

# TOWNSHIP OF ALFRED AND PLANTAGENET

## BY-LAW NUMBER 2007-75

### PARKING BY-LAW

**BEING A BY-LAW of the Corporation of the Township of Alfred and Plantagenet to prohibit or regulate the placing, stopping, standing or parking within its jurisdiction.**

**WHEREAS** section 7.1(1) of the *Fire Protection and Prevention Act*, S.O. 1997 authorizes municipalities to pass by-laws designating fire routes in the municipality and prohibiting parking thereon;

**AND WHEREAS** section 11 of the *Municipal Act*, S.O. 2001, authorizes municipalities to pass by-laws in respect to parking;

**AND WHEREAS** section 100 of the *Municipal Act*, S.O. 2001, authorizes municipalities to regulate or prohibit with respect to land not owned or occupied by the municipality that is used as a parking lot, for the parking or leaving of motor vehicles on that land without the consent of the owner of the land;

**AND WHEREAS** section 100.1 of the *Municipal Act*, S.O. 2001, authorizes municipalities to regulate or prohibit with respect to land not owned or occupied by the municipality, for the parking or leaving of motor vehicles without the consent of the owner of the land;

**AND WHEREAS** pursuant to the *Municipal Act*, S.O. 2001, section 102, municipalities are empowered to pass by-laws designating parking spaces for vehicles occupied by disabled persons and to prohibit the use of such spaces by other vehicles;

**AND WHEREAS** section 425 of the *Municipal Act*, S.O. 2001, authorizes municipalities to pass by-laws providing that a person who contravenes a by-law of the municipality is guilty of an offence;

**AND WHEREAS** pursuant to the *Municipal Act*, S.O. 2001, section 428, municipalities may pass by-laws providing that where a vehicle has been left parked, stopped or left standing in contravention of a by-law passed under the *Municipal Act*, the owner of the vehicle, even though the owner was not the driver of the vehicle at the time of the contravention of the by-law, is guilty of an offence unless at the time of the offence, the vehicle was in the possession of some person other than the owner without the owner's consent;

**THEREFORE** the Council of the Township of Alfred and Plantagenet enacts as follows:

#### SHORT TITLE

1. This by-law may be cited as the "Parking By-Law".

#### DEFINITIONS

2. (a) "**Corporation**" shall mean the Corporation of the Township of Alfred and Plantagenet;

- (b) **“Crosswalk”** shall mean:
- i) that part 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 or, in the absence of curbs, from the edges of the travelled portion of the highway, or
  - ii) any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface;
- (c) **“Designated Disabled Person Parking Space”** shall mean a parking space marked by a sign on streets, highways, municipal property and private property indicating that such space is to be for the sole use of vehicles operated by or conveying disabled persons and for which a permit has been issued in accordance with the Highway Traffic Act;
- (d) **“Disabled Person”** shall mean:
- i) an individual who is unable to walk unassisted for more than 200 meters without great difficulty or danger to his or her health or safety; or
  - ii) an individual who holds a disabled person parking permit issued by the Ministry of Transportation and Communications of Ontario;
- (e) **“Double Park”** as applied to a vehicle means to allow that vehicle to remain stationary on the same side of the highway alongside and parallel with or nearly parallel to another vehicle already parked or standing or stopped at the curb of such highway except in obedience to traffic regulations, signs or signals;
- (f) **“Emergency Vehicle”** means ambulance, emergency rescue vehicle, fire truck;
- (g) **“Farm Tractor”** shall mean a self-propelled vehicle designated and used primarily as a farm implement for drawing ploughs, mowing-machines and other instruments of husbandry and not designated or used for carrying a load;
- (h) **“Fire Route”** shall mean any road, land, ramp or other means of vehicular access to, or egress from, a building or structure specifically identified as such for use of emergency vehicles;
- (i) **“Highway”** includes the entire right-of-way of a common and public highway, street, concession, place, avenue, parkway, square, route, lane or bridge designed and intended for, or used by, the general public for the passage of vehicles;
- (j) **“Intersection”** shall mean the area embraced within the prolongation or connection of the lateral curb lines or, if non, 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;
- (k) **“Motorcycle”** shall mean a self-propelled vehicle having a seat or saddle for the use of the driver and designated to travel on not more than three wheels in contact with the ground and includes a bicycle with a motor or a motor scooter;
- (l) **“Motor Vehicle”** includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power but does not include a traction engine, farm tractor or road building machine;
- (m) **“Municipal Law Enforcement Officer”** shall mean a Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Township of Alfred and Plantagenet;
- (n) **“Prohibited Parking Zone”** shall mean the area of untravelled portion of a highway clearly marked as a prohibited parking area by signs placed at intervals of no more than 25 metres;

