THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2005 – 96 (amended)

Being a By-law to provide for the regulating of vehicle parking, standing and stopping on highways or parts of highways under the jurisdiction of the Corporation of the Township of Essa, and to Repeal By-law 97-63.

WHEREAS Section 11(2) of the *Municipal Act,* 2001, S.O. 2001, c.25 provides that lower tier municipalities have the power to pass by-laws under a sphere of jurisdiction as assigned to an upper tier non-exclusively; and

WHEREAS Section 27 (1) of the *Municipal Act* provides that a municipality may pass by-laws in respect to highways over which it has jurisdiction, including the authority to regulate parking on highways; and

WHEREAS Section 35 of the *Municipal Act* provides that a municipality may restrict the common law right of passage by the public over a highway; and

WHEREAS Sections 63(1) and 101 of the *Municipal Act* allow for the removal and impounding or restraining and immobilization of vehicles placed, stopped, standing or parking on a highway or on private land in contravention of a municipal by-law regulating vehicles;

NOW THEREFORE the Council of the Corporation of the Township of Essa enacts as follows:

1 DEFINITIONS:

1. The meaning ascribed to any term defined in subsection 1 of Section 1 of the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8 as amended from time to time, are the meanings of that term as used in this By-law, unless that term is otherwise defined in subsection 1.2 of this Section.

   For the purposes of this By-law:

   a. “Authorized Sign” means a sign or other device placed or erected on a highway or elsewhere pursuant to the provisions of this By-law and approved by the Ministry;

   b. “Boulevard” means all parts of the highway save and except any roadway, shoulder or sidewalk;

   c. “Bus Stop” means that part of a highway designated by a sign where buses will stop to take on or let off passengers;

   d. “Collector Road” means a road that serves to collect and distribute traffic between local streets and arterial roads, with typical daily motor vehicle traffic volume between 2,500 to 8,000 vehicles per day, with lower speeds (40-50 km/h);

   e. “Corner” means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic;

   f. “Council” means the Council of the Corporation of the Township of Essa;

g. “Curb” shall include the edge of the roadway and gutters;

h. “Driveway” means improved land on a highway which provides vehicular access from the roadway to a laneway or a parking area on adjacent lands;

i. “Electric Vehicle” shall mean a vehicle that runs only on a battery and an electric drive train; or, a plug-in hybrid electric vehicle that runs on a battery and an electric drive train, and also uses an internal combustion engine.

j. Electric Vehicle Charging Station” shall mean any facility or equipment that is used to charge a battery or other energy storage device of an Electric Vehicle.

k. “Electric Vehicle Parking Stall” shall mean a parking space designated for the use of charging Electric Vehicles as indicated by a sign

l. “Fire Route” means a private roadway designated as a fire route by one or more signs erected by or on behalf of the owner or occupant of the private roadway;

m. “Highway” includes a common and public highway, street, avenue, parkway, square, place, bridge, viaduct or trestle, designed and intended for, or used by the general public for the passage of vehicles, including unopened and unassumed highways;

n. “Highway, one way” means a highway upon which the movement of vehicular traffic is limited to one direction;

o. “Inner Boulevard” means that part of the highway lying between the property line and the edge of the sidewalk nearest to the property line and where there is no sidewalk, it means that part of the highway lying between the property line and the edge of the shoulder furthest from the roadway or where a shoulder does not exist from the edge of the roadway;

p. “Laneway” means improved land adjacent to the highway which provides access from the highway to a parking area on adjacent land;

q. “Leave or Left when prohibited” means the parking of a motor vehicle:

   i. in excess of any time limit so posted; or,
   ii. where a time limit is not posted, in excess of two hours; or,
   iii. for any use other than the normal use intended for the property;

p. “Local Board” means a local board as defined in the *Ontario Municipal Act*, 2001;

q. “Local Road” means a road that serves primarily to provide access to properties and serve a relatively minor role in carrying motorized traffic, with typical motor vehicle traffic volume of less than 2,500 vehicles per day, with lower speeds (40-50 km/h);

r. “Municipality” means the Corporation of the Township of Essa;

s. “Municipal Property” means property of the Township of Essa or any local board thereof;

t. "No Parking" means the standing of a vehicle, whether occupied or not, except where standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passenger;

u. "No Stopping" means the halting of a of a vehicle, even momentarily, whether occupied or not, except where necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or of traffic control sign or signal;

v. "Officer" means a Municipal Law Enforcement Officer appointed by the Township of Essa for the purpose of carrying out the enforcement of this By-law;

w. "OPP Commander" means the Detachment Commander of the Ontario Provincial Police having authority in the Township, or designate;

x. "Outer Boulevard" means that part of the highway lying between any sidewalk and the edge of the shoulder furthest from the roadway where a shoulder does not exist from the edge of the roadway;

y. "Owner" when used in relation to property means the registered owner of the property;

z. "Owner" when used in relation to a vehicle means the last registered name on file with the Ministry of Transportation;

