

**THE CORPORATION OF
THE TOWNSHIP OF SOUTH ALGONQUIN
BY-LAW NO. 2023-777**

Being a by-law to regulate parking, control traffic or leaving of a vehicle on specific highways in the Township.

WHEREAS, pursuant to the provisions of Section 8 of the Municipal Act, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this or any other Act,

AND WHEREAS pursuant to the provisions of Section 11(1) of the Municipal Act, S.O. 2001, c.25, as amended, Council of a Municipality may pass by-laws respecting matters within the spheres of jurisdiction of Highways, including parking and traffic on highways,

AND WHEREAS pursuant to the provisions of Section 101(2) of the Municipal Act, S.O. 2001, c.25, as amended, if the municipality passes a by-law to regulate and prohibit the parking or leaving of a motor vehicle on certain highways in the Township, it may provide for the removal and impounding or restraining and immobilizing of any vehicle, at the vehicle owner's expense, parked or left in contravention of the by-law and subsection 170(15) of the Highway Traffic Act applies to the by-law.

AND WHEREAS it is deemed expedient to regulate and restrict the parking of vehicles on or adjacent to highways under the jurisdiction of the Corporation of the Township of South Algonquin;

NOW THEREFORE the Council of the Corporation of the Township of South Algonquin hereby enacts as follows:

PART I - INTERPRETATION AND DEFINITIONS

SECTION 1

- a) That for the purposes of this By-law, the following definitions shall apply to the following words and phrases when used in this By-law:
- b) **“Authorized Emergency Vehicles”** shall include vehicles of the Fire Department, Police Department, and such ambulance and emergency vehicles of the Municipal Departments, or public service corporation as are designated or authorized by the Municipality.
- c) **“Boulevard”** shall mean all parts of the highway save and except any roadway, shoulder and sidewalk; and
 - “Outer Boulevard” shall mean that part of the highway lying between any sidewalk and the traveled portion of the highway or the near edge of the shoulder where such exists;
 1. “Inner Boulevard” shall mean that part of the highway lying between the property line and the edge of the sidewalk nearest the property line and where there is no sidewalk, it means that part of the highway lying between the property line and the traveled portion of the highway or the edge of the shoulder, where such exists, furthest from the traveled portion of the highway.
- d) **“Commercial Motor Vehicles”** shall mean any motor vehicles having permanently attached thereto a truck or delivery body and shall include ambulances, hearses, casket wagons, fire apparatus, police patrons, motor buses and tractors.
- e) **“Crosswalk”** means that part of the highway at an intersection that is included within the connections of the lateral lines of the sidewalks on the opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the

roadway or any portion of a roadway at an intersection or elsewhere that is distinctly indicated for pedestrian crossing by signs or lines on the surface.

- f) **“Curb”** shall include the edge of the traveled portion of the street.
- g) **“Disabled person”** means a person who has been issued a permit by the Province of Ontario, or another jurisdiction;
- h) **“Handicapped parking space”** means a parking space or zone marked by a sign or signs indicating such space or zone is for the sole use of vehicles displaying a valid permit, in accordance with the requirements of the Highway Traffic Act and regulations made hereunder and this by-law;
- i) **“Highway”** sees definition for “Street”.
- j) **“Intersection”** shall mean the area contained within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of two or more highways which join one another at an angle, whether or not one highway crosses the other. Where “No Stopping” or “No Parking” restrictions are in effect, the distance referred to is the distance to the nearest intersection street line.
- k) **“Lane”** shall mean the entire width of the roadway surface between property lines at the rear, or side, of places of business or residential properties.
- l) **“Motorized”** shall mean any method of propulsion other than physical exertion.
- m) **“Official Standard Time”** shall mean standard time or daylight savings time, as may be in use in the Township.
- n) **“Parking”** shall mean 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 of merchandise or passengers.

“Permit,” means a disabled person-parking permit issued by the Ministry of Transportation pursuant to the Highway Traffic Act and the regulations made thereunder, or a permit, numbered plate, or other marker or device, issued by another jurisdiction and recognized under said Act;
- o) **“Person”** shall mean every person, firm, co-partnership, association, or corporation.
- p) **“Provincial Offences Enforcement Officer”** shall mean the By-Law Enforcement Officer authorized by the Township and designated under the Provincial Offences Act, to enforce parking regulations.
- q) **“Roadway”** shall mean that part of a street or highway that is improved, designed, or ordinarily used for the purposes of vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately and not to all such roadways collectively.
- r) **“School”** shall mean a school under the Education Act.
- s) **“Shoulder”** shall mean that part of a street or highway adjacent the roadway that is provided as a refuge for stopped or disabled vehicles, for use by emergency vehicles and for lateral support of the roadway structure.
- t) **“Sidewalk”** shall mean that portion of the street between the adjacent property lines and either the curb or those lateral lines of the roadway, which is intended for the use of pedestrians.
- u) **“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 Constable or other Police Officer or of a traffic control sign or signal.
- v) **“Street”** shall include a common and public highway, avenue, parkway, viaduct, and trestle, designated, and intended for, or used by the general public for the passage of vehicles.

