

NOTE: This consolidation is prepared for convenience only. For accurate reference, the original By-laws should be reviewed.

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NO. 2007-66

As Amended by By-law Nos. 2008-74 & 2009-21

BEING A BY-LAW TO REGULATE THE PARKING OF VEHICLES WITHIN THE TOWNSHIP OF SEVERN

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 11.(3) 1., provides that a municipality may pass By-laws respecting highways, including parking and traffic on highways;

AND WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 102., provides that a local municipality may pass a By-law for establishing a system of disabled parking;

AND WHEREAS it is deemed expedient to prohibit or regulate parking, standing or stopping of vehicles in highways or any part of a highway and to provide for designated handicapped parking spaces;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN HEREBY ENACTS AS FOLLOWS:

1. Definitions

- 1.1 **“Authorized Emergency Vehicle”**, means a vehicle of the Fire Department, Police Vehicle, Ambulance and emergency vehicles of other Municipal Departments.
- 1.2 **“Boulevard”** means that portion of the highway at the side of or adjacent to such highway not normally used for pedestrian or vehicular traffic and exclusive of any part of such highway coming within the definition of *Asidewalk* herein.
- 1.3 **“Municipal Law Enforcement Officer”** means a person appointed by the Council of the Township of Severn as a Municipal Law Enforcement Officer to enforce the parking, stopping and standing provisions of this By-law.
- 1.4 **“Corner”** means the point of intersection of the curbs or edges of the portions of highways used for vehicular traffic.
- 1.5 **“Crosswalk”** means,
 - a) that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite side of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway, or
 - b) 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.

- 1.6 “**Designated Disabled Parking Space**” means a parking space designated under Section 10 of this By-law for the exclusive use of a vehicle displaying a valid disabled parking permit in accordance with provisions of this By-law or the provisions of *the Highway Traffic Act*, R.S.O. 1990, Chapter H.8, as amended and any regulations made thereunder.
- 1.7 “**Disabled Parking Permit**” means a parking permit issued under *the Highway Traffic Act*, R.S.O. 1990, Chapter H.8, as amended and any regulations made thereunder or permit, number plate or other marker or device issued by another jurisdiction and recognized in law by that jurisdiction.
- 1.8 “**Driver**” means a person who drives or is in care or control of a vehicle.
- 1.9 “**Highway**” - see street or highway
- 1.10 “**Intersection**” means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one crosses the other.
- 1.11 “**Motor Vehicle**” includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, a motor assisted bicycle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine.
- 1.12 “**Motor Assisted Bicycle**” means a bicycle with an attached motor which is driven by electricity or which has a piston displacement of not more than fifty cubic centimetres and which does not have sufficient power to enable the bicycle to attain a speed greater than 50 kilometres per hour on level ground within a distance 1.6 kilometres from a standing start.
- 1.13 “**Motorcycle**” means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and includes a bicycle with a motor attached and a motor scooter.
- 1.14 “**Motorized Snow Vehicle**” means a self-propelled vehicle designed to be driven exclusively on snow or ice or both.
- 1.15 “**Owner of Vehicle**” means the person to whom a vehicle is registered under *the Highway Traffic Act*.
- 1.16 “**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 goods, ware, merchandise or passengers.
- 1.17 “**Pedestrian**” means a person afoot, or an invalid or child in a wheelchair or carriage.
- 1.18 “**Police Officer**” means a member of the police force of the Ontario Provincial Police.
- 1.19 “**Roadway**” means that portion of a street improved, designed or ordinarily used for vehicular traffic.

- 1.20 “**Sidewalk**” means that portion of a highway at the side of or adjacent to such highway normally used for pedestrian traffic only and exclusive of any part of such highway coming within the definition of **Aboulevards@** herein.
- 1.21 “**Stand**” or “**Standing**”, when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in loading or unloading goods, wares, merchandise or passengers.
- 1.22 “**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.
- 1.23 “**Stop**”, when required, means the complete cessation of movement.
- 1.24 “**Street**” or “**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.
- 1.25 “**Traffic**” includes pedestrians, ridden or herded animals, vehicles, and other conveyance either singly or together while using any street for the purposes of travel.
- 1.26 “**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.
- 1.27 “**Traffic Control Signal**” means any device manually, electrically or mechanically operated for the regulation or control of traffic.
- 1.28 “**U-turn**” means the turning of a vehicle within a roadway so as to proceed in the opposite direction.
- 1.29 “**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 or the cars of electric or steam railways running only upon rails.

