



**CORPORATION OF THE TOWNSHIP OF AUGUSTA
BY-LAW NUMBER 3136-2014**

BEING a By-Law to regulate parking for vehicles and snow removal from property abutting on highways in the Township of Augusta

WHEREAS section 11(1)(1) of the *Municipal Act 2001*, c. 25 S.O. 2001 as amended allows for municipalities to pass By-Laws respecting matters pertaining to highways, including parking and traffic on Highways

NOW THEREFORE the Council of the Corporation of the Township of Augusta hereby enacts as follows that:

This By-Law may be cited as the "Parking By-Law"

PART I DEFINITIONS

Unless specifically modified or changed herein, words or expressions used in this By-Law have the same meaning as given or used in the *Highway Traffic Act*, c. H. 8, R.S.O. 1990, as amended.

For the purpose of this By-Law the following definitions shall apply:

1. **Authorized sign** shall mean any parking or traffic control device or traffic signal placed or erected on a highway under the authority of this or any other By-Law for the purpose of regulating, warning or guiding traffic and includes such signs as described in the regulations made pursuant to the *Highway Traffic Act*, c. H.8, R.S.O. 1990, as amended
2. **Boulevard** shall mean that portion of the road allowance running parallel to the roadway and extending to the property line excluding the sidewalk whether grassed, paved or otherwise.
3. **By-Law Enforcement Officer** shall mean a By-Law Enforcement Officer of the Township of Augusta and any other officer authorized by the Township of Augusta for the enforcement of By-Laws in the Township of Augusta.
4. **Commercial Motor Vehicle** shall mean a motor vehicle having permanently attached thereto a truck or delivery body and, includes ambulances, hearses, fire apparatus and tractors used for hauling purposes on the highway.
5. **Corner** shall mean that point of intersection of curbs or edges of the portion of the highway used for vehicular traffic.
6. **Council** shall mean the Council of the Corporation of the Township of Augusta
7. **Curb** shall include the edge of the confining wall of a boulevard or the outer edge of a sidewalk.
8. **Disabled passenger vehicle** shall mean a van or a bus operating on a highway for the purpose of transporting for compensation, physically disabled persons or by, for or on behalf of any person, club or agency or organization that holds itself out as providing a transportation service to physically disabled persons, for compensation or otherwise, an accessible urban transit bus or an accessible taxicab as defined under the *Highway Traffic Act* c. H.8, R.S.O. 1990, as amended.

9. **Disabled person** shall mean anyone who is unable to walk unassisted more than 200 meters (218 yards) without serious difficulty or danger to safety or health and certified as such by a licensed physician, chiropractor, osteopathic physician, physiotherapist or occupational therapist as defined in the *Highway Traffic Act*, c. H.8, R.S.O. 1990, as amended.
10. **Disabled person parking permit** shall mean a permit or other marker or device issued by a provincial agency depicting the international symbol for disabled persons as defined in the *Highway Traffic Act*, c. H. 8, R.S.O. 1990, as amended.
11. **Fire Chief** shall mean the Chief of the Fire Department of the Township of Augusta.
12. **Heavy Traffic** shall mean any vehicle or combination of vehicle and trailer that exceeds 5,000 kilograms as described in O. Reg. 147/97 of the *Highway Traffic Act*, c. H. 8, R.S.O. 1990, as amended.
13. **Highway** shall mean a common and public highway (roads and streets) and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided includes a portion of a highway as defined in the *Municipal Act, 2001* c. 25, S.O. 2001 as amended.
14. **Intersection** shall mean that area embraced within the prolongation or connection of the lateral curb lines, or if none, then by lateral lines of boundary of two or more highways that join one another at an angle whether or not one highway crosses the other.
15. **Motor Vehicle** shall include an automobile, truck, motorcycle, motor assisted bicycle unless otherwise indicated in the *Highway Traffic Act*, c. H.8, R.S.O. 1990, as amended and any other vehicle propelled or driven other than by muscular power, but does not include a street car, or other motor vehicles running on rails, a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the *Highway Traffic Act*, c. H. 8, R.S.O. 1990, as amended.
16. **Park or Parking when prohibited** shall mean the standing of a vehicle whether occupied or not, except when standing temporarily for the purpose of and while engaged in loading or unloading merchandise or passengers.
17. **Parking Infraction Notice** shall mean a notice authorized by the *Provincial Offences Act* and placed on any vehicle parked in contravention of this By-Law, providing for the payment of the penalty out of court.
18. **Parking space for disabled person** shall mean a parking stall designated for use by disabled persons possessing a valid "Disabled Persons Parking Permit". A sign designating the stall for use by disabled persons, shall be erected in front of the stall, midway between the lateral lines.
19. **Police Officer** shall mean a member of the Ontario Provincial Police or a Municipal Police Service in Ontario
20. **Roadway** shall mean a part of the highway that is improved, designated or ordinarily used for vehicular traffic, but does not include the shoulder, and where the highway includes two or more separate roadways the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.
21. **Shoulder** shall mean that part of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved with granular or paved surface which extends for a maximum distance of 3 meters.
22. **Stand or Standing** where prohibited, shall mean the halting of a vehicle whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers.
23. **Stop or Stopping** when prohibited, shall mean the halting of a vehicle even momentarily, 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.
24. **Township** shall mean the Corporation of the Township of Augusta.
25. **Trailer** shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle except an implement of husbandry, a 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.

