver of such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers or merchandise.
- (2) No person shall stop, stand or park a vehicle upon any highway other than a bus at a bus stop, when such stop or stand has been officially designated and appropriately signed except the driver of a motor vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers or merchandise when such stopping does not interfere with any bus or taxicab waiting to enter or about to leave such bus or taxicab zone.

12. Angle Parking Permitted on Specified Streets

When authorized signs or adequate pavement markings have been erected and are on display, no person shall park a vehicle on any street or parts of streets, as defined in Schedule 'A' of this By-law, attached hereto and forming a part of the By-law, except at an angle of forty-five degrees as indicated by signs or pavement markings and so that the front end of the vehicle shall be nearest to the edge of the roadway except commercial motor vehicles when engaged in the actual loading or unloading of goods or merchandise may park with the rear end of the vehicle nearest the edge of the roadway.

13. Additional Restrictions

(1) Fifteen Minute Parking Permitted on Specified Streets

When authorized signs have been erected and are on display no person shall park a vehicle on any street or parts of streets hereinafter set out for a longer period of time than fifteen minutes between the hours of 9:00 a.m. and 6:00 p.m. except on Sundays and legal holidays.

Fifteen Minute Parking Zones, attached hereto as Scheduled 'A'

(2) No Stopping

Areas designated as "No stopping" are attached hereto in Schedule 'A'. When authorized signs are displayed in the area, stopping is prohibited between the hours of 7:00 a.m. and 5:00 p.m., from Monday to Friday.

(3) Time Limited Parking on any street within the Municipality of West Perth, as attached hereto in Schedule "A". No person shall park a vehicle on any roadway within the Municipality of West Perth for a period of time longer than 12 hours.

14. Penalties

Every person who contravenes the provisions of this by-law is guilty of an offence and upon conviction, is liable to a fine as provided for under Section 6.1 of the Provincial Offences Act.

15. Enforcement Procedures

- (1) Where a Provincial Offences Officer or Police Officer finds a vehicle parked, stopped, or standing in violation of the provisions of this By-law, he/she may issue a Parking Infraction Notice to the vehicle under Parking Infraction Statute Law as per Schedule XIV. The notice shall be in the form of a serially numbered notice.
- (2) A Police Officer, Police Cadet, Municipal Law Enforcement Officer or an Officer appointed for carrying out the provisions of the Highway Traffic Act, upon discovery of any vehicle parked or left in any 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 removing, care and storage thereof, if any, are lien upon the vehicle which may be enforced in the manner provided by Part III of the Repair and Storage Liens Act, 1989.

16. Fines and Enforcement

- (1) Any person found in contravention of this by-law is guilty of an offence and upon conviction is liable to a fine of not less than \$20.00 and not greater than \$300.00 excluding costs. Fines are included in Schedule 'B' attached hereto and forming a part of this By-law.
- (2) The owner or the driver may report to the West Perth Ontario Provincial Police office within 7 days, exclusive of Sunday and legal holidays, after the day when the ticket is so attached to make a voluntary payment of penalty in the amount indicated.
- (3) This By-law shall be enforced by issuing tickets and providing for voluntary payment as outlined in Section 9.1.b of this By-law, or under the provisions of the Provincial Offences Act, R.S.O. 1990, C. 33

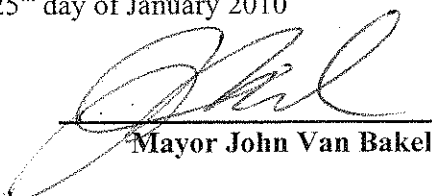
17. Emergencies

Notwithstanding any of the provisions contained in this by-law, the Ontario Provincial Police Sergeant in charge of the West Perth Police Service or any other Police Officer, may during an emergency or special circumstance, prohibit the parking of vehicular traffic on any highway or parts of highways within the Municipality limits, by adequate signs, and further may require the removal of any or all vehicles already parked, whether legally or not, on any of the highways or parts of highways thereof, during such emergency or special circumstances.

The part of parts of this by-law pertaining to the parking of vehicles on a highway shall not, if compliance therewith would be impractical apply to ambulances, police vehicles, fire department vehicles, emergency vehicles or other vehicles engaged in works undertaken by or for the Municipality.

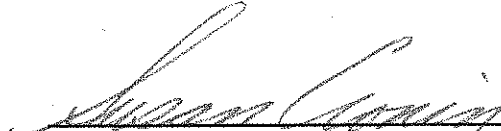
18. All other by-laws pertaining to the regulation of parking with the exception of any by-laws pertaining to the regulation of parking by means of parking metres are hereby repealed.
19. This By-law 005-2010 repeals By-law 028-2009 and amendments thereto.