- (o) **"Road Building Machine"** shall mean a self-propelled vehicle designed and used primarily in connection with the building or maintaining of highways and not designated for carrying a load;
- (p) **"School Bus Loading Zone"** shall mean a space marked by a sign indicating such space to be for the sole use of buses and for taking on or unloading passenger;
- (q) **"Sidewalk"** shall include all parts of a highway as are set aside for these of pedestrians;
- (r) **"Township"** shall mean the Township of Alfred and Plantagenet;
- (s) **"Trailer"** shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of animal husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon any highway, and, except a side car attached to a motorcycle, shall be considered vehicle and not part of the motor vehicle by which its drawn;
- (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 or the cars of electric or steam railways running only upon rails;

### **PARKING OFFENCES**

- 3. No person shall park a vehicle:
  - (a) within an intersection or within ten (10) metres thereof;
  - (b) within a distance of three (3) metres from any fire hydrant, such distance being measured from that point on the curb which is found by taking the shortest distance between the fire hydrant and the curb;
  - (c) in front of any church or other building used for religious purposes while a funeral service is taking place;
  - (d) on a sidewalk or crosswalk;
  - (e) in such a manner as to obstruct the entrance to a private lane unless he or she is the owner thereof of a person authorized by the owner to park in such a manner;
  - (f) on any bridge or the approaches thereto;
  - (g) within six (6) metres of any designated crosswalk;
  - (h) in such manner as to obstruct traffic;
  - (i) in such a manner as to interfere with the maintaining or construction of a highway;
  - (j) facing wrong way.
- 4. No person shall, within the limits of the Township of Alfred and Plantagenet, park or allow to remain standing on any highway any vehicle between the hours of midnight to 07:00 a.m. from the first day of December in one year to the first day of April in the following year.
- 5. No person shall park a vehicle or permit a vehicle to remain parked on any highway:
  - (a) while the work of removing snow or ice therefrom or clearing of snow therefrom is in progress; or
  - (b) in such a manner as to interfere with street cleaning operations.
- 6. No person shall park a vehicle on a highway for the purpose of exhibiting the vehicle or offering the vehicle for sale.
- 7. When properly worded or marked signs have been erected and are on displays as set out in SCHEDULE "C" of this by-law no person shall park a vehicle or allow a vehicle to be parked in any designated disabled parking space unless that vehicle is displaying a disable person parking permit by the Ministry of Transportation and Communications of Ontario.

8. No person shall cause or allow the unauthorized use of a permit issued pursuant to this by-law.
9. When properly worded or marked signs have been erected and are on display as set out in SCHEDULE "B", of this by-law no person shall park a vehicle or permit a vehicle to remain parked on any of those streets or parts of streets which are set out in column 1, on a side or sides of the streets as set out in column 2, between the limits set out in column 3 and during the period set out in column 4 as set out in SCHEDULE "A".
10. When properly worded or marked signs have been erected and are on display as set out in SCHEDULE "D" of this by-law no person shall park a vehicle or permit a vehicle to remain parked on any highway within a prohibited school bus loading zone as designated in SCHEDULE "F" of this by-law.
11. When properly worded or marked signs have been erected and are on display as set out in SCHEDULE "E" of this by-law no person shall park a vehicle or permit a vehicle to remain parked in any area designated as a fire route.
12. When properly worded or marked signs have been erected and are on display as set out in SCHEDULE "H" of this by-law no person shall park a vehicle or permit a vehicle to remain parked in excess of posted time limit on any of those streets or parts of streets which are set out in column 1, on a side or sides of the streets as set out in column 2, between the limits set out in column 3 and during the period set out in column 4 as set out in SCHEDULE "G".
13. No person who is operating a vehicle for the purpose of delivering goods, wares, merchandise, milk, bread or any other commodity shall stop or park said vehicle at any place on any highway other than at the curb or side of the highway.
14. No person shall park a vehicle in such manner that it is double parked on any highway at any time.

