



**THE CORPORATION OF THE TOWNSHIP OF AUGUSTA
BY-LAW NUMBER 3679-2024**

**A BY-LAW TO REGULATE PARKING FOR VEHICLES IN THE TOWNSHIP OF
AUGUSTA**

WHEREAS the Municipal Act 2001, as amended allows for municipalities to pass By-Laws respecting matters pertaining to highways, including parking and traffic on Highways;

AND WHEREAS the Municipal Act, S.O. 2001, as amended provides for a municipality to establish a system of fines for offences under a By-Law of the municipality passed under this Act;

AND WHEREAS the Municipal Act, S.O. 2001, provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a By-Law passed under this Act;

WHEREAS the Council of the Corporation of the Township of Augusta deems it expedient to pass a By-Law to regulate and control parking within the Township of Augusta;

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

1. DEFINITIONS

In this By-Law,

- 1.1. "Accessible Parking Permit"** shall mean a permit or other marker or device issued by a provincial agency depicting the international symbol for persons with a disability as defined in the Highway Traffic Act, c. H. 8, R.S.O. 1990, as amended.
- 1.2. "Accessible 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.
- 1.3. "Accessible Parking Space"** shall mean a parking space designated for use by persons with a disability possessing a valid "Accessible Parking Permit". A sign designating the space for use by persons with disabilities, shall be erected in front of the stall, midway between the lateral lines.
- 1.4. "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.
- 1.5. "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.

- 1.6. **"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.
- 1.7. **"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.
- 1.8. **"Corner"** shall mean that point of intersection of curbs or edges of the portion of the highway used for vehicular traffic.
- 1.9. **"Council"** shall mean the Council of the Corporation of the Township of Augusta
- 1.10. **"Curb"** shall include the edge of the confining wall of a boulevard or the outer edge of a sidewalk.
- 1.11. **"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.
- 1.12. **"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.
- 1.13. **"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.
- 1.14. **"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.
- 1.15. **"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.
- 1.16. **"Police Officer"** shall mean a member of the Ontario Provincial Police or a Municipal Police Service in Ontario
- 1.17. **"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.
- 1.18. **"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.
- 1.19. **"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.
- 1.20. **"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.
- 1.21. **"Township"** shall mean the Corporation of the Township of Augusta.
- 1.22. **"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.
- 1.23. **"Unreasonable Length of Time"** shall mean a period in excess of forty-eight (48) consecutive hours.
- 1.24. **"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.

2. ACCESSIBLE PARKING

2.1. Permits

A person with a disability requiring an "Accessible 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.

2.2. Parking Regulations for Permit Holders

A driver of a vehicle, transporting a person(s) with a disability, shall be permitted to park the said vehicle in any designated "Accessible Parking Space" providing that a valid "Accessible 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.

2.3. Unauthorized Parking

No person shall park a vehicle in a designated "Parking Space for Person with a Disability" when a properly worded sign has been erected and is on display unless a valid "Accessible Parking Permit" is used and displayed under the conditions described in Part II (2).

2.4. Designated Parking Spaces

Designated spots on municipal accessible parking areas and are described in Schedule "B" to this By-Law.

3. PARKING

3.1. 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.

3.2. 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
- (e) Within 12.2 meters (40 feet) of an intersection
- (f) On any bridge
- (g) On any curb
- (h) On any boulevard except where such boulevard has been designated and intended for use of parking vehicles
- (i) No parking of tractor trailer vehicles or trailers to be used for the purpose of sale of goods on the Township highways
- (j) 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.

3.3. Obstructing Traffic

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

3.4. 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.

3.5. 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.

3.6. 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 23).

3.7. 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.

4. PENALTIES

4.1. Any person who contravenes any provision of this By-Law shall be guilty of an offence and upon conviction, shall be liable to a penalty as provided under the Provincial Offences Act. Provincial Offences Act, R.S.O. 1990, c.P33, as amended, as set out in Schedule "C" Set Fines.

4.2. Set fines for contravention of this By-Law are set out in Schedule "C" of this By-Law.

4.3. 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.

4.4. 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.

5. ENFORCEMENT

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

5.2. 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 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.

- 5.3. No person shall provide false information or give a false statement to an Officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-Law.
- 5.4. No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-Law.
- 5.5. Every person shall comply with any Order or Notice issued under the authority of this By-Law.
6. **OTHER**
- 6.1. Where a provision of this By-Law conflicts with a provision of another By-Law enforced in the Township, the provisions that establish the higher standard shall prevail.
- 6.2. Schedules "A", "B" and "C" shall form part of this By-Law.
- 6.3. Council delegate administration changes that do not change the intent of this By-Law that do not change the intent to the Clerk.
- 6.4. Provisions of this By-Law are subject to the provisions of the Highway Traffic Act, as amended.
7. **SEVERABILITY**
- 7.1. If any provision of this By-Law or application thereof to any person or circumstance is held invalid by any Court, other provisions or applications of the By-Law which can given effect without the invalid provision or application shall not be affected, and to this end the provisions of this By-Law are declared to be severable.
8. **SHORT TITLE**
- 8.1. This By-Law may be referred to as the "Parking By-Law".
9. **REPEALS**
- 9.1. By-Law 3136-2014 is hereby rescinded.
10. This By-Law shall come into force and take effect upon receipt of approval of Schedule "C" Short Form Wording/Set Fines by the Ontario Court of Justice.

