

THE CORPORATION OF THE MUNICIPALITY OF CALLANDER

BY-LAW NO. 2008-1100

Being a By-law for the regulation of Traffic and Parking on
Highways within the Municipality of Callander

WHEREAS Sections 100, 101 and 102 of the Municipal Act, S.O. 2001 c.25, as amended, empowers municipalities to prohibit or regulate parking.

NOW THEREFORE The Council of the Corporation of the Municipality of Callander enacts as follows:

SECTION I – DEFINITIONS

In this By-Law:

- (a) “Authorized sign” means any sign or any marking placed or made on any roadway, curb, sidewalk or public place by the Municipality.
- (b) “Commercial motor vehicle” means a motor vehicle which is identified by a sign which is painted or firmly attached to the outside of the vehicle, which bears the name or style of business and which vehicle is used for the purpose of delivery of materials.
- (c) “Corner” means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic.
- (d) “Council” means the Council of the Corporation of the Municipality of Callander.
- (e) “Crosswalk” means:
 - (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 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 markings on the surface.
- (f) “Curb” means the raised edge of the outer limits of the traveled portion of the roadway.
- (g) “Emergency Vehicle” means vehicles of the police and fire departments, ambulances, civil defence and public utility emergency vehicles.
- (h) “Gross Weight” means the registered gross weight of the vehicle. (Includes Load).
- (i) “Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof, and “street” and “road” shall have a like meaning.
- (j) “Intersection” means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses another.

- (k) “Lane” means the entire width of the roadway surface between property lines at the rear or side of places of business or residential properties.
- (l) “Motor Vehicle” includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in this by-law and any other vehicle propelled or driven otherwise than by muscular power, but does not include a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of this by-law.
- (m) “Municipal By-Law Enforcement Officer” means the By-Law Enforcement Officer employed by the Corporation of the Municipality of Callander.
- (n) “Municipality” means the Municipality of Callander.
- (o) “One-way Street” means a street upon which vehicular traffic is limited to movement in one direction.
- (p) “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.
- (q) “Pedestrian” means a person afoot or in a wheelchair or a child in a wheeled carriage.
- (r) “Private road or driveway” means every way or place in private ownership and used for vehicular traffic by the owner and those having expressed or implied permission given by the owner or his duly authorized agent.
- (s) “Roadway” means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder or the sidewalk, and, where a highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately and not to all the roadways collectively.
- (t) “Sidewalk” means that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.
- (u) “Stand” or “Standing” means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers.
- (v) “Stop” or “Stopping” means the complete cessation of movement 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.
- (w) “Traffic” includes pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any street for the purpose of travel.
- (x) “Traffic Control Device” means any sign, or roadway, curb or sidewalk marking, or other device erected or placed under the authority of the Council for the purpose of guiding or directing traffic.
- (y) “Traffic Control Signal” means any device manually, electrically or mechanically operated for the regulation of traffic and placed or erected by the authority of the Council.
- (z) “Vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind

of power, including muscular power, but does not include a motorized snow vehicle.

- (aa)“Wheelchair” means a chair mounted on wheels driven by muscular or any other kind of power and used for the carriage of a person who has a physical defect or disability.

SECTION 2 – PARKING REGULATIONS

1. PARKING REGULATIONS

- (1) Where a parking space is designated on a highway, no person shall park a vehicle on a highway other than within the confines of the parking space.
- (2) No person shall park a vehicle on any highway, other than a one-way highway, or a highway where angle parking is permitted unless:
 - (i) on the right hand side of the highway having regard for the direction which the vehicle has been proceeding with the right front and right rear wheels not more than 15 centimeters from the curb or the edge of the highway;
 - (ii) where no parking space is designated, the right front and rear wheels of the vehicle are parallel to the distant respectively not more than 15 centimeters from the edge of the roadway;
 - (iii) on uncurbed highways or in the winter, vehicles are parked in parallel to and as close as circumstances and weather conditions permit to the edge of the sidewalk nearest to the roadway as the case may be.
- (3) (i) Where angle parking is permitted, no person shall park a vehicle except at the angle indicated by the authorized signs and so that the front end of the vehicle is nearest the edge of the highway.
 - (ii) Where parking spaces are designated, no person shall stop or park any vehicle except within the parking space.