#### **ADMINISTRATION AND ENFORCEMENT**

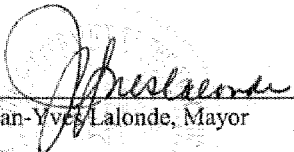
15. The provisions of this By-Law shall be enforced by the Municipal Law Enforcement Officer.

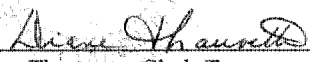
#### **PENALTIES**

16. Whenever a vehicle is parked in contravention of any section of this by-law the Municipal Law Enforcement Officer may cause the said vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charges for the removing, care and storage thereof, shall be paid by the owner of the said vehicle in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, chapter R. 25
17. Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction thereof shall forfeit, and pay a penalty for each such offence and every such penalty shall be recoverable under the Provincial Offences Act, R.S.O. 1990, chapter P. 33 and amendments thereto.
18. When a person has been convicted of an offence under this by-law any court of competent jurisdiction thereafter, may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.
19. The requirements of this by-law are severable. If any requirements of this by-law are held invalid, the application of such requirements to other circumstances and the remainder of this by-law shall not be affected.

20. This by-law is not to be construed at any time in such fashion as to hold the corporation or its officers liable for failing to ensure that persons comply with the provisions of this by-law.
21. This by-law shall come into force on the 1<sup>st</sup> day of November 2007, and shall take effect on that date.
22. That By-laws 2005-67 and 2006-83 are hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 1<sup>st</sup> DAY OF November, 2007.**

  
\_\_\_\_\_  
Jean-Yves Lalonde, Mayor

  
\_\_\_\_\_  
Diane Thauvette, Clerk-Treasurer

**SCHEDULE "A" TO BY-LAW NO. 2007-75**

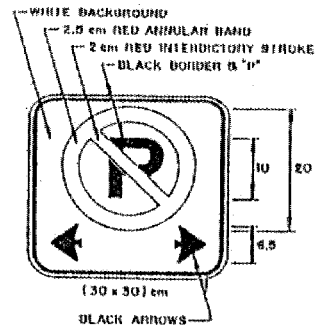
**NO PARKING Village of Alfred**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Highway</b>	<b>Side or Sides</b>	<b>From - To</b>	<b>Period</b>
Bolt Rd.	East / West	St-Philippe St. to St-Joseph St.	anytime
Bourgeois St.	West	St-Philippe St. to St-Joseph St.	anytime
Fournier St.	East	St-Philippe St. to St-Joseph St.	anytime
Laniel St.	East / West	St-Philippe St. to Landriault St.	anytime
Du Moulin St. *	East / West	St-Philippe St. to end of St.	anytime
Murray St.	East / West	Telegraph St. to St-Joseph St.	anytime
Quesnel St.	East	St-Philippe St. to St-Joseph St.	anytime
St-John St.	North / South	St-Paul St. to St-Placide St.	anytime
St-Joseph St.	North / South	Bourgeois St. to Bolt Rd.	anytime
St-Joseph St.	North / South	Leduc Street	anytime
St-Mary St.	South	St-Paul St. to St-Placide St.	anytime
St-Paul St.	West	St-Philippe St. to St-Mary St.	anytime
St-Paul St.	East	St-Philippe St. to 500' southbound	anytime
St-Placide St.	West	St-Philippe St. to distance 110' southbound	anytime
St-Placide St.	East	St-Philippe St. to St-Mary St.	anytime
Telegraph St.	North	Quesnel St. to Bourgeois St.	anytime

NO PARKING Village of Plantagenet

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Highway</b>	<b>Side or Sides</b>	<b>From - To</b>	<b>Period</b>
Water St.	East / West	Alfred St. to civic number 280 Water St.	anytime