2. Enforcement

- 2.1 That the Ontario Provincial Police may enforce the provisions of this By-law.
- 2.2 That the Council may appoint one or more persons as Municipal Law Enforcement Officers to enforce the provisions of this By-law. The Director of Fire & Emergency Services/Fire Chief, Deputy Fire Chief and Fire Prevention Officer are appointed as Municipal Law Enforcement Officers to assist the Township Municipal Law Enforcement Officers with enforcement of this By-law as it pertains to handicapped parking.

- 2.3 Where a vehicle is found parked in contravention of any of the standing, stopping or parking provisions of this or any other By-law of the Corporation of the Township of Severn, an Officer who is responsible for the enforcement of this By-law so finding the vehicle may commence proceedings for parking infractions under Part 2 of *the Provincial Offences Act*, R.S.O. 1990, Chapter P.33.
- 2.4 In addition to and notwithstanding Section 2.3 of this By-law where a vehicle is found parked in contravention of the standing, stopping or parking provisions of this By-law a Municipal Law Enforcement Officer or an Ontario Provincial Police Officer, may cause the vehicle to be moved or taken to and placed or stored in a suitable place and all costs or charges for removing, care and storage shall be a lien against the vehicle which may be enforced in the manner provided by *the Repair and Storage Liens Act*.

3. General Stopping and Parking Regulations

- 3.1 No person shall park or stop any vehicle on any road unless on the right hand side of the roadway having regard to the direction in which the vehicle was traveling, with the right front and rear wheels parallel to and not more than .30 metres (12") from the curb where there is a raised curb or where there is no curb or a rolled curb, with the right front and rear wheels parallel to and as near to the right hand limit of the roadway as practicable, without stopping or parking over a sidewalk or footpath or over any part of the highway where grass has grown or which is not intended for the use of vehicles but this section shall not apply where angle parking is specifically authorized under this By-law. Where angle parking is permitted on a roadway, no person shall stop or park any vehicle except at an angle from the curb or boundary of the roadway with the front end of the vehicle at such curb or boundary.

4. Stopping and Parking Restrictions

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with a traffic control signal, sign device or the directions of a Police Officer, in any of the following places:

- 4.1 on a sidewalk or on a boulevard except as permitted herein
- 4.2 within 3 metres (10 feet) of a point in the edge of a roadway and nearest a fire hydrant
- 4.3 in front or within 3 metres (10 feet) of a public or private driveway
- 4.4 within 9 metres of an intersection unless otherwise signed
- 4.5 on or within 3 metres (10 feet) of a crosswalk
- 4.6 on any bridge or approaches thereto
- 4.7 on any roadway in excess of 48 hours
- 4.8 double parked on the roadway side of any vehicle stopped or parked at the edge or curb of a roadway
- 4.9 in such a place or position as to prevent the convenient removal of any other vehicle previously parked or standing

4.10 on property owned or occupied by the Municipality or any local Board thereof without the consent of the Municipality or local Board, as the case may be. For the purpose of this section, land owned by the Municipality includes all streets, Municipal parking lots and road allowances within the Municipality whether or not such streets or road allowances have been assumed by the Municipality for use by the public. Vehicles parked on streets within the Municipality or in Municipal parking lots in accordance with the provisions of this By-law shall be deemed to have been parked with the consent of the Municipality.

4.11 at any designated disabled parking space unless a disabled parking permit is visible or properly displayed.

5. Impeding Traffic

5.1 No person shall park any vehicle upon a roadway in such a manner or under such conditions as to leave available less than 3 metres (10 feet) of the width of the roadway for the free movement of vehicular traffic.

6. Large Vehicles

6.1 No person shall park a vehicle which is in excess of 10 metres (33 feet) in length on any street within the Municipality.