26. **Unreasonable Length of Time** shall mean a period in excess of four (4) consecutive hours.
27. **Vehicle** shall include 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 or street car.

PART II

Enforcement

The police service shall enforce the provisions of this By-Law and the Parking By-Law Enforcement Officer is authorized to enforce those provisions of the By-Law relating to stopping, standing and parking.

Contravention

Any vehicle found in contravention of this By-Law, at the discretion of a Police Officer, the By-Law Enforcement Officer or the Public Works Manager and Public Works Foreman / Lead Hand named as Parking By-Law Enforcement Officers, may issue a parking infraction notice or may cause it to be moved or taken to and placed and stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by section 4 of the Repair and Storage Liens Act c. R 25, R.S.O. 1990, as amended.

PART III DISABLED PARKING

1. **Permits**
A disabled person requiring a "Disabled Person Parking Permit" may obtain such permit through the vehicle license issuing office of the Ontario Ministry of Transportation or from other government agencies for Out Of Province Permits.
2. **Parking Regulations for Permit Holders**
A driver of a vehicle, transporting a disabled person or persons, shall be permitted to park the said vehicle in any designated "parking space for disabled persons" providing that a valid "Disabled Parking Permit" is prominently displayed in the following manner:
 - (a) affixed on the sun-visor on the driver's side of the vehicle with the visor turned down;
 - (b) on the dashboard on the driver's side of the vehicle; or
 - (c) on the license plate.
3. **Unauthorized Parking**
No person shall park a vehicle in a designated "Parking Space for Disabled Person" when a properly worded sign has been erected and is on display unless a valid "Disabled Parking Permit" is used and displayed under the conditions described in Part III (3).
4. **Designated Parking Spaces**
(a) On municipal and private property are described in **Schedule "B"** to this By-Law.

PART IV PARKING AND DEPOSITING SNOW ON ROADWAYS

1. **Parallel Parking**
Where parallel parking is permitted, no person shall park a vehicle on a highway unless on the right hand side of the highway having regard for the direction in which the vehicle had been proceeding and unless the right

fender and the right wheels or runners are parallel to and distant respectively not more than 15 cm. (6 inches) from the edge of the roadway, except on a one-way street where parking on the left hand side has been approved by the erection of appropriate signs.