- w) **“Tow Away Zone”** shall mean any area designated and identified with posted signs.
- x) **“Township”** means the Corporation of the Township of South Algonquin.
- y) **“Vehicle”** means 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 cars of electric or steam railways running only upon the rails.

PART II - GENERAL REGULATIONS

SECTION 2

- 2.01 It is an offence for any person to do any forbidden act or fail to perform any act required in this by-law.
- 2.02 No person shall fail or refuse to comply with any lawful order or direction of a Police Officer or Provincial Offences Enforcement Officer.
- 2.03 The Provincial Offences Enforcement Officer shall have the duty of enforcing the provisions of this By-law.

SECTION 3

- 3.01 In the event of conflict between this By-law and any other By-law passed prior to the effective date of this by-law, the provisions of this By-Law shall take precedence.

SECTION 4

- 4.01.1.1 The Works Superintendent of the Township of South Algonquin is Hereby authorized and directed to erect and maintain such signs, markings, barricades and other structures, plant and equipment as are required in accordance with the Schedules attached, to regulate, direct, warn or guide pedestrians and vehicular traffic for the safety and convenience of the public.
- 4.02 No person shall move, remove, deface or in any way interfere with any sign or marking placed, erected or maintained under this By-law.

PART III - PARKING - GENERAL REGULATIONS

SECTION 5

No person shall park a vehicle on any street or roadway except in the case of an emergency,

- 5.01 in such a manner as to obstruct a sidewalk,
- 5.02 In such a manner as to obstruct a pedestrian crosswalk,
- 5.03 in such a manner as to obstruct an entrance on the highway to, or from, a private road or lane, or
- 5.04 within nine meters (30 feet) of any intersection or dry / fire hydrant on any street on which the Township By-law permits parking unless designated otherwise; in a position or a place that prevents or is likely to prevent the removal of any vehicle already parked on the roadway;
- 5.05 in such a manner as to obstruct a bridge

- 5.06 on any street or portion of a street where “No Parking” signs are on display.
- 5.7 on any outer or inner boulevard that is grassed maintained and/or planted with trees and not normally used for parking;
- 5.8 on any fire route;
- 5.9 In place or in such a manner so as to block or inhibit the progress of any authorized public assembly, procession or parade;
- 5.10 Displaying any motorized vehicle for sale;
- 5.11 For the purpose of washing, greasing or repairing such vehicle, except Where such repairs are necessitated by emergency;
- 5.12 unloading or transferring of materials of any kind from one vehicle to another except in cases of emergency.
- 5.13 in such a manner as to obstruct the ordinary traffic of the street, including sidewalks, and no vehicle shall be parked on any street at any unreasonable time, having regard to the traffic requirements of the street in question.
- 5.14 No person shall park a vehicle or permit a vehicle to remain parked on any roadway so as to interfere in any manner with the work of municipal road maintenance service such as but not restricted to:
- a. Removing snow or ice;
 - b. Snow removal operations;
 - c. Cleaning operations, including sweeping;
 - d. Roadway or street repair operations;
 - e. Municipal services maintenance or repair operations

SECTION 6

Special zones

- 6.01 Where a sign designated “Loading Zone - No Parking” is erected, no Person shall stop a vehicle within the area designated, save taxicabs, trucks and other vehicles used for the conveyance of paying passengers, goods, wares or merchandise of sufficient size or weight to reasonably justify use of a loading zone and then only for such period as may be reasonably be required for the purpose of taking on or discharging such paying passengers, or the loading of such goods, wares and merchandise as may be required to be loaded or unloaded and shall include time required for delivery and related transactions.
- 6.02 No person shall park a vehicle in a parking space where a sign, curb painting or pavement painting indicates that it is for the exclusive use of persons with disabilities who display on their vehicles a handicap placard or license plate that is issued or recognized by the Province of Ontario.

SECTION 7

Parking on streets and roadways specific regulations

- 7.01 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 for the direction in which such vehicle had been proceeding:
- 7.02 and unless the right front and rear wheels of such vehicles are parallel to and at a distance respectively not more than one hundred and fifty-two (152) millimeters from the curb.
- 7.03 On uncurbed streets, standing vehicles shall be parallel to and as

circumstances and weather conditions permit, to the edge of the boulevard or sidewalk as the same may be.