**SCHEDULE "B" TO BY-LAW NO. 2007-75**

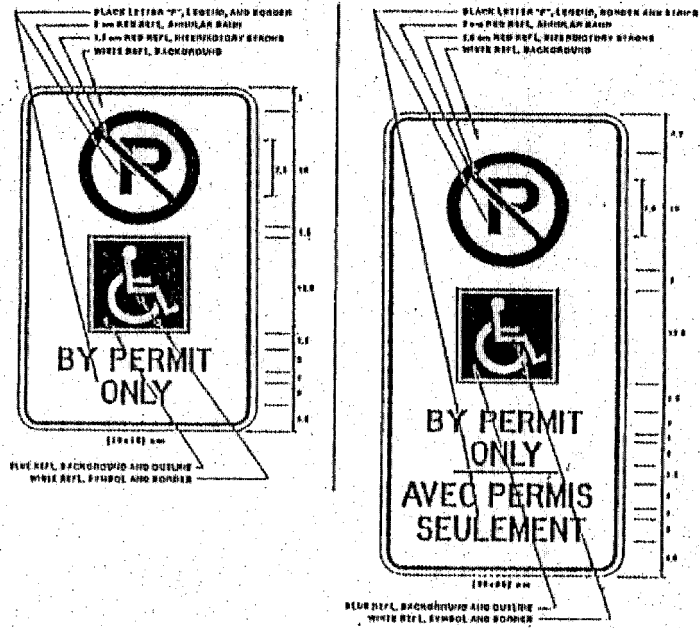


A sign prohibiting parking shall,

- (a) be not less than 30 centimetres in height and not less than 30 centimetres in width; and
- (b) bear the markings and have the dimensions as described and illustrated in the above figure.



**SCHEDULE "C" TO BY-LAW NO. 2007-75**



A parking space designated under this by-law for the use of disabled persons shall be distinctly indicated by erecting a disabled persons parking permit sign which shall,

- (a) be not less than forty-five centimetres in height and not less than thirty centimetres in width and bear the markings and have the dimensions as described and illustrated in the above figure:  
or,
- (b) be not less than sixty centimetres in height and not less than thirty centimetres in width and bear the markings and have the dimensions as described and illustrated in the above figure:

**SCHEDULE "D" TO BY-LAW NO. 2007-75**

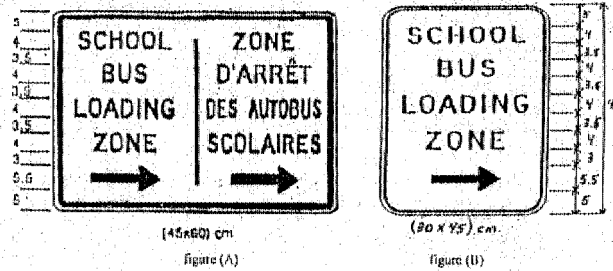


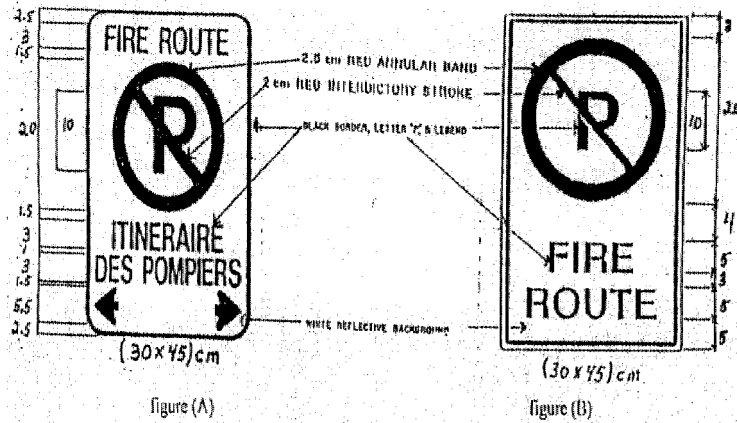
figure (A)

figure (B)

- (1) A school bus loading zone sign shall,
  - (a) be not less than 45 centimetres in height and not less than 30 centimetres in width;
  - (b) bear the words "school bus loading zone" in black letters not less than 4 centimetres in height on a white retro-reflective background; and
  - (c) bear a single headed or double headed arrow in black not less than 5.5 centimetres in height,

as illustrated in the above figure: (B)
- (1.1) Despite section (1), a school bus loading zone sign could be erected has follow;
  - (a) be not less than 45 centimetres in height and not less than 60 centimetres in width;
  - (b) bear the words "school bus loading zone - zone d'arrêt des autobus scolaires" in black letters not less than 4 centimetres in height on a white retro-reflective background; and
  - (c) bear two single headed arrows in black not less than 5.5 centimetres in height; and as illustrated in the above figure: (A)
- (2) One sign with a single headed arrow pointing towards the loading zone shall be erected at each end of a school bus loading zone and, where the length of the loading zone exceeds 60 metres, signs with double headed arrows shall be erected at intervals of no more than 45 metres.