2. Parking Prohibited in Specific Places

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

- (a) On a sidewalk
- (b) In front of a public or private driveway
- (c) Within an intersection
- (d) Within 3 meters (10 feet) of a point on the curb or the edge of the road opposite any fire hydrant
- (e) On a crosswalk
- (f) Within 6.1 meters (20 feet) of a crosswalk or intersection
- (g) Within 12.2 meters (40 feet)
- (h) On any bridge
- (i) On any curb
- (j) On any boulevard except where such boulevard has been designated and intended for use of parking vehicles
- (k) No parking of tractor trailer vehicles or trailers to be used for the purpose of sale of goods on the Township highways
- (l) Directly opposite another vehicle which is already standing on the other side of the street, where the width of the vehicular traveled portion of the street, or the width between curbs is less than 10 meters (32.81 feet) or where such parking would prevent the free passage of two lines of traffic.

3. Obstructing Traffic

No person shall park as to block or obstruct traffic or to prevent the convenient removal of any parked or standing vehicle.

4. Overnight Winter Parking Restrictions

No person shall park a vehicle between the hours of 2300 hours (11:00 p.m.) to 0700 hours (7:00 a.m.) during the period from November 15 to March 31 inclusive upon any highway or boulevard under the jurisdiction of the Township of Augusta.

5. Depositing Snow or Ice on Roadways

No person shall deposit snow or ice on a roadway without permission in writing to do so from the Ministry or the road authority responsible for the maintenance to the road. *Highway Traffic Act, R.S.O. 1990, c. H.8, s. 181.*

6. Two Hour Parking Limit

No person shall park a bus with seating capacity of more than twelve (12) or a commercial vehicle with a gross vehicle weight over 9,600 kilograms (20,000 pounds) on any public highway in a residential area in the Township of Augusta for a period exceeding two (2) hours.

7. Parked for Unreasonable Length of Time

No owner or operator of a vehicle shall allow such vehicle to remain parked or standing on any highway within the limits of the Township of Augusta for an unreasonable length of time (Part 1 section 26)

8. Parked Contrary to Signs

No person shall park a vehicle in any of the following places when a properly worded sign has been installed and is on display. The areas listed in **Schedule A** to this By-Law are hereto annexed and are designated as "No Parking At Any Time" zones.

**PART V
PENALITES**

1. Everyone who contravenes a section of this By-Law is guilty of an offence and subject to a penalty as provided under the *Provincial Offences Act*.
2. Where a vehicle is found parked in contravention of the parking provisions of this By-Law, the officer so finding the vehicle shall attach to the vehicle a parking ticket in the form of a serially numbered notice stating:
 - (a) the licence plate number and the Province or State from which the plate was issued;
 - (b) that the vehicle is unlawfully parked;
 - (c) the date, time and place of the alleged offence;
 - (d) that the owner or operator therefore may report within five days exclusive of Sundays and holidays; after the day of when the ticket is attached, to make voluntary payment of the penalty; and
 - (e) that in the event of failure to do so, a summons will be issued under *The Provincial Offences Act*.
3. The parking ticket shall be prepared with a stub and the officer shall attach the ticket to the vehicle or hand it to the driver of the vehicle and retain the stub at the By-Law Enforcement Office of the Municipal Office of the Township of Augusta.
4. The owner or operator of a vehicle parked in contravention of any of the parking provisions of By-Law 3136 may report to the office of the Manager of Finance/ Treasurer within ten (10) days, exclusive of Saturdays, Sundays and holidays from the day the ticket was issued to make voluntary payment. The said payment shall be accepted as payment in full of the penalty for the alleged offence. A receipt shall be given to the person making the payment.

PART VI

Repeal of By-Laws

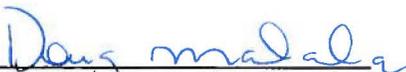
By-Law 3108 is hereby rescinded and all amendments thereto are hereby repealed.

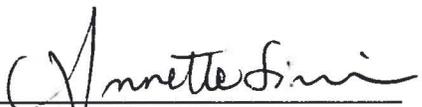
That this By-Law shall come into full force and effect at the time of passing.

READ a first time this 22nd day of December, 2014.