aa. "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;

bb. "Parking Infraction Notice" means a notice of an infraction of this By-law given by an Officer or Constable;

cc. "Parking Space" means that part of the surface of a roadway designated for the purpose of parking a vehicle;

dd. "Pedestrian" means a person or child, on foot or in a wheelchair, motorized accessibility scooter, or baby carriage;

ee. "Person" means an individual human being, his/her personal representative and their heirs, executors and assigns and shall also include a corporation with or without share capital and for the purpose of this By-law includes the owner or driver of a vehicle;

ff. "Private Road" means a highway, road or laneway on private property and one which is not assumed by, or under the jurisdiction of the municipality**;**

gg. **"**Road Right-of-Way" means a type of easement granted or reserved by the municipality on all roads within the municipality including the driving surface (paved and/or gravel) and beyond the driving surface over the land for transportation purposes;

hh. "Roadway" means that part of the 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, and the term "roadway" refers to any one roadway separately and not to all of the roadways collectively;

ii. "Shoulder" means that part of the highway immediately adjacent to the roadway and having a surface which has been improved with asphalt, concrete or gravel for the use of vehicles;

jj. "Sidewalk/footpaths" means that portion of a highway as is set aside by the Township for the use of pedestrians;

kk. "Stand" or "Standing", when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers (immobilization);

ll. "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;

mm. "Township" means the Corporation of The Township of Essa;

nn. "Vehicle" includes a motor vehicle, trailer, commercial motor vehicle, an automobile, motorcycle, motor assisted bicycle, a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry road building machine and any other vehicle propelled or driven otherwise than by muscular power.

2. GENERAL REGULATIONS

1. 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, provided however, if what is known as "daylight savings time" has been generally adopted in the Township for any period of the year, under any statute, order-in-council, By-law, resolution or proclamation, whether the same is effective in law or not, such time shall be the time referred to during such period in any reference to time in this By-law.

2. The Roads Supervisor for the Township, or designate, shall have authority to place or erect and to maintain such authorized signs as are required to give effect to the provisions of this By-law;

3. No person shall place, maintain or display on any highway, any sign, marking or device which purports to be, or is an imitation of, or resembles an authorized sign or which conceals from view or interferes with the effectiveness of an authorized sign.

4. The Detachment Commander and the Township Roads Supervisor are hereby authorized to place or erect and maintain temporary "No Parking" signs and "No Stopping" signs on any highway.

5. The Schedule to this By-law shall form part of this By-law and each entry in a column of such a schedule shall be read in conjunction with the entry or entries across therefrom and not otherwise.

6. "Severability" - If any Court of competent jurisdiction finds that any of the provisions of this By-law are ultra vires of the jurisdiction of the Council to pass or are invalid for

any other reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of the By-law which shall remain in full force and effect.

7. A word interpreted in the singular number has a corresponding meaning when used in the plural.

8. "May" shall be construed as permissive.

9. "Shall" shall be construed as imperative.

10. "Distances" - Where a distance is used in this By-law as part of a prohibition of parking or stopping within a specified distance of an object, structure, land or part of a highway, such distance shall be measured:

    (a) Along the curb or edge of the roadway from a point in such curb or edge of roadway opposite such object, structure, land or part of a highway, unless the context otherwise requires, and;

    (b) from such object, structure, land, or part of a highway in all directions.

11. This By-law applies only to highways forming part of the road system under the jurisdiction of the Municipality.

12. If compliance therewith be impractical, the provisions of this By-law shall not apply to:

    (a) ambulances, police, fire department, or public utility emergency vehicles; or,

    (b) vehicles actually engaged in works undertaken for, or on behalf of the Municipality.

3. GENERAL STOPPING OR PARKING REGULATIONS

1. No person shall park or stop any vehicle on any highway or portion thereof except as follows:

    (a) where there is a raised curb or a rolled curb on the right side of the roadway having regard to the direction such vehicle was proceeding with its right front and rear wheels parallel to and not more than 15 centim (5.9 inches) from such curb; or,

    (b) where there is no curb or a rolled curb, with the right front and rear wheels parallel to and as near the right-hand limit of the highway as is practical without parking or stopping over a sidewalk or footpath or over any part of a highway where grass is grown or which is not intended for the use of vehicles.

2. Notwithstanding the provisions of subsection 4.1, on designated one-way highways where parking or stopping is permitted on the left side of a highway, no person shall park or stop any vehicle on any highway or portion thereof except as follows:

    (a) where there is a raised curb or rolled curb on the left side of the roadway

having regard to the direction in which the vehicle was traveling, with its left front and rear wheels parallel to, and no more than 15 cm (5.9 inches) away from such curb; or,

(b) where there is no curb or rolled curb, on the left side of the roadway having regard to the direction in which the vehicle was traveling with the left front and rear wheels parallel to and as near to the left hand limit of the highway as is practical without parking or over a sidewalk or footpath or over any part of a highway where grass is grown or which is not intended for use of vehicles.