- 7.04 Where signs are erected indicating “No Parking” at specific times, no person shall park any vehicle upon any of the streets or portion of street described in this section for a longer period than designated by such signs:
- 7.05 Where signs are erected indicating “Two Hour Parking”, no person shall park a vehicle for a longer period than designated by such signs on any of the streets or portion of the street.
- 7.06 From November 15th to April 15th, no person shall park a vehicle, except a vehicle used for emergency purposes, on any part of a street, highway or boulevard within the Township of South Algonquin when snow accumulation is forecast to be equal to or greater than 10 cm Parking in these circumstances shall be subject to fine and may be towed away at the owner’s cost.

SECTION 8

- 8.01 No person shall park a commercial motor vehicle used for transporting gas or oil on any street for a longer period than is necessary for loading or unloading.

SECTION 9

- 9.01 When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets or portion of the streets described.

SECTION 10

- 10.01 During any period of time when by reason of any statute, law or regulation having the effect of the law, or under a public proclamation or request authorized or approved by Council of the Township, the public has been requested to observe advanced time commonly called "Daylight Savings Time", the hours of time mentioned or provided in this By-law shall be construed as referring to "Daylight Savings Time" as commonly understood in place of Standard Time.
- 10.02 Any Provincial Offences Enforcement Officer is hereby authorized to remove or cause to have removed from any part of a street, highway or Township boulevard, any vehicle, at the owner's risk, which may be parked in violation of Part III of this By-law and to impound the vehicle until the owner makes payment of the towing and impound to the impound yard.
- 10.03 The Council of the Corporation of the Township of South Algonquin shall, by resolution, have the authority to designate any area, street, or part of a street as a parking area.

PART IV - OPERATION OF MOTORIZED VEHICLES

SECTION 11

- 11.01 No person shall operate a motorized scooter, motorized skateboard, motorcycle, all-terrain vehicle or any other motorized vehicle on any public sidewalk, park, playground, recreational area, or any other property owned or controlled by the Township of South Algonquin, without the express written consent to do so from the Chief Administration Officer of the Township of South Algonquin.

Exemptions

- (a) Personal motorized vehicles used by handicapped persons.
 - (b) Vehicles used by the Township of South Algonquin
 - (c) Vehicles used or licensed by a department of the Provincial or Federal Government
 - (d) Landscaping or snow removal equipment used by any contractor executing work on behalf of the Township.
- 11.02 Unless he has obtained the consent of the fire department official in command, no person shall drive a vehicle over an unprotected hose of a fire department that has been laid down on a highway or private driveway near the location of a fire or a suspected location of a fire.
- 11.03 No person shall drive a vehicle upon a sidewalk unless he is entering upon

or leaving a driveway or lane or entering upon or leaving land adjacent to a highway.

PART V - OFFENCES AND PENALTIES

SECTION 12

- 12.01 Any person who contravenes any provision of this Bylaw is guilty of an offence and upon conviction is liable to a fine as provided for under the Provincial Offences Act.
- 12.02 **PARKING INFRACTION FORM OF NOTICE**
- (1) Where a vehicle is found to be in contravention of the parking or stopping Provisions of this by-law, the Issuing Officer may issue and place on the vehicle, a serially numbered Parking Infraction Notice, in the form prescribed by the Provincial Offences Act Part II – COMMENCEMENT OF PROCEEDINGS FOR PARKING INFRACTIONS
- The serially numbered Parking Infraction Notice shall state:
- i. The License number of the vehicle;
 - ii. The nature of the alleged infraction; (short form wording)
 - iii. The date, time, and place of the alleged infraction;
 - iv. The set fine provided for the violation;
 - v. A statement directing payment or request for trial options.
 - vi. A statement that the owner may within five (5) days, exclusive of Saturdays, Sundays and Holidays, from the date that the ticket was issued; pay the fine provided for the infraction at a reduced amount equaling two thirds of the amount shown on the face of the ticket.
- (2) NOTE: reduced payment option is not applicable to parking in a handicap zone violation.
- 12.03 The Parking Infraction Notice mentioned in Section 12.02, shall be prepared as required and the Issuing Officer shall attach one copy to the vehicle and retain the other copy for further processing in accordance with the Provincial Offences Act, Chapter P.33, R.S.O. 1990, as amended.
- 12.04 Fines issued under the Provincial Offences Act Part II COMMENCEMENT OF PROCEEDINGS FOR PARKING INFRACTIONS may be paid directly to the issuing Municipality if paid within forty-five (45) days of receipt of the ticket.
- 12.05 If payment is not made in accordance with the procedure set out in the Parking Infraction Notice provided for in Section 12.03 (1) above, the Provincial Offences Act shall apply.
- 12.06 **OPERATION OF MOTORIZED VEHICLE VIOLATIONS FORM OF NOTICE**
- (1) Where the operator of a vehicle is found to be in contravention of the Operation of Motorized Vehicles Provisions of this by- law (part IV, section 11), the Issuing Officer may issue a serially numbered Certificate of Offence Notice, Form 1 PROVINCIAL OFFENCES ACT ONTARIO COURT OF JUSTICE, in the manner as prescribed by the Provincial Offences Act Part I - COMMENCEMENT OF PROCEEDINGS BY