7. Roads Signed

7.1 Where signs to that effect are displayed, no persons shall park a vehicle on any road at the side and between the limits as set out in Schedule AA@ attached hereto and forming part of this By-law.

7.2 Where signs to that effect are displayed, no person shall park a vehicle in excess of the time or during the limits of time posted on the roadways listed on Schedule AB@ attached hereto and forming part of this By-law.

7.3 Where signs to that effect are displayed, no person shall stop a vehicle in excess of the time or during the limits of time posted on the roadways listed on Schedule "C" attached hereto and forming part of this By-law.

7.4 Temporary No Parking

(a) That where temporary no parking signs are displayed, no person shall park or stop a vehicle on any road at the side and between such temporary no parking signs. For the purposes set out in this section, the placement of such temporary no parking signs may occur on any street within the Township (including those identified in Schedule "B" to this By-law) subject to the following conditions:

(a) Such signs shall be in place for a period not to exceed 60 days;

(b) The distance between the signs identifying the area for temporary no parking shall be minimum of 10 metres.

(b) That Council hereby delegates authority to the Municipal Law Enforcement Officers, in consultation with the Director of Public Works, to erect temporary no parking signs on any street within the Township (including those identified in Schedule "B" to this By-law) for the purposes of this section.

8. Loading and Unloading

8.1 No person shall load or unload a vehicle excepting where signs have been placed to permit loading or unloading. Notwithstanding the foregoing where no signs have been placed and such loading and unloading is required for the carrying on of a legal business, such vehicles shall be loaded or unloaded from the side where practicable and shall be parked as close as possible to the traveled portion of the street. No person shall leave a vehicle standing backed up to the edge of a street except during the actual loading or unloading and in any case no longer than is reasonably required for the loading or unloading operation and further no person shall park or leave a vehicle standing so as to obstruct the entrance to any lane or driveway into private or public property or into any garage or other building.

9. Parking on Private Property

9.1 No person shall park or leave a motor vehicle:

- a) on private property without the consent of the owner or occupant of the property;
- b) on property owned or occupied by a public authority or any local board without the consent of the public authority or local board, as the case may be; and
- c) if a parking space has been designated by lines painted on the surface of the parking area on private property, no person shall park any vehicle in such a manner that is not wholly within the area designated as a parking lot space.

9.2 Where signs have been posted, stating conditions on which a motor vehicle may be parked or left on the property, or prohibiting the parking or leaving of a motor vehicle on the property, a motor vehicle parked or left on the property contrary to such conditions or prohibitions shall be deemed to have been parked or left without consent.

9.3 A Municipal Law Enforcement Officer or an Ontario Provincial Police Officer, upon discovery of any vehicle parked or standing in contravention of the provisions of this section may cause it to be moved or taken to and placed or stored in a suitable place, at the owner=s expense, and all costs and charges for removing car and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by *the Repair and Storage Liens Act*.

10. Disabled Parking Regulations

10.1 **Provision of Parking Spaces for Use by Disabled Persons**

Every owner or operator of a public parking area shall provide designated disabled parking spaces in conformity with the provisions of this By-law for the exclusive use of vehicles operated or conveying physically handicapped individuals and where a disabled parking permit as defined in this By-law is visible or properly displayed. The minimum number of designated parking spaces which must be provided shall be calculated in accordance with the following table:

Capacity of Public Parking Area (# of parking spaces)	Number of Designated Parking Spaces to be Provided
1 - 10	0
11 - 99	1
100 - 199	2
200 - 299	3
300 - 399	4
400 - 499	5
500 or more	6

The number of parking spaces comprising the capacity of a public parking area includes any designated parking spaces which shall be provided as required.

10.2 Requirements for Required Parking Spaces

- a) Every owner or property owner shall ensure that the designated parking spaces as required shall be:
 - (i) 3.5 metres (11.5 feet) in width;
 - (ii) of the same length as the other parking spaces in the same public parking area (5.5m/18 ft);
 - (iii) hard surfaced;
 - (iv) level;
 - (v) located so as to be readily accessible to disable persons, whether via ramps, depressed curbs or other means and, where the public parking area is intended to serve a particular building or complex, located within easy access or said building or complex;
 - (vi) identified by signs conforming to the requirements of the Ontario Regulation made under *the Highway Traffic Act*;
 - (vii) kept free from obstructions, kept clear of snow, ice and slush, and be otherwise maintained to the same standards as all other parking spaces in the same public parking area.