3. Where parallel parking spaces are designated by lines painted on a roadway, no person shall park or stop any vehicle other than within the designated spaces.

4. Where angle parking is permitted, no person shall:

(a) park any vehicle other than within the designated spaces where parking spaces are designated by painted lines on the roadway; or,

(b) park or stop any vehicle except at an angle of 45 degrees to the curb or boundary of the roadway where parking spaces are not designated by lines painted on the roadway.

5. The provisions of subsections 4.1 and 4.2 do not apply on highways where angle parking is permitted.

6. No person shall park or stop any vehicle on any highway or portion thereof except as follows:

(a) where there is a raised curb, on the right-hand side of the roadway, having regard to the direction such vehicle was proceeding with its right front and rear wheels parallel to and not more than .15 m/6 inches out from such curb;

(b) where there is no curb or a rolled curb, on the right-hand side of the roadway having regard to the direction such vehicle was proceeding, with the right front and rear wheels parallel to and as near to the right-hand limit of the highway as is practicable without stopping or parking on a sidewalk or footpath or on any part of the highway where grass is grown and which is not intended for the use of vehicles.

4. PARKING PROHIBITED WITH SIGNS

When authorized signs have been erected, no person shall park a vehicle or permit a vehicle to remain parked on any highway:

1. In front of, or within 9 m (29.5 feet) of a lot on which there is a fire hall or on the side of the highway on which the fire hall is located;

2. On the opposite side of a highway from a fire hall and within 30 m (98.4 feet) of the projected lot lines of the lot on which such fire hall is located;

3. Within 20 m (65.6 feet) of an intersection;

4. Within 30 m (98.4 feet) of an intersection controlled by traffic signals;

5. In front of the main entrance to, or any emergency exit from any church, hotel, hospital, nursing home, theatre, auditorium or other building or enclosed space in which persons may be expected to congregate in large numbers;

6. Within 30 m (98.4 feet) of the approach side of a crosswalk that is not located at an intersection;

7. Within 15 m (49.2 feet) of the departure side of a crosswalk that is not located at an intersection; or,

8. So as to interfere with the formation of a funeral procession.

5. PARKING PROHIBITED REGARDLESS OF SIGNAGE

No person shall park a vehicle or permit a vehicle to remain parked on any highway;

1. Within 9 m (29.5 feet) of an intersection;

2. Within 9 m (29.5 feet) of a fire hydrant;

3. For 30 m (98 feet) of the roadway fronting a Cenotaph at any time;

4. In front of or within 1.5 m (4.9 feet) of a laneway or driveway;

5. So as to obstruct a vehicle in the use of any laneway or driveway;

6. In such a position that will prevent the convenient removal of any other vehicle previously parked;

7. For the purpose of displaying the vehicle for sale;

8. For the purpose of greasing or repairing the vehicle except for such repairs necessitated by an emergency;

9. On the roadway where the width of the roadway is 6 m (19.6) feet or less;

10. On a driveway within 1 metre (3.2 feet) of a sidewalk or footpath, or if there is no sidewalk or footpath within 3 m (9.8 feet) of the roadway;

11. So as to impede or obstruct the flow of other traffic during its lawful use of the highway;

12. On a boulevard; or,

13. Between the hours of 2:00 a.m. and 8:00 a.m. from the first day of November to the first day of May in any calendar year for the purposes of snow removal.

6. STOPPING PROHIBITED REGARDLESS OF SIGNAGE

No person shall stop a vehicle or permit a vehicle to remain stopped on any highway:

1. On, partly on, or over a sidewalk or footpath;

2. Within an intersection or crosswalk;

3. Within 30 m (98.4 feet) of the approach side of a crosswalk that is not located at an intersection;

4. Within 15 m (49.2 feet) of the departure side of a crosswalk that is not located at an intersection;

5. Adjacent to, or across from, an excavation or obstruction in the roadway, when the free flow of traffic would be obstructed;

6. On the roadway side of any stopped or parked vehicle;

7. Upon any bridge or elevated structure except where parking is otherwise permitted in this By-law;

8. Within 30 m (98.4 feet) of either end of a bridge or elevated structure;

9. Within 30 m (98.4 feet) of the approach side of the nearest rail of any level crossing of a railway; or,

10. Within 15 m (49.2 feet) of the departure side of the nearest rail or any level crossing of a railway.

7. PARKING OR STOPPING PROHIBITED, WITH SIGNS

When authorized signs have been erected, no person shall stop or park a vehicle or permit a vehicle to remain stopped or parked:

1. On either side of a highway adjacent to a school, park or playground between the hours of 7:30 a.m. and 7:00 p.m.; or,

2. Within the turning basis of a cul-de-sac.

8. PARKING REGULATIONS - HIGHWAY CLEARING, CLEANING, SNOW REMOVAL AND SNOW PLOUGHING

When authorized signs have been erected, no person shall park a vehicle or permit a vehicle to remain parked on a highway:

1. So as to interfere in any manner with the work of clearing/or removing snow or ice therefrom; or,

2. In such a manner so as to interfere with highway cleaning operations.

3. Despite other provisions, in accordance with Section 170 (12) of the *Highway Traffic Act,* R.S.O. 1990, c. H.8, no person shall park or stand a vehicle on a highway in such a manner as to interfere with the movement of traffic or the clearing of snow from the highway.