READ a first and second time this 29th day of January 2024

READ a third time and passed this 29th day of January 2024



MAYOR



CLERK

**SCHEDULE "A"
TO BY-LAW NUMBER 3679-2024**

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. Municipal Garage (Algonquin Road) Parking only in designated areas (24 hours).**
- 3. Richmond Street (Maitland) west from 91 meters (298.56 feet) north of County Road #2 (24 hours).**
- 4. George Street (Maitland) west side southerly from Sarah Street to County Road #2 (24 hours).**
- 5. 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 3679-2024

ACCESSIBLE PARKING AREAS

Municipal Office (Maynard)
Township Library (Algonquin)
Maitland Education & Recreation Centre (Maitland)
Roebuck Community Centre (Roebuck)
Municipal Garage (Algonquin)
Fire Hall (Maitland)
Fire Hall (North Augusta)
North Augusta Recreation Center (North Augusta)
Maynard Recreation Center (Maynard)

**THE CORPORATION OF THE TOWNSHIP OF AUGUSTA
PART II PROVINCIAL OFFENCES ACT
BY-LAW 3679-2024
TO REGULATE PARKING BY-LAW
SCHEDULE "C" – SET FINES**

Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Park in a designated accessible parking space without a permit	Section 2.3	\$300.00
2	Park more than 15cm from edge of roadway	Section 3.1	\$25.00
3	Park left side of vehicle to curb	Section 3.1	\$25.00
4	Park on a sidewalk	Section 3.2 (a)	\$30.00
5	Park in front of a driveway	Section 3.2 (b)	\$30.00
6	Park within an intersection	Section 3.2 (c)	\$30.00
7	Within 3 meters of a point on the curb	Section 3.2 (d)	\$30.00
8	Park within 12.2 metres of an intersection	Section 3.2 (e)	\$30.00
9	Park on a bridge	Section 3.2 (f)	\$30.00
10	Park on a curb	Section 3.2 (g)	\$30.00
11	Park on a boulevard	Section 3.2 (h)	\$30.00
12	Park for sale of goods	Section 3.2(i)	\$30.00
13	Park opposite another vehicle	Section 3.2(j)	\$30.00
14	Park obstructing traffic	Section 3.3	\$30.00
15	Parking on highway or boulevard during winter parking restriction	Section 3.4	\$60.00
16	Parking Commercial Vehicle over 2 hours	Section 3.5	\$30.00
17	Park unreasonable length of time	Section 3.6	\$30.00
18	Parking contrary to sign	Section 3.7	\$30.00

Note: The general penalty provision for the offences listed above is Section 4.1 of By-law 3679-2024, a certified copy of which has been filed.

The fine amounts listed above have been approved by the Regional Senior Justice. Dated: February 15, 2024

Electronic Signature:
W. Vincent Clifford

W. Vincent Clifford
Regional Senior Justice, Ontario Court of Justice - East Region

THE HONOURABLE
W. VINCENT CLIFFORD
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
EAST REGION

COURTHOUSE
161 ELGIN STREET, 6TH FLOOR
OTTAWA, ONTARIO
K2P 2L1



L'HONORABLE
W. VINCENT CLIFFORD
JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DE L'EST

PALAIS DE JUSTICE
161, RUE ELGIN, 6^e ÉTAGE
OTTAWA (ONTARIO)
K2P 2L1

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

February 15, 2024

asimonian@augusta.ca

Township of Augusta
3560 County Road 26
Prescott ON K0E 1T0

Attention: Annette Simonian, Clerk

Dear Annette Simonian:

**Re: Set Fines – Provincial Offences Act – Part II
By-Law No. 3679-2024: Parking**

Enclosed herewith is the original Order (Part II) dated February 15, 2024, and original schedule of set fines for By-Law No. 3679-2024, 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 Augusta.

Yours truly,

W. Vincent Clifford

W. Vincent Clifford
Regional Senior Justice
Ontario Court of Justice
East Region

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Enclosures

c.c.: Melissa Adams
Crown Counsel, Crown Law Office - Criminal
Municipal Set Fines

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. 3679-2024, of the Township of Augusta attached hereto is the set fine for that offence. This Order is to take effect on February 15, 2024.

Dated at Ottawa, this 15th day of February 2024.

Electronic Signature:

A handwritten signature in cursive script that reads "W. Vincent Clifford".

W. Vincent Clifford
Regional Senior Justice
Ontario Court of Justice
East Region