READ a second time this 22nd day of December, 2014.

READ a third and final time and passed this 22nd day of December, 2014.


MAYOR


Deputy CLERK

SCHEDULE "A"
TO BY-LAW NUMBER 3136-2014

NO PARKING ZONES

AREAS OF RESTRICTIONS

1. 4th Concession, westerly from County Road 18 to 100 meters (328.08 feet) west of Baker Drive (24 hours).
2. Sarah Street (Maitland), north side from 5 meters (16.40 feet) east of the west boundary of the Maitland School Property (24 hours).
3. Municipal Garage (Algonquin Road) Parking only in designated areas (24 hours).
4. Church Street (Maitland) east and west sides from County Road #15 to County Road #2 (24 hours).
5. Richmond Street (Maitland) west from 91 meters (298.56 feet) north of County Road #2 (24 hours).
6. George Street (Maitland) west side southerly from Sarah Street to County Road #2 (24 hours).
7. Stewart Drive (Maynard) west and east side of the street immediately in front of the school area from 8:30 to 9:30am and 3:00 to 4:30pm on weekdays during the months of September to June.

SCHEDULE "B"
TO BY-LAW NUMBER 3136

DISABLED PARKING AREAS

Municipal Office (Maynard)
Township Library (Algonquin)
Maitland Recreation Hall (Maitland)
Roebuck Hall (Roebuck)
Municipal Garage (Algonquin)
Fire Hall (Maitland)
Fire Hall (North Augusta)

SCHEDULE "B"
TO BY-LAW NUMBER 3136
SET FINE SCHEDULE FOR BY-LAW 3136

Township of Augusta
Part II Provincial Offences Act

ITEM	COLUMN I Short Form Wording	COLUMN II Offence Creating Provision or Defining Offence	COLUMN III Voluntary Payment within 7 days	COLUMM IV Set Fine
1	Depositing snow on roadways contrary to the Traffic Act	s. 181 of the Highway Traffic Act	\$100.00	\$110.00
2	Park contrary to sign	IV, 7	\$ 20.00	\$ 30.00
3	Park unreasonable length of time	IV, 6	\$ 20.00	\$ 30.00
4	Park bus over 2 hour parking limit	IV, 5	\$ 20.00	\$ 30.00
5	Park on highway or boulevard during winter parking restriction	IV, 4	\$50.00	\$ 60.00
6	Park obstructing traffic	IV, 3	\$ 25.00	\$ 25.00
7	Park more than 15 cm. from edge of roadway	IV, 1	\$ 17.00	\$ 25.00
8	Park left side of vehicle to curb	IV, 1	\$ 17.00	\$ 25.00
9	Park in a designated "Parking Space for Disabled Persons" without a valid permit	III, 3	\$300.00	\$300.00
10	Park on a sidewalk	IV, 2 (a)	\$ 20.00	\$ 30.00
11	Park in front of a driveway	IV, 2 (b)	\$ 20.00	\$ 30.00
12	Park within an intersection	IV, 2 (c)	\$ 20.00	\$ 30.00
13	Park within 3 meters of a fire hydrant	IV, 2 (d)	\$ 30.00	\$ 40.00
14	Park on a crosswalk	IV, 2 (e)	\$ 20.00	\$ 30.00
15	Park within 6.1 meters of a crosswalk at an intersection	IV, 2 (f)	\$ 20.00	\$ 30.00
16	Park within 12.2 meters of an intersection	IV, 2 (g)	\$ 20.00	\$ 30.00
17	Park on a bridge	IV, 2 (h)	\$ 20.00	\$ 30.00
18	Park on a curb	IV, 2 (i)	\$ 20.00	\$ 30.00
19	Park on a boulevard	IV, 2 (j)	\$ 20.00	\$ 30.00
20	Park for sale of Goods	IV, 2 (k)	\$ 20.00	\$ 30.00
21	Park opposite another vehicle	IV, 2 (l)	\$ 20.00	\$30.00