2. NO PARKING AREAS

No person shall, at any time, park a vehicle in any of the following places:

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|--------------|-----|--|
| Fire Hydrant | (1) | within three metres of a fire hydrant; |
| Fire | (2) | within 90 metres of the scene of a fire in progress; |
| Priority | (3) | in such a position as will prevent the removal of any other vehicle previously parked; |
| Sidewalk | (4) | on any sidewalk; |
| Crosswalk | (5) | on any crosswalk; |
| Bridge | (6) | on any bridge or within 15 metres of the approaches; |

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|--------------------|---|
| Fire Hall | (7) in front of any fire hall or on the opposite side of the street for the full width of the said fire hall and an additional distance of 7.5 metres each way from the said fire hall; |
| Intersection | (8) within 2 metres of any intersection; |
| Hotel | (9) in front of a public entrance to a hotel; |
| Delivery | (10) in front of the entrance to any place where goods or merchandise are usually delivered or removed; |
| Signs | (11) in any place where authorized signs prohibiting parking are on display; |
| Medical Centre | (12) in front of the entrance to a medical centre; |
| Obstruct | (13) in such a manner as to obstruct a public or private driveway; |
| Municipal Property | (14) on any municipal owned property whereon public parking is not authorized; |
| Overnight Parking | (15) for overnight parking on any highway between the hours of 12:00 A.M. and 7:00 A.M. on any street during the period from November 1 st to March 31 st , both inclusive. |
| Snow Removal | (16) within twelve hours of posting snow removal signs on any streets and within 48 hours of a snowfall during the period from November 1 st to March 31 st , both inclusive. |

3. NO PARKING AREAS – ANY TIME

Where authorized signs have been erected and are on display, no person shall park a vehicle in any of the following places:

- (1) On any of the parts of highways named and described in Schedule 1 attached hereto and forming part of this by-law;
- (2) Beyond the posted signs depicting parking distances from an intersection;
or
- (3) Between 8:30 A.M. and 5:00 P.M. Monday to Friday, upon either side of the highway adjacent to or opposite any school property.

4. MISCELLANEOUS

No person shall stand or park a vehicle upon the roadway for any of the following purposes:

- (1) displaying and advertising a vehicle for sale;
- (2) washing, greasing or repairing such vehicle except for immediate repair due to an emergency; or
- (3) storage.

SECTION 3 – ADMINISTRATION AND ENFORCEMENT

1. ADMINISTRATION

- (1) The Superintendent of Roads and Public Works is hereby authorized to place or erect, and to maintain such official signs and traffic control devices as may be necessary to give effect to the provisions of this by-law or as required to warn or guide traffic for the safety or convenience of the public.
- (2) The Superintendent of Roads and Public Works is hereby authorized to place and maintain temporary traffic signs for the purpose of regulating or prohibiting traffic where highway construction, repair, painting, community events or other emergency occurs.
- (3) The Superintendent of Roads and Public Works is hereby authorized to remove or cause to be removed without notice any sign, signal, marking device found on a highway which resembles an official sign or authorized sign but which is not an official or authorized sign.
- (4) No person shall interfere with any sign or barricade erected on a highway by the Municipality.

2. INTERPRETATION

- (1) The provisions of this by-law prohibiting parking or standing shall not apply to:
 - (i) vehicles of the Police and Fire departments providing services to the Municipality of Callander,
 - (ii) vehicles of or employed by the Municipality of Callander in use in connection with public works being done on or near a highway,
 - (iii) vehicles of Her Majesty's mail,
 - (iv) a vehicle, the crew of which is engaged in making repairs to a public utility or service,
 - (v) a vehicle of the By-Law Enforcement Officer.
- (2) Whenever this by-law refers to a time of day or hour, the same shall be construed in accordance with standard time or daylight saving time as may be in current use in the Municipality of Callander.
- (3) The Manual of Uniform Traffic Control Devices of the Ministry of Transportation of Ontario is hereby adopted as it applies to the provisions of this by-law.
- (4) All sections and subsections of this by-law shall be deemed and be separate and independent and the invalidity of any section or provision thereof shall not affect the remaining section or by-law.
- (5) The provisions of this by-law apply only to highways in the Municipality which are under jurisdiction of the Municipality.
- (6) Schedules (1) and (2) which are attached hereto are hereby made a part of this by-law and shall be construed herewith.

3. PENALTIES – SCHEDULE 2

- (1) Any person who contravenes any provision of this by-law is guilty of an offence and is subject to fine recoverable under the Provincial Offences Act.
- (2) Voluntary payment of a parking infraction notice according to the amounts set on Schedule 2 in strict compliance with the conditions set out on the parking infraction notice shall be in lieu of any penalty otherwise provided by law.
- (3) The owner of a motor vehicle is liable for the penalty provided for in this section to the same extent as the driver of such motor vehicle unless at the time of the offence, the vehicle was in possession of some person other than the owner, without the owner's consent.
- (4) Where a motor vehicle is found parked in contravention of the parking provisions of this by-law, and Municipal By-Law Enforcement Officer finding the vehicle shall attach to the motor vehicle a parking violation notice in the form of a serially numbered notice stating:
 - (a) the motor vehicle plate number, Province, and description of the vehicle;
 - (b) that the vehicle is unlawfully parked, providing the wording of the offence;
 - (c) the date, time and location of the alleged offence; and
 - (d) the amount of the fine for the offence.
- (5) The owner or operator of the vehicle may, within seven (7) days, exclusive of Sundays and holidays, after the date when the violation notice was issued make payment.
- (6) The notice shall be prepared in duplicate and the Municipal By-Law Enforcement Officer shall attach one copy to the vehicle and deliver the duplicate copy to the Provincial Offences Office, 200 McIntyre Street East, North Bay, Ontario.
- (7) Should a violation of this by-law continue in excess of four (4) hours, the Municipal By-Law Enforcement Officer may charge the violator with a second offence, and subsequently charge further offences every two (2) hours thereafter until the violation ceases.
- (8) The Municipal By-Law Enforcement Officer, upon finding a vehicle in violation of any section of the by-law, may at his/her discretion, order the removal of the vehicle violating the by-law when deemed necessary.