- b) Every owner or operator shall provide on one side of the designated parking space an additional area equal to half the width of the parking space, running the length of each designated parking space, which designated parking space shall be marked in a manner to prevent parking thereon.

10.3 Signs

- a) The disabled permit signs referred to in this By-law shall conform with the Ontario Regulation made under *the Highway Traffic Act*.

- b) A disabled permit sign shall be mounted on a permanent post a minimum of one (1) metre in height to the bottom, which post is to be located at the end of the designated parking space at the point making the midpoint in width of the parking space and shall not be located as to block vehicular access to the designated parking space.

- c) Every owner or operator of each public parking area in which signs are located pursuant to this by-law shall be responsible for the procurement, installation and maintenance of said signs, and for ensuring that said signs conform with the Ontario Regulations made under *the Highway Traffic Act*.

10.4 Use of Parking Spaces

- a) No person shall park a vehicle in a designated parking space in a public parking area or on a highway or portion of a highway, unless a valid disabled person identifying marker is properly displayed upon the vehicle.
- b) No person shall park a vehicle in a designated parking space in a private parking area, unless a valid disabled person identifying marker is properly displayed upon the vehicle and is accompanied by the disabled person.
- c) No public parking area owner or operator shall authorize any person to park a vehicle which does not properly display a valid disabled person identifying marker in a designated parking space.

10.5 Exemptions

Police or Fire Department vehicles or ambulances.

11. The Council, on application, may by Resolution and subject to conditions it deems advisable, permit parking on a boulevard in front of a premises owned by the applicant, between the sidewalk and curb limits or lateral lines of a roadway on the no parking side of any street or highway.
12. The Council, on application, may by Resolution and subject to conditions it deems advisable direct that any section of this By-law not be enforced for a period of time, to be set out by Council, for the purpose of a function deemed to be in the best interests of the Township of Severn.
13. General
 - 13.1 Wherever in this By-law a time of day or hour is referred to the time shall be construed in accordance with standard time or day light saving time, as may be in current official use in the Township of Severn.
14. 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 effect the remaining sections.
15. Penalties
 - 15.1 Any person contravening or failing to comply with any of the provisions of this By-law is guilty of an offence and upon conviction thereof is liable to a fine or penalty as provided for in *the Provincial Offences Act*.
 - 15.2 Notwithstanding any other provisions of this Section in respect to penalties for violation of the parking provisions of this By-law, any person may, upon presentation of a Certificate of Parking Infraction issued by a Municipal Law Enforcement Officer, alleging commission of an offence under this By-law, pay out of Court within seven days from the day of issue of the said tag, the voluntary payment as prescribed in Schedule AD@ or after seven days and within 15 days the set fine as prescribed in Schedule AD@.
16. Repeal
 - 16.1 That By-law No. 2003-41, as amended, be and it is hereby repealed upon receipt of the set fines for this By-law in accordance with the *Provincial*

Offences Act.

By-law read a first and second time this 3rd day of May, 2007.

By-law read a third and finally passed this 3rd day of May, 2007.

CORPORATION OF THE TOWNSHIP OF SEVERN

Phil Sled

MAYOR

W. Henry Sander

CLERK-TREASURER

SCHEDULE AA@ TO BY-LAW NO. 2007-66

THE CORPORATION OF THE TOWNSHIP OF SEVERN

THE PARKING OF VEHICLES IS PROHIBITED ALONG THE FOLLOWING STREETS:

