

THE CORPORATION OF THE MUNICIPALITY OF SOUTH BRUCE

BY-LAW #2012-40

BEING A BY-LAW to regulate, control and prohibit certain activities on highways and designated areas within the jurisdiction of the Municipality of South Bruce

WHEREAS the Municipal Act, S.O. 2001 Chapter 25, Sections 26, 27(1) and 28(2) and the Highway Traffic Act, R.S.O. 1990, Chapter H.8 as amended authorizes a municipality to pass by-laws regulating, controlling and prohibiting certain activity on highways within the jurisdiction of the municipality;

AND WHEREAS the said Act also authorizes a council to pass by-laws and make regulations for the safety of the inhabitants of the municipality;

AND WHEREAS the Council of the Municipality of South Bruce deems it advisable and necessary for the orderly flow of traffic within the municipality that such a by-law be passed;

NOW THEREFORE the Council of the Municipality of South Bruce enacts as follows:

PARKING

1.1 DEFINITIONS

For the purpose of this by-law-

- a) 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 Council for the purpose of regulating, warning or guiding traffic. Also means a sign approved by the Council of the Municipality of South Bruce.
- b) Corner means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic.
- c) Crosswalk means (i) that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks or opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the roadway, or (ii) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other marking on the surface.
- d) Highway means 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 and under the jurisdiction of the Municipality of South Bruce, and includes the area between the lateral property lines thereof.
- e) Intersection means 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.
- f) Motor Vehicle includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles

running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act.

- g) One-way Street means a street upon which vehicular traffic is limited to movement in one direction.
- h) Park and 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.
- i) Pedestrian means a person afoot and includes a person in a wheelchair or carriage.
- j) Roadway means that portion of a highway that is improved, designed or ordinarily used for vehicular traffic but does not include the shoulder or where the highway includes two or more separate roadways, the term roadway refers to any one roadway separately and not to all roadways collectively.
- k) Safety Zone means that area or space set apart within a roadway for the exclusive use of pedestrians which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.
- l) Sidewalk means that portion of a highway between the curb lines of a roadway or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.
- m) Stop, when required, means a complete cessation of movement.
- n) 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 or of a traffic control sign or signal.
- o) Street means a highway.
- p) Through Highway means any highway or part of a highway designated by the Minister of Transportation or by a by-law of the Municipality of South Bruce approved by the Ministry, and every such highway shall be marked by a stop sign or yield right-of-way sign in compliance with the regulations of the Ministry.
- q) Traffic includes pedestrians, ridden or herded animals, vehicles and any other conveyances either singly or together while using any street for the purpose of travel.
- r) Traffic Signal means any device, manually, electrically or mechanically operated for the regulation of traffic.
- s) U-Turn means to turn a vehicle within a roadway so as to proceed in the opposite direction.
- t) 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, the cars of electric or steam railways running only upon rails.

1.2 PARKING VIOLATIONS
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 not more than six inches from the curb or edge or the roadway.

2) Angle

Where angle parking is permitted 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 end of the vehicle is nearest to the edge of the roadway.

3) One-way Streets

Where parking is permitted on a one-way street, no person shall park a vehicle except facing in the direction in which it was proceeding and not more than six inches parallel to and from the edge or the curb or edge of the roadway.

1.3 PARKING PROHIBITED

In Specified Places

No person shall park in any of the following places:

- a) On a sidewalk.
- b) On a median strip.
- c) In front of a public or private lane or driveway.
- d) On any bridge or on approaches thereto within 100 meters of a bridge.
- e) In front of the entrance to any place where goods or merchandise are regularly delivered or removed.
- f) On any street for the purpose of displaying a vehicle for sale.
- g) No person shall park a bicycle on a sidewalk unless same shall stand upright and not laid on its side on any sidewalk.
- h) Within an intersection.
- i) On the roadway beside and parallel to any stopped or parked vehicle.
- j) On a crosswalk.
- k) Within ten feet of a point on the curb or edge of the roadway opposite Any fire hydrant.
- l) In such a position as will prevent the convenient removal of any vehicle previously parked or left standing.
- m) In front of the entrance, or emergency exit, to a theatre, auditorium or other place where large assemblies are held in such theatre, auditorium or other building, or for an unreasonable time immediately preceding and following such assemblies.
- n) In a place so as to interfere with the formation of a funeral procession.
- o) On any street between the hours of 1:00 a.m. to 6:00 a.m. inclusive during the months of November, December, January, February and March.
- p) On any street in such a manner as to obstruct traffic.
- q) On a roadway for an unreasonable length of time, having regard for the traffic requirements of such roadway.
- r) Along side or across the highway from any excavation or obstruction in the roadway when the free flow of traffic would thereby be impeded.
- s) Within fifty feet of any level crossing of railway.
- t) On any street for the purpose of washing, greasing, or repairing a vehicle, except such repairs as have been necessitated by an emergency.

- u) In front of the entrance or exit to a lot or building where fire department 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.

1.4 IN SPECIFIED PLACES WHERE AUTHORIZED SIGNS ARE ON DISPLAY

When authorized signs have been erected and are on display, no vehicle shall be parked in any of the following places:

- a) On any section of any street adjacent to an intersection designated by a sign worded as follows:
“No Parking Here to Corner”.
- b) On any section of any street designated by a sign as being reserved for parking for physically disabled passenger vehicles without a permit
- c) On any property as designated by Council in agreement with the owner or owners and designated by sign as being reserved for parking for physically disabled passenger vehicles without a permit.
- d) On any section of any street when authorized signs have been approved and are on display, a time limit on parking.
- e) On any section of any street designated by a sign as being reserved for the purpose of a school bus loading and unloading zone.

1.5 No PARKING ZONES

- a) When authorized signs have been erected and are on display, no vehicle shall be parked on any street marked as “No Parking”.

2. ENFORCEMENT

- a) The provision of this by-law may be enforced by a By-law Enforcement Officer appointed by the Municipality of South Bruce, or a Police Officer, or the Works Superintendent or his designated staff, or other persons with the authority to enforce municipal by-laws pursuant to the provisions of the Police Act.
- b) Notwithstanding any penalties provided by the by-law, the Enforcement Officer, Police Officer, or the other parties appointed by this by-law, upon discovery of any vehicle parked or standing in 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 removal, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Mechanics Lien Act.
- c) Notwithstanding the set fine, a voluntary option is provided for early payment within seven (7) days from the issuance of the violation.

3. PENALTIES

Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial offences Act R.S.O. 1990, c. P.33 fines will be set as per schedule “A” of this by-law.

- 4. That effect upon passing this by-law supersedes any previous by-law in regards to regulate, control and prohibit certain activities on highways and designated areas within the jurisdiction of the MUNICIPALITY OF SOUTH BRUCE

- 5. This by-law shall come into full force and effect upon its date of passing.

That this by-law comes into force and **READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED** this 12th day of June, 2012.

Bill Goetz, Mayor

Sharon Chambers, Clerk

Seal