Read a first and second time this 25th day of January 2010



Mayor John Van Bakel

Seal


Clerk Susan Cronin

Read a third and final time and finally passed this 25th day of January 2010.

Seal


Mayor John Van Bakel


Clerk Susan Cronin

Municipality of West Perth

Schedule 'A' By-law No. 005-2010 Regulation of Parking

1. **Fifteen Minute Parking**

Parking in the following areas is limited to a period of fifteen minutes, as per Section 13.1 of By-law

- i) St. Andrew Street west-side. Ontario Road to Quebec Street - 53 metres.
- ii) West-side of Poppy Lane - 23 metres.
- iii) St. David Street north bound east side. (169 St. David Street - Municipal Office lane way) - 35 metres.

2. **No Stopping**

Stopping of vehicles in the following areas is prohibited, as per Section 13.2 of By-law

- i) Ontario Road west bound on north-side - 59 metres.
- ii) Ontario Road east bound on south-side - 47 metres.

3. **No Parking**

Parking is prohibited in the following areas, as per Section 5.10 of By-law

- i) Napier Street east-side from Park Lane to William Street - 215 metres.
- ii) Huron Road west bound both sides from Napier Street to Perth Road 164 - 331.7 metres.
- iii) Ontario Road east bound both sides from Wellington Street continuing to Kings Highway No. 8 - 662 metres.
- iv) St. George Street north bound from Waterloo Street to Frances Street - 755 metres.
- v) St. George Street north bound west-side from Montreal to Waterloo Street - 141 metres.
- vi) St. George Street north bound east-side from Ontario Road to Montreal Street - 65 metres.
- vii) St. George Street south bound west-side from Ontario Road to Quebec Street - 42 metres.
- viii) St. George Street south bound east-side from Quebec Street to Toronto Street - 62 metres.
- ix) Legion Street south-side from St. Andrew Street to St. David Street - 153 metres.
- x) Wellington Street north bound west-side from Rowland Street to Henry Street - 234 metres.
- xi) Wellington Street north bound east-side from Ontario Road to Montreal Street - 70 metres.
- xii) St. Andrew Street north bound Rowland Street to Legion Street - 61 metres.
- xiii) Blenheim Street west bound north-side at Municipal Pool - 25 metres.
- xiv) St. David Street north bound east-side (169 St. David Street - Municipal Office lane way) - 82 metres.

4. **Angle Parking**

Angle Parking is permitted in the following areas, as per Section 12 of By-law

- i) Ontario Road west bound north-side from St. Andrew Street to St. George Street - 150 metres.
- ii) Ontario Road west bound north-side from St. David Street to St. Andrew Street - 157 metres.
- iii) St. George Street south bound east-side between Ontario Road and Quebec Street - 24 metres.
- iv) Ontario Road east bound south-side from St. George Street to Poppy Lane -126 metres.
- v) St. Andrew Street south bound east-side from Ontario Road to Quebec Street - 61 metres.

- vi) Ontario Road east bound south-side from St. Andrew Street to St. David Street - 155 metres.

5. School Bus Loading Zone

- i) St. Andrew Street from north bound from south-side of Rowland Street - 30 metres.

6. 2 Hour Parking

- i) Ontario Road west bound north-side from St. Andrew Street to St. George Street - 150 metres.
- ii) St. Andrew Street north bound from Ontario Road to Montreal Street both sides - 56 metres.
- iii) Ontario Road west bound north side from St. David Street to St. Andrew Street - 157 metres.
- iv) St. George Street south bound east-side between Ontario Road and Quebec Street east side - 24 metres.
- v) Ontario Road east bound south-side from St. George Street to Poppy Lane - 126 metres.
- vi) Ontario Road east bound south-side from St. Andrew Street to St. David Street - 155 metres.

The Municipality of West Perth
Part I: By-law No. 005-2010: Parking
Schedule "B"

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 4 Set Fine
1.	Improper use of a handicap permit	Section 10 (1)	\$125.00
2.	Improper display of a handicap permit	Section 10 (2)	\$125.00

Note: the general penalty provision for the offences listed above is section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33

The Municipality of West Perth
Part II: By-law No. 005-2010: Parking
Schedule “B”