CERTIFICATE OF OFFENCE

- (2) The Certificate of Offence as mentioned in 12.05 (1) shall be prepared as required and the issuing officer shall ensure that the Certificate of Offence is served personally on the person charged as detailed in the Provincial Offences Act Part I – COMMENCEMENT OF PROCEEDINGS BY CERTIFICATE OF OFFENCE within 30 days of the date of the alleged infraction.
- (3) Fines issued under Part I of the Provincial Offences Act are payable only to the Ontario court of Justice – Provincial Offences Court.

12.07 LIABILITY OF OWNER

- (1) The owner of a vehicle that is parked, stopped, left standing or operating in contravention of this By-law is guilty of an offence and shall incur the penalties provided for any contravention of this By-law unless the owner proves to the satisfaction of the court that at the time of the offence, the vehicle was in the possession of another person without the owner's consent expressed or implied, at the time of the offence shall also be liable for the penalties provided for any such contravention.

12.08 VEHICLES SUBJECT TO REMOVAL WHEN ILLEGALLY PARKED

- (1) In addition to any other penalties provided by this By-law, upon discovery of a vehicle parked, stopped or standing on any highway in contravention of any provisions of this By-Law, or apparently abandoned on any municipal or public property, any Provincial Offences Enforcement Officer may cause such vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charges, for removing a vehicle and storage thereof, if any, are a lien upon the vehicle being released and may be enforced in the manner provided by the Repair and Storage Liens Act.

SECTION 13

- (1) All sections of this By-law shall be deemed to be separate and independent and the invalidity of any section or provision hereof shall not affect the remaining sections.

PART VI – BY-LAW IN FORCE

SECTION 15

This By-Law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 6th DAY OF DECEMBER, 2023

READ A THIRD TIME AND FINALLY PASSED THIS 6th DAY OF DECEMBER, 2023

Mayor Ethel LaValley

**CORPORATE
SEAL OF
MUNICIPALITY**

CAO Bryan Martin

Township of South Algonquin

Part II Provincial Offences Act

Bylaw # 2023 –

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	Park, obstruct sidewalk	5.01	\$20.00	\$30.00
2	Park, obstruct a pedestrian crosswalk	5.02	\$20.00	\$30.00
3	Park, obstruct private road, lane	5.03	\$20.00	\$30.00
4	Park, too close to dry fire hydrant	5.04	\$20.00	\$30.00
5	Park obstruct Bridge	5.05	\$20.00	\$30.00
6	Park, too close to Intersection	5.04	\$20.00	\$30.00
7	Park, obstruct removal of parked vehicles	5.04	\$20.00	\$30.00
8	Park contrary to posted sign	5.06	\$20.00	\$30.00
9	Park, outer or inner boulevard	5.07	\$20.00	\$30.00
10	Park, obstructing fire route	5.08	\$20.00	\$50.00
11	Park, obstruct public assembly	5.09	\$20.00	\$30.00
12	Park, obstruct public procession	5.09	\$20.00	\$30.00
13	Park displayed for sale	5.10	\$20.00	\$30.00
14	Park for repairs or washing	5.11	\$20.00	\$30.00
15	Park, unloading or transfer materials	5.12	\$20.00	\$30.00
16	Park, obstruct traffic	5.13	\$20.00	\$30.00
17	Park, interfere with municipal services	5.14	\$20.00	\$30.00
18	Stop, obstructing loading zone	6.01	\$20.00	\$30.00
19	Park, obstructing loading zone	6.01	\$20.00	\$30.00
20	Park, handicap space no permit	6.02	N/A	\$300.00
21	Park, wrong side	7.01	\$20.00	\$30.00
22	Park curb, not parallel	7.02	\$20.00	\$30.00
23	Park no curb, not parallel	7.03	\$20.00	\$30.00
24	Park, prohibited time	7.04	\$20.00	\$30.00
25	Park, overtime	7.05	\$20.00	\$30.00
26	Park, overnight winter	7.06	\$20.00	\$30.00
27	Park, oil or gas delivery excessive time	8.01	\$20.00	\$30.00

NOTE: The penalty provisions for the offences cited above are section 12 of Bylaw; a certified copy of which has been filed.

Township of South Algonquin

Part I Provincial Offences Act

Bylaw

Item	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 4 Set fine
1	Operate prohibited motorized vehicle	11.01	\$50.00
2	Drive over fire hose	11.02	\$50.00
3	Litter	11.03	\$50.00
4	Drive on sidewalk	11.04	\$50.00

NOTE: The penalty provisions for the offences cited above are section 12 of Bylaw; a certified copy of which has been filed.