**SCHEDULE "E" TO BY-LAW NO. 2007-75**



1. A fire route sign shall,
  - (a) be not less than 45 centimetres in height and not less than 30 centimetres in width;
  - (b) bear the words "fire route" in black letters not less than 5 centimetres in height on a white retro-reflective background;

as illustrated in the above figure : (B)

- 1.1 Despite section (1) a fire route sign could be erected has follow;
  - (a) be not less than 45 centimetres in height and not less than 30 centimetres in width;
  - (b) bear the words "fire route - itineraire des pompiers" in black letters not less than 3 centimetres in height on a white retro-reflective background;

as illustrated in the above figure : (A)

**SCHEDULE "F" TO BY-LAW NO. 2007-75**

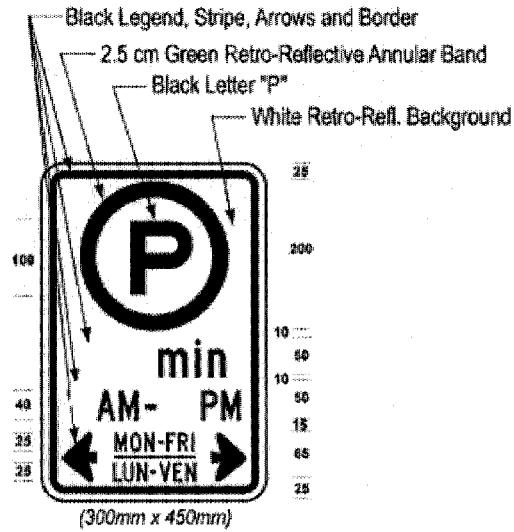
**"SCHOOL BUS LOADING ZONE - ZONE D'ARRET DES AUTOBUS SCOLAIRES"**

<b>Column 1 Highway</b>	<b>Column 2 Side or Sides</b>	<b>Column 3 From - To</b>	<b>Column 4 Period</b>
<b>(Village of Alfred)</b>			
St-John St.	North	St-Paul St. to St-Placide St.	Anytime
St-Paul St.	West	St-Mary St. to distance 140' southbound	Anytime
<b>(Village of Plantagenet)</b>			
Water St.	East	in front of Plantagenet Public School A.K.A. civic number 635 Water St.	Anytime

**SCHEDULE "G" TO BY-LAW NO. 2007-75**

<b>Column 1 Highway</b>	<b>Column 2 Side or Sides</b>	<b>Column 3 From - To</b>	<b>Column 4 Period</b>
St-Paul Street	West	from St-John Street to a distance of 160 feet Northbound	maximum 15 minutes from 7 a.m. to 6 p.m.

SCHEDULE "H" TO BY-LAW NO. 2007-75

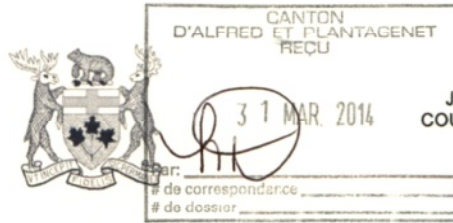


A sign permitting parking for a specified period of time shall,

- (a) be not less than 45 centimetres in height and not less than 30 centimetres in width; and
- (b) bear the markings, indicate the times at which parking is permitted, the maximum period during which a vehicle may be parked and have the dimensions as prescribed in the above figure.

THE HONOURABLE  
JUSTICE HUGH L. FRASER  
REGIONAL SENIOR JUSTICE  
ONTARIO COURT OF JUSTICE

COURT HOUSE  
161 ELGIN STREET, 6<sup>TH</sup> FLOOR  
OTTAWA, ONTARIO  
K2P 2L1



L'HONORABLE  
JUGE HUGH L. FRASER  
JUGE PRINCIPAL RÉGIONAL  
COUR DE JUSTICE DE L'ONTARIO

PALAIS DE JUSTICE  
161, RUE ELGIN, 6<sup>E</sup> ÉTAGE  
OTTAWA (ONTARIO)  
K2P 2L1

TELEPHONE/TÉLÉPHONE (613) 239-1520  
FAX/TÉLÉCOPIEUR (613) 239-1572

March 18<sup>th</sup>, 2014

Township of Alfred and Plantagenet  
205 Old Highway 17  
P.O. Box 350  
Plantagenet, ON K0B 1L0

**Attention: Mr. Martin Guindon**

Dear Mr. Guindon:

**Re: *Set Fines – Provincial Offences Act – Part II***  
***By-law No. 2007-75: Parking***

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Enclosed herewith are the original Order dated March 18<sup>th</sup>, 2014 and original schedule of set fines for By-Law No. 2007-75, the By-law indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Township of Alfred and Plantagenet .