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Voluntary payment payable within 7 days	COLUMN 4 Set Fine
1.	Parking outside of marked space	Section 4 (26)	\$20.00	\$30.00
2.	Failing to park on designated side of one way street	Section 3 (3)	\$20.00	\$30.00
3.	Parking/Stopping a vehicle on/over a sidewalk	Section 4 (1)	\$20.00	\$30.00
4.	Parking/Stopping a vehicle in front of a public or private driveway	Section 4 (2)	\$20.00	\$30.00
5.	Parking/Stopping a vehicle on a roadway beside or parallel to stopped/parked vehicle	Section 4 (4)	\$20.00	\$30.00
6.	Parking/Stopping a vehicle on a crosswalk	Section 4 (5)	\$20.00	\$30.00
7.	Parking/Stopping a vehicle so as to interfere with the formation of a funeral procession	Section 4 (6)	\$20.00	\$30.00
8.	Parking/Stopping within 9.2 metres of an intersection	Section 4 (7)	\$20.00	\$30.00
9.	Parking/Stopping within 9.2 metres of a crosswalk	Section 4 (8)	\$20.00	\$30.00
10.	Parking/Stopping within 4 metres of a fire hydrant	Section 4 (9)	\$75.00	\$100.00
11.	Parking/Stopping a vehicle on any bridge/tunnel or underpass	Section 4(10)	\$20.00	\$30.00
12.	Parking/Stopping as to obstruct traffic	Section 4 (11)	\$20.00	\$30.00
13.	Parking/Stopping on private property	Section 4 (12)	\$20.00	\$30.00
14.	Parking/Stopping preventing removal of any vehicle previously parked or standing	Section 4 (13)	\$20.00	\$30.00
15.	Parking/Stopping in front of entrance to hospital or nursing home	Section 4 (15)	\$20.00	\$30.00
16.	Parking/Stopping in front of an entrance or exit of building where large groups congregate	Section 4 (16)	\$20.00	\$30.00
17.	Parking/Stopping as to impede the flow of traffic	Section 4 (17)	\$20.00	\$30.00
18.	Parking/Stopping within 15 metres of railway or tracks	Section 4 (18)	\$20.00	\$30.00
19.	Parking/Stopping on any street for the purpose of displaying a vehicle for sale	Section 4 (19)	\$20.00	\$30.00
20.	Parking/Stopping on any street for the purpose of washing, greasing or repairing a vehicle	Section 4 (20)	\$20.00	\$30.00
21.	Parking/Stopping vehicle so as to impede the movement of emergency vehicles.	Section 4 (21)	\$75.00	\$100.00
22.	Parking on any street between the hours of 2:00AM and 6:00AM during the months of December 1 – March 31	Section 4 (22)	\$40.00	\$50.00
23.	Parking in excess of 2 hour maximum limit	Section 4 (24)	\$20.00	\$30.00
24.	Parking on a highway in front of an	Section 5 (1)	\$20.00	\$30.00

	entrance to a hotel or motel			
25.	Parking on a highway in front of an entrance to an office building or place of business	Section 5 (2)	\$20.00	\$30.00
26.	Parking within 7.5 metres on the same side of the fire hall	Section 5 (4)	\$20.00	\$30.00
27.	Parking within 100 metres on the opposite of the fire hall	Section 5 (4)	\$20.00	\$30.00
28.	Parking/Stopping in designated handicap space without a valid permit	Section 5 (9)	_____	\$300.00
29.	Parking in any area designated as "NO PARKING".	Section 5 (10)	\$20.00	\$30.00
30.	Parking/Stopping in designated fire route	Section 6 (2)	\$75.00	\$100.00
31.	No Parking/ Stopping on Municipally owned property	Section 7 (1)	\$20.00	\$30.00
32.	Park/Stand bus not in bus stand	Section 11(1)	\$20.00	\$30.00
33.	Park/Stand taxi not in taxi stand	Section 11(1)	\$20.00	\$30.00
34.	Failing to park at 45 degree angle	Section 12 (1)	\$20.00	\$30.00
35.	Parking in excess of 15 minute maximum limit	Section 13 (1)	\$20.00	\$30.00
36.	Parking in excess of 12 hour maximum limit	Section 4 (25)	\$20.00	\$30.00
37.	Park more than 15cm from curb/edge of roadway – two-way street	Section 3 (1)	\$20.00	\$30.00
38.	Park more than 15cm from curb/edge of roadway – one-way street	Section 3(3)	\$20.00	\$30.00

Note: the general penalty provision for the offences listed above is section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.

SCHEDULE “C”**FIRE ROUTES**

Fire Routes shall be in roadways, driveways, lanes and private roadways, where posted to that effect, at the following locations:

- a) All privately owned property within the Municipality of West Perth which is subject to a “Site Plan Agreement” requiring a “Fire Route”.
- b) Mitchell and District Community Centre and Arena-driveways and entrances.
- c) Brodhagen Community Centre 6708 Perth Line 44-driveways and entrances.
- d) Municipality of West Perth Municipal Offices-driveways and entrances.