9. PARKING PROHIBITED - SPECIFIED TIMES AND PLACES WITH SIGNS - SCHEDULE

"A"

When authorized signs have been erected, no person shall park a vehicle, or permit a vehicle to remain parked on any highway at the side and between the limits set out respectively in columns 1, 2 and 3 of Schedule "A" of this By-law during the times or days set out in column 4 of Schedule "A".

9.1 BUS LOADING / UNLOADING ZONES:

9.1.1 Where authorized signs have been erected, no person shall park or stop a bus, or permit a bus to remain parked or stopped for the purpose of loading and/or unloading pedestrians, on any highway as set out respectively in Schedule "B" of this By-law.

9.1.2 Schedule B "Bus Loading and Unloading Restrictions" shall form part of this By-law.

10. PARKING OR STOPPING PROHIBITED - VENDING VEHICLES

No person:

1. Who is selling or offering goods or produce for sale from a stationary vehicle on a highway, shall park the vehicle or permit the vehicle to remain parked in such a manner as to obstruct traffic;

2. Shall offer for sale or sell goods or produce from a vehicle on a highway, except from the side of such vehicle facing an inner or outer boulevard;

3. Who is selling or offering goods or produce for sale from a vehicle, for the purpose of carrying on business, shall stop the vehicle on any part of a highway for a period of time in excess of ten (10) minutes at any one location.

11. PARKING PROHIBITED - PRIVATE PROPERTY AND MUNICIPAL PROPERTY

1. For the purpose of this section, the following definitions shall apply:

   (a) "Municipal Property" means all property owned or occupied by the Township of Essa or any local board thereof except municipal roads controlled under the *Highway Traffic Act* or a municipal Traffic Control By-law;

   (b) "Occupant" when used in relation to property means:

      i. the lawful tenant or lessee of the property;

      ii. the registered tenant or lessees of a condominium unit, whose consent shall extend only to the control of the unit of which he is tenant or lessee and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration or description of the property;

      iii. the spouse of a person described in the 11.1 (b) i. or 11.1 (b) ii;

iv. the board of directors of a condominium corporation;

v. a person authorized, in writing, by the property owner as defined in 11.1 (b)i., 11.1 (b)ii., 11.1 (b)iii. or 11.1 (b)iv. to act on the owner=s behalf for requesting the enforcement of a By-law passed under this paragraph;

(c) "Owner" when used in relation to property means:

i. the registered owner of the property;

ii. the registered owner of a condominium unit, whose consent shall extend only to the control of the unit of which he is owner and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration or description of the property;

iii. the spouse of a person described in 11.1 (c)i. or 11.1 (c)ii.;

iv. the board of directors of the condominium corporation where the property is included in a description registered under the Condominium Act.

(d) "Private Property" means all property except the property described in Section 1.2 xviii.

2. Where an owner or occupant of property has posted signs:

(a) stating conditions on which a vehicle may be parked or left on the property; or,

(b) prohibiting the parking or leaving of a vehicle on the property.

Any vehicle left in contravention of the conditions posted shall be deemed to be left without consent.

3. No person shall park or leave a vehicle:

(a) on private property without first having obtained written permission from the owner or occupant of the property;

(b) on property owned or occupied by the Township or any local board thereof without first having obtained written consent from the Township or the local board.

4. A person shall be charged under Section 11.3(a) of this By-law except where a signed request from the property owner or occupant has been received.

5. No person shall park or leave a vehicle on private property without consent of an owner, occupant or any adult resident of the property.

6. Where a driver of a vehicle who is not the owner has been charged under Section 11.3 of this By-law and is liable to a penalty, the owner of the vehicle is also liable to

such penalty unless, at the time of the offence, the vehicle was being used without the owner's consent.

7. No person shall park a vehicle or permit a vehicle to remain parked on property owned by the Township or any local board thereof:

   (a) in or at an area that is designated by sign as reserved, unless the area is reserved for such person; and,
   (b) in or at an area designated by sign as an area where parking is prohibited.

8. The provisions in Section 12.3(b) shall not apply where authorized signs have been posted indicating parking is permitted.

11.1 Electric Vehicles

a) No person shall park a vehicle or any part of a vehicle in an Electric Vehicle Parking Stall where such vehicle is not an Electric Vehicle.

b) No person shall park a vehicle or any part of a vehicle in an Electric Vehicle Parking Stall where such vehicle is not connected to an Electric Vehicle Charging Station and is actively charging.