Yours truly,

A handwritten signature in cursive script, appearing to read "H. Fraser".

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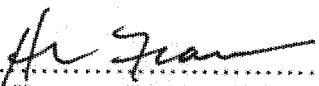
Hugh L. Fraser  
Regional Senior Justice  
East Region  
Enclosures

**PROVINCIAL OFFENCES ACT**

**Part II**

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2007-75 of the Township of Alfred and Plantagenet attached hereto is the set fine for that offence. This Order is to take effect on March 18<sup>th</sup>, 2014.

Dated at Ottawa this 18<sup>th</sup> day of March 2014.

  
.....  
Hugh L. Fraser, Regional Senior Justice  
Ontario Court of Justice  
East Region



PART I PROVINCIAL OFFENCES ACT

TOWNSHIP OF ALFRED AND PLANTAGENET

TITLE: Parking By-Law #2007-75

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Voluntary Payment within 7 days	COLUMN 4 Set Fine
1.	Park within an intersection	Section 3 (a)	\$35.00	\$45.00
2.	Park within 10 meters of an intersection	Section 3 (a)	\$25.00	\$35.00
3.	Park within 3 meters of a fire hydrant	Section 3 (b)	\$45.00	\$55.00
4.	Park in front of entrance to a church	Section 3 (c)	\$25.00	\$35.00
5.	Park on sidewalk or crosswalk	Section 3 (d)	\$35.00	\$45.00
6.	Park in front of a private lane without consent of owner or occupant	Section 3 (e)	\$25.00	\$35.00
7.	Park on a bridge or the approaches thereto	Section 3 (f)	\$25.00	\$35.00
8.	Park within 6 meters of any designated crosswalk.	Section 3 (g)	\$35.00	\$45.00
9.	Park in a manner as to obstruct traffic	Section 3 (h)	\$45.00	\$55.00

NOTE:

The penalty provision(s) for the offences (s) indicated above is Section 17 of By-Law 2007-75 a certified copy of which has been filed.

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PART I PROVINCIAL OFFENCES ACT

TOWNSHIP OF ALFRED AND PLANTAGENET

TITLE: Parking By-Law #2007-75

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Voluntary Payment within 7 days	COLUMN 4 Set Fine
10.	Park in a manner as to interfere with maintaining or construction of highway	Section 3 (i)	\$45.00	\$55.00
11.	Park facing wrong way	Section 3 (j)	\$25.00	\$35.00
12.	Park between midnight to 7:00 a.m. between December 1 <sup>st</sup> to April 1 <sup>st</sup>	Section 4	\$45.00	\$55.00
13.	Park while work of removing or cleaning snow or ice is in progress	Section 5 (a)	\$45.00	\$55.00
14.	Park in a manner as to interfere with street cleaning operations	Section 5 (b)	\$45.00	\$55.00
15.	Park on a highway for the purpose of exhibiting or offering the vehicle for sale	Section 6	\$25.00	\$35.00
16.	Park illegally in a designated disabled person parking space	Section 7	\$300.00	\$325.00
17.	Park in a no parking zone	Section 9	\$45.00	\$55.00

NOTE: The penalty provision(s) for the offences (s) indicated above is Section 17 of By-Law 2007-75 a certified copy of which has been filed.

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PART I PROVINCIAL OFFENCES ACT

TOWNSHIP OF ALFRED AND PLANTAGENET

TITLE: Parking By-Law #2007-75

Page 3 of 3

<u>ITEM</u>	<u>COLUMN 1</u> Short form wording	<u>COLUMN 2</u> Provision Creating or Defining Offence	<u>COLUMN 3</u> Voluntary Payment within 7 days	<u>COLUMN 4</u> Set Fine
18.	Park within a school bus loading zone	Section 10	\$45.00	\$55.00
19.	Park in a fire route	Section 11	\$70.00	\$80.00
20.	Park in excess of posted time limit	Section 12	\$25.00	\$35.00
21.	Double park	Section 14	\$25.00	\$35.00

NOTE:

The penalty provision(s) for the offences (s) indicated above is Section 17 of By-Law 2007-75  
a certified copy of which has been filed.

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