4. BY-LAW APPROVAL

This By-law No. 2008-1094 shall not come into force or take effect until approval of set fines for offences is made by the Regional Senior Judge of Ontario Court of Justice pursuant to the Provincial Offences Act.

5. REPEAL

That By-law No. 2005-946 is hereby repealed upon receipt of the approved set fines from the Regional Senior Judge of Ontario Court of Justice.

READ FIRST TIME THIS 2nd DAY OF JULY, 2008.

READ A SECOND TIME THIS 2nd DAY OF JULY, 2008.

READ A THIRD TIME AND FINALLY PASSED THIS 2nd DAY OF JULY, 2008.

MAYOR, Hector Lavigne

CLERK, Jeff Celentano

SCHEDULE 1
TO TRAFFIC AND PARKING BY-LAW NO. 2008- 1094
NO PARKING AREAS AT ANY TIME – SECTION 3

Road

Cranberry Road (South side)

Greenwood Road

Lansdowne Avenue East (North side from King Street to Highway 94)

Long Point Drive

Ninovan Road

Rousseau Lane

Waltonian Drive

THE MUNICIPALITY OF CALLANDER – SET FINES
PART II PROVINCIAL OFFENCES ACT

**REGULATION OF TRAFFIC AND PARKING ON HIGHWAYS
WITHIN THE MUNICIPALITY OF CALLANDER
BY-LAW NUMBER 2008-1100**

| ITEM | COLUMN 1 Short Form Wording | COLUMN 2 Provision Creating or Defining Offence within 7 days | COLUMN 3 Early Voluntary Payment Payable | COLUMN 4 Set Fine |
|------|--|--|--|----------------------|
| 1 | Illegal Parallel Parking | 2.1(2) | \$12.00 | \$15.00 |
| 2 | Illegal Angle Parking | 2.1(3) (i) | \$12.00 | \$15.00 |
| 3 | Park outside designated spaces | 2.1(3) (ii) | \$12.00 | \$15.00 |
| 4 | Park within 3 metres of a fire hydrant | 2.2(1) | \$12.00 | \$15.00 |
| 5 | Park within 90 metres of a fire in progress | 2.2(2) | \$12.00 | \$15.00 |
| 6 | Park to prevent the removal of a previously parked vehicle | 2.2(3) | \$12.00 | \$15.00 |
| 7 | Park on Sidewalk | 2.2(4) | \$12.00 | \$15.00 |
| 8 | Park on a Crosswalk | 2.2(5) | \$12.00 | \$15.00 |
| 9 | Park on bridge or within 15 metres of the approaches | 2.2(6) | \$12.00 | \$15.00 |
| 10 | Park in front of Firehall | 2.2(7) | \$12.00 | \$15.00 |
| 11 | Park within an intersection | 2.2(8) | \$12.00 | \$15.00 |
| 12 | Park in front of public entrance to hotel | 2.2(9) | \$12.00 | \$15.00 |
| 13 | Park in front of delivery entrance/exit | 2.2(10) | \$12.00 | \$15.00 |
| 14 | Park in prohibited zone | 2.2(11) | \$12.00 | \$15.00 |
| 15 | Park in front of medical centre | 2.2(12) | \$12.00 | \$15.00 |
| 16 | Park so as to obstruct a public or private driveway | 2.2(13) | \$12.00 | \$15.00 |
| 17 | Park on Municipal Property | 2.2(14) | \$12.00 | \$15.00 |
| 18 | Overnight Parking (between 12:00 A.M. and 7:00 A.M. from November 01 to March 31, both inclusive.) | 2.2(15) | \$12.00 | \$15.00 |
| 19 | Park to interfere with snow clearing | 2.2(16) | \$12.00 | \$15.00 |
| 20 | Park on highway posted No Parking | 2.3(1) | \$12.00 | \$15.00 |
| 21 | Park between posted sign and intersection | 2.3(2) | \$12.00 | \$15.00 |
| 22 | Park adjacent to or opposite school property between 8:30 A.M. and 5:00 P.M. | 2.3(3) | \$12.00 | \$15.00 |
| 23 | Park to advertise vehicle for sale | 2.4(1) | \$12.00 | \$15.00 |
| 24 | Park on highway for washing, greasing or repairing | 2.4(2) | \$12.00 | \$15.00 |
| 25 | Park for purpose of storage | 2.4(3) | \$12.00 | \$15.00 |

Note: *The penalty provision for the offence indicated above is section 3.3(1) of By-Law No. 2008-1100, a certified copy of which has been filed.*