12. DISABLED PARKING SPACES - PROHIBITED PARKING WITH SIGNS

1. In accordance with Township of Essa By-law 2004-22, no person or organization shall park a vehicle in a designated disabled parking space unless a currently valid permit has been issued to such person or organization, or to a passenger being picked up or transported in such vehicle, and such permit is displayed on or in such vehicle in accordance with the requirements of the *Highway Traffic Act*, the regulations therein.

2. Upon discovery of any vehicle parked or left in contravention of By-law 2004-22, a Police Officer, Municipal By-law Enforcement Officer or an officer appointed for carrying out provisions of the *Highway Traffic Act*, 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, shall be at the expense of the owner.

3. When authorized signs have been erected no person shall park or stop a vehicle or allow a vehicle to remain parked or stopped in a public parking area in a parking space reserved for physically disabled persons unless a valid permit is openly displayed on the dashboard of the vehicle or license plates issued for the physically disabled are properly attached to the front and rear of the vehicle.

4. Enforcement of this Section on property other than municipal property will only be carried out upon written consent by the owner.

13. COMMERCIAL, LARGE MOTOR VEHICLE, HEAVY MOTOR VEHICLE AND TRAILERS – PARKING PROHIBITED WITHIN ROAD RIGHT-OF-WAY, LOCAL AND COLLECTOR ROADS REGARDLESS OF SIGNAGE

13.1 For the purposes of this section, the following definitions apply:

*a. "Commercial Motor Vehicle" means a motor vehicle, **used or intended to be used for commercial purposes**, having permanently attached thereto a truck or delivery body licensed as such by the Ministry of Transportation and without limiting the generality of the foregoing includes ambulance, hearses, casket wagons, fire apparatus, police patrols, motor buses, and tractors used for hauling purposes on the highways. Includes the following even if it does not have a truck or delivery body attached to it:*

i. a motor vehicle commonly known as a tow truck;
ii. a mobile equipment vehicle (ie: Road Building Machines as outlined in O. Regulation 398/16); and
iii. a vehicle built on a truck chassis.

b. "Heavy Motor Vehicle" means a commercial vehicle having a weight when unloaded of 3 tonnes or more, or a weight when loaded of 4.5 tonnes, but does not include an ambulance, police, fire, emergency or utility vehicle.

c. "Large Motor Vehicle" means any motor vehicle having an overall height greater than 3.2 m or overall length greater than 7.5 m, and includes recreational vehicles such as RVs, campers, trailers, etc.

d. "Trailer" shall mean any a vehicle that is, at any time, drawn upon a highway by a motor vehicle, except an implement of husbandry, mobile home, another motor vehicle or any device or apparatus not designated to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, regardless of being loaded or unloaded.

13.2 No person shall park or stop, or permit to remain parked or stopped, any commercial motor vehicle, large motor vehicle or heavy motor vehicle on any local road or collector road as outlined in Schedule A of By-law 2005-96.

13.2.1 EXCEPTIONS

Section 13.2 does not apply where:

a. a Road Occupancy Permit has been applied for and obtained from the municipality.
b. The commercial, large or heavy vehicle is engaged in works undertaken for, or on behalf of the municipality, with permission having been granted by the municipality.
c. the commercial, large or heavy motor vehicle or trailer is engaged in making a delivery to, or a collection from, a premises which cannot be reached except by way of a highway or a portion of highway referred to in the said section, or to prohibit the use of such vehicles for such purpose, provided that in making such delivery or collection, the said highway or

portion of a highway is travelled only insofar as is unavoidable in getting to and from such premises. Not to exceed five (5) hours on any road.

13.3 No person shall park or stop, or permit to remain parked or stopped, any trailer on any local road or collector road, at any time, as outlined in Schedule A of By-law 2005-96.

13.3.1 EXCEPTIONS

Section 13.3 does not apply where:

a. A Road Occupancy Permit has been applied for and obtained from the municipality.
b. The trailer is engaged in works undertaken for, or on behalf of the municipality, with permission having been granted by the municipality.

14. DEFACING SIGNS - TRAFFIC SIGNALS

No person shall move, remove, deface or in any manner interfere with any sign, traffic control signal, marking, or other traffic control device placed, erected or maintained under this By-law.

15. FRESHLY PAINTED LINES ON ROADWAY

No person shall drive any vehicle over any marking on the roadway where markers are in place to indicate that the marking material has been freshly painted.

16. PARKING & STOPPING PROHIBITED IN A FIRE ROUTE WITH SIGNS

When authorized signs have been erected, no person shall park or stop a vehicle or permit a vehicle to be stopped or parked in a designated fire route.

17. DEPOSIT OF ICE OR SNOW

1. No person shall deposit any snow or ice on any roadway, right of way or sidewalk situated on a highway, including pushing of snow/ice across the right of way or highway from private property.

2. No person shall obstruct any roadway or sidewalk situated on a highway with any snow or ice.

3. No person shall deposit or cause to be deposited any amount of snow or ice on private property without the consent of the owner.

18. ENFORCEMENT AND ADMINISTRATION

This By-law shall be enforced and administered by:

a) Municipal Law Enforcement Officers of the Township;
b) The Ontario Provincial Police;
c) Enforcement Officers of the Conservation Authority only on properties owned and/or leased by the Conservation Authority;

d) The Roads Supervisor, Assistant Roads Supervisor, Winter Night Patrol Person and Weekend patrol Person;
e) The Building Inspector, Chief Building Official

19. PENALTIES

Any person who contravenes any provision of this By-law is guilty of an offence and **upon conviction** is subject to a penalty pursuant to the Provincial Offences Act, R.S.O. 1990.

20. VOLUNTARY PAYMENT

Notwithstanding the provisions of Section 20 of this By-law, any person may, upon presentation of a Certificate of Parking Infraction indicating the commission of an offence as set out in this By-law and, showing a set fine as set out in the attached schedule, may make early payment in the manner shown on the reverse side of the Certificate of Parking Infraction, if applicable.

21. TOWING AND IMPOUNDING

1. Notwithstanding any other penalty imposed by this By-law, the Officer or Constable issuing the Certificate of Parking Infraction may cause the vehicle to be towed and impounded at the owner's expense.

2. All towing and impounding charges incurred shall become a lien against the vehicle and are collectable under the Repair and Storage Liens Act, as amended.

3. The Municipality shall not be liable for any damage to a vehicle resulting from its removal, towing or storage.

4. Where a vehicle is parked or left in contravention of this By-law, the owner shall be deemed to have consented to its removal and storage.

22. EFFECT

This By-law shall take effect on the day of passing and upon approval of the Set Fine Schedule.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the Twenty First day of December, 2005.

Original signature on file

David Guergis, Mayor

Original signature on file

Carol O. Trainor, Clerk / Deputy Treasurer

SCHEDULE "A" Consolidated

Column 1 (Highway)	Column 2 (Side[s])	Column 3 (Limits)	Column 4 (Period)	Column 5 (No Parking/No Stopping
10th Line (Road Allowance between Concessions 9 & 10)	Both sides	From the south limit of Lot 16 to a point 300m north thereof	At any time	No Parking
5th Line	West side	From driveway at 5122 - 5th Line southerly a distance of 75 m	At any time	No Parking
5th Line	Both sides	From the single lane bridge over the Nottawasaga River located at Part Lot 3, southerly to a distance of 750 m	At any time	No Parking
6th Line	Both sides	300 m north of the northern boundary of the 19th Sideroad, to a point 350 m north of the said boundary	At any time	No Parking
6th Line (Road Allowance between Concessions 5 & 6)	Both sides	From the south boundary of Lot 6 to the North limit of Lot 6	At any time	No Parking
6th Line (Road Allowance between Concessions 5 & 6)	Both sides	From North limit of Lot 30 to South limit of Lot 29	At any time	No Parking
8th Line (Road Allowance between Concessions 7 & 8)	Both sides	From the North Limit of Lot 26, to a point 468 m north thereof	At any time	No Parking
9th Line (Road Allowance between Concessions 8 & 9)	Both sides	From a point 170 m north of the south boundary of Lot 11 to a point 445 m north of this boundary	At any time	No Parking
Auburn Street	East Side	From Simcoe Street to Centre Street	At any time	No Parking
Brian Avenue	South Side	From Coulson Avenue to Lee Avenue	At any time	No Parking
Bushey Avenue	West Side	From Brian Avenue to Cecil Street	At any time	No Parking
Cecil Street	North side	From Highway #90 (Mill Street) westerly to Mansonic Way	At any time	No Parking
Centre Street	South side	From Duckworth Street west to the west limits of 196 Centre Street	At any time	No Parking
Curtis Street, Plan 160A	Both sides	From Queen Street to Jonas Street	no more than 30 minutes	No Parking
Fraser Street, Plan 160A	Both sides	From Curtis Street, a distance of 133 m West on Fraser Street	At any time	No Parking
Jonas Street, Plan 160A	Both sides	From Elm Street, a distance of 81 m West on Jonas Street	At any time	No Parking
McCarthy Crescent	South side	From Darren Drive easterly to Sandy Lane	At any time	No Parking

Column 1 (Highway)	**Column 2 (Side[s])**	**Column 3 (Limits)**	**Column 4 (Period)**	**Column 5 (No Parking/No Stopping**
McCarthy Crescent	North side	From Parkside Cresent easterly to Sandy Lane	At any time	No Parking
North Street	West Side	From Roth Street north 50m to 23 North Street	September 1 to June 30, Monday to Friday, 7am to 5pm	No Stopping
North Street	East Side	From Roth Street north to Tree top Street	September 1 to June 30, Monday to Friday, 7am to 5pm	No Stopping
Park Road	East Side	From River Drive north 80m to Dead end	September 1 to June 30, Monday to Friday, 7am to 5pm	No Parking
Park Road	West Side	From River Drive north 75m to Dead end	September 1 to June 30, Monday to Friday, 7am to 5pm	No Parking
Raglan Street	West Side	From Simcoe Street to Centre Street	At any time	No Parking
River Drive	West Side	From Roth Street South 175m to 43 River Drive	September 1 to June 30, Monday to Friday, 7am to 5pm	No Parking
River Drive	East Side	From 52 River Drive south 85m to 44 River Drive	September 1 to June 30, Monday to Friday, 7am to 5pm	No Parking
River Drive	East Side	From Roth Street south 15m	September 1 to June 30, Monday to Friday, 7am to 5pm	No Stopping
Roth Street	North side	From Highway #90 (Mill Street) easterly to North Street	September 1 to June 30, Monday to Friday, 7am to 5pm	No Stopping
Roth Street	South side	From highway #90 (Mill Street) easterly 130 m to 24 Roth Street	September 1 to June 30, Monday to Friday, 7am to 5pm	No Parking
Roth Street	North Side	From North Street easterly 110m to 37 Roth Street	September 1 to June 30, Monday to Friday, 7am to 5pm	No Stopping
Simcoe Street	South Side	From Raglan Street to Auburn Street	At any time	No Parking

Column 1 (Highway)	**Column 2 (Side[s])**	**Column 3 (Limits)**	**Column 4 (Period)**	**Column 5 (No Parking/No Stopping**
Simcoe Street	Both Sides	30m west of Water Street to Elizabeth Street	September 1 to June 30, Monday to Friday, 7am to 9am and 3pm to 5pm	No Parking
Simcoe Street	Both sides	From Elizabeth Street to Raglan Street	At any time	No parking
Simcoe Street	Both Sides	From 40m east of Raglan to 70m east of Raglan	At any time	No Parking
Simcoe Street	Both Sides	From 30m east of Vernon St to 60m east of Vernon St	At any time	No Parking
Summerset Place	Both sides	From Mill Street (County Road 90) easterly a distance of 100 m	At any time	No Parking
Sydenham Street	North Side	From Auburn Street to Raglan Street	At any time	No Parking
Tarbush Avenue	East Side	From Brian Avenue to Cecil Street	At any time	No Parking
Vernon Street	Both Sides	From Sydenham Street to Centre Street	At any time	No Parking
Water Street	Both Sides	From King Street north to 70m north of Simcoe Street	At any time	No Parking

Schedule "B" of By-law 2005-96

Bus Loading and Unloading – Restricted Highways

Column 1 (Highway)	Column 2 (Sides)	Column 3 (Limits)	Column 4 (Period)
Centre Street	Both sides	From 5th Line to Elizabeth Street	At anytime

Township of Essa
By-law No. 2005 – 96 as amended
Title: Vehicle Parking, Standing & Stopping By-law
Part II Provincial Offences Act

Item	**Column 1** Short Form Wording	**Column 2** Provision Creating or Defining Offence	**Column 3** Early Voluntary Payment payable within 7 days	**Column 4** Set Fine
1.	Improperly parked or stopped on the right side of a roadway with its right wheels parallel to and not more than 15 cm from a raised or rolled curb	Section 3 (1)(a)	$25.00	$35.00
2.	Improperly parked or stopped with the right wheels parallel to the right hand limit of the highway, where there in no curb, without stopping on any portion not intended for vehicles	Section 3 (1)(b)	$25.00	$35.00
3.	Improperly parked, with signs, within 9m of a lot containing a fire hall	Section 4(1)	$25.00	$35.00
4.	Improperly parked, with signs, opposite a fire hall and within 30m of the fire hall lot lines	Section 4(2)	$25.00	$35.00
5.	Improperly parked, with signs, within 20m of an intersection	Section 4(3)	$25.00	$35.00
6.	Improperly parked, with signs, within 30m of an intersection controlled by traffic signals	Section 4(4)	$25.00	$35.00
7.	Improperly parked, with signs, in front of any building or enclosed space where persons may congregate in large numbers	Section 4(5)	$25.00	$35.00
8.	Improperly parked, with signs, within 30m of the approach of a crosswalk not at an intersection	Section 4(6)	$25.00	$35.00
9.	Improperly parked, with signs, within 15m of the departure side of a crosswalk not at an intersection	Section 4(7)	$25.00	$35.00
10.	Improperly parked, with signs, interfering with the formation of a funeral procession	Section 4(8)	$25.00	$35.00
11.	Parked within 9 m of an intersection	Section 5(1)	$25.00	$35.00
12.	Parked within 9 m of a fire hydrant	Section 5(2)	$25.00	$35.00
13.	Parked within 30 m fronting a Cenotaph	Section 5(3)	$25.00	$35.00
14.	Parked within 1.5 m of a driveway or laneway	Section 5(4)	$25.00	$35.00
15.	Parked so as to obstruct a driveway or laneway	Section 5(5)	$25.00	$35.00
16.	Parked so as to prevent removal of any other parked vehicle	Section 5(6)	$25.00	$35.00
17.	Parked for the purposes of display or sale	Section 5(7)	$25.00	$35.00
18.	Parked for the purposes of repair.	Section 5(8)	$25.00	$35.00
19.	Parked on a roadway less than 6 m wide.	Section 5(9)	$25.00	$35.00
20.	Parked on a driveway within 1 meter of a sidewalk	Section 5(10)	$25.00	$35.00
21.	Parked on a driveway within 3 meters of a roadway with no sidewalk	Section 5(10)	$25.00	$35.00
22.	Parked so as to impede the flow of traffic	Section 5(11)	$25.00	$35.00
23.	Parked on a boulevard	Section 5(12)	$25.00	$35.00
24.	Parked on a highway between 2:00 a.m. and 8:00 a.m. from November 1 to May 1	Section 5(13)	$35.00	$50.00
25.	Stopped on a sidewalk/footpath	Section 6(1)	$25.00	$35.00
26.	Stopped within an intersection or crosswalk	Section 6(2)	$25.00	$35.00
27.	Stopped within 30 m of the approach of a sidewalk	Section 6(3)	$25.00	$35.00

Item	**Column 1** Short Form Wording	**Column 2** Provision Creating or Defining Offence	**Column 3** Early Voluntary Payment payable within 7 days	**Column 4** Set Fine
28.	Being the owner of a vehicle stopped within 15 m of the departure of a crosswalk	Section 6(4)	$25.00	$35.00
29.	Stopped proximate to road excavation so as to obstruct traffic flow	Section 6(5)	$25.00	$35.00
30.	Stopped on the road side of a parked vehicle	Section 6(6)	$25.00	$35.00
31.	Stopped upon a bridge or elevated structure	Section 6(7)	$25.00	$35.00
32.	Stopped within 30 m of a bridge	Section 6(8)	$25.00	$35.00
33.	Stopped within 30 m of the approach to a level crossing	Section 6(9)	$25.00	$35.00
34.	Stopped within 15 m of the departure from a level crossing	Section 6(10)	$25.00	$35.00
35.	Stopped in an area prohibited by signs adjacent to a school, park or playground between 7:30 a.m. and 7:00 p.m.	Section 7(1)	$25.00	$35.00
36.	Parked in an area prohibited by signs adjacent to a school, park or playground between 7:30 a.m. and 7:00 p.m.	Section 7(1)	$25.00	$35.00
37.	Stopped or parked in an area prohibited by signs in a cul-de-sac	Section 7(2)	$25.00	$35.00
38.	Parked on a highway so as to interfere with the clearing or removing of snow	Section 8(1)	$25.00	$35.00
39.	Vending vehicle parked or stopped so as to obstruct traffic	Section 10(1)	$30.00	$40.00
40.	Vending vehicle stopped on a highway and carrying on business in excess of 10 minutes	Section 10(3)	$30.00	$40.00
41.	Parked on private property without permission	Section 11(3)(a)	$30.00	$40.00
42.	Parked on municipal property without permission	Section 11(3)(b)	$30.00	$40.00
43.	Parked in a physically disabled parking space prohibited with signs	Section 12(1)	N/A	$300.00
44.	Parked commercial, large or heavy vehicle on a local or collector road	Section 13(2)	$30.00	$40.00
45.	Parked trailer on a local or collector road	Section 13(3)	$30.00	$40.00
46.	Parked in a designated fire route with signs	Section 16	$50.00	$75.00
47.	Park or stop facing wrong direction	Section 3(6)	$35.00	$50.00
48.	Park vehicle in Electric Vehicle Parking Stall – not an electric vehicle	Section 11.1(a)	$75.00	$125.00
49.	Park vehicle in Electric Vehicle Parking Stall – not connected/charging	Section 11.1(b)	$75.00	$125.00

The penalty provision for offences indicated above is Clause 19 of By-law 2005-96, as amended, a certified copy of which has been filed.

Township of Essa
By-law No. 2005 – 96 as amended
Title: Vehicle Parking, Standing & Stopping By-law
Part I Provincial Offences Act

Item	**Column 1** Short Form Wording	**Column 2** Provision Creating or Defining Offence	**Column 3** Set Fine
1.	Interfere with traffic control device	Section 14	$50.00
2.	Deposit of snow on roadway	Section 17(1)	$50.00
3.	Deposit of snow on sidewalk	Section 17(1)	$50.00
4.	Obstruction of roadway with snow	Section 17(2)	$50.00
5.	Obstruction of sidewalk with snow	Section 17(2)	$50.00
6.	Deposit of snow or ice on private property	Section 17(3)	$50.00
7.	Vending Vehicle from which goods are sold other than from the boulevard side	Section 10(2)	$50.00

The penalty provision for offences indicated above is Clause 19 of By-law 2005-96, as amended, a certified copy of which has been filed.