1. WITHIN 15 METRES (50 FEET) OF THE DRIVEWAY ENTRANCE OF A FIRE STATION ON THE SIDE OF THE STREET OPPOSITE THE ENTRANCE.
2. WITHIN 6 METRES (20 FEET) OF THE DRIVEWAY ENTRANCE OF A FIRE STATION ON THE SAME SIDE OF THE STREET.
3. IN FRONT OF AN ENTRANCE OF A BUILDING OR PLACE WHERE GOODS, WARES OR MERCHANDISE ARE REGULARLY DELIVERED OR REMOVED.
4. THE WEST SIDE OF RIVER STREET FROM A POINT 60 METRES SOUTH OF THE VILLAGE DOCK TO THE HARRIET STREET INTERSECTION.
5. THE NORTH SIDE OF STURGEON BAY ROAD FROM THE RICK HANSEN BRIDGE TO THE INTERSECTION OF SHERIDAN DRIVE.
6. BOTH SIDES OF THE RICK HANSEN BRIDGE ON STURGEON BAY ROAD.
7. BOTH SIDES OF MILL STREET FROM THE WEST SIDE OF COLDWATER ROAD TO THE EAST SIDE OF EPLETT STREET.
8. BOTH SIDES OF THE LANEWAYS ABUTTING THE NORTH AND SOUTH SIDES OF THE COLDWATER COMMUNITY CENTRE.
9. BOTH SIDES OF DIVISION ROAD EAST AND DIVISION ROAD WEST, WITH THE EXCEPTION OF THE NORTH SIDE BETWEEN MARTINDALE CRESCENT AND WAINMAN LINE
10. BOTH SIDES OF HEPINSTALL LANDING FROM HAMILTON STREET TO EDGAR STREET.
11. BOTH SIDES OF PORT STANTON PARKWAY FROM SOUTH SPARROW LAKE ROAD TO TORPITT ROAD.
12. BOTH SIDES OF CENTRE AVENUE FROM TELFORD LINE TO END.
13. BOTH SIDES OF BUENA VISTA DRIVE FROM THE NORTH LIMIT OF HIGHVIEW AVENUE TO THE SOUTH LIMIT OF ARMAND AVENUE.
14. BOTH SIDES OF SOUTH SPARROW LAKE ROAD FROM HAWKINS DRIVE TO LAKE ST. GEORGE BOULEVARD
15. BOTH SIDES OF NICHOLS LINE FROM CAMBRIAN ROAD TO THE NORTH LIMIT OF NICHOLS LINE
16. BOTH SIDES OF JOHN STREET FROM GRAY STREET NORTH FOR A DISTANCE OF 50 FEET (15 METRES).
17. BOTH SIDES OF HEDGEMERE LANDING FROM BAYOU ROAD TO LAKE COUCHICHING
18. WEST SIDE OF HENRYS LANDING ALONG THE MUNICIPAL ROADWAY WHERE IT EXITS OFF THE PARKING AREA TO THE END OF THE ROADWAY ON THE SOUTH SIDE.

SCHEDULE AB@ TO BY-LAW NO. 2007-66

THE PARKING OF VEHICLES IS REGULATED DURING SPECIFIC TIME LIMITS IN ACCORDANCE WITH THE TIME LIMIT POSTED ON THE FOLLOWING HIGHWAYS:

Highway	From	To	Maximum Time Limit	Hours in Effect
Coldwater Road	North Limit of Robinson Street	South Limit of Sturgeon Bay Road	2 hour limit	7:00 a.m. to 7:00 p.m. Inclusive Local Time
Doug Smith Drive	Both Sides from the East Limit of Upper Big Chute Road	Most Southerly Limit at the limit Severn River	4 hour limit	All Hours
Division Road West	North Side from Martindale Crescent	Wainman Line	No Parking	7:00 a.m. to 5:00 p.m. Inclusive Local Time Monday to Friday
Earl Haid Avenue	East Limit of Upper Big Chute Road	Most Southerly Limit at the Severn River	2 hour limit	7:00 a.m. to 11:00 a.m. Inclusive Local Time
Earl Haid Avenue	Both Sides from the East Limit of Upper Big Chute Road (County Road No. 17)	Most Southerly of the Severn River	No Parking	11:00 p.m. to 7:00 a.m. Inclusive Local Time
Gray Street	South Side From Firehall Lane	Wyley Street	No Parking	All Hours
Muskoka Street	Both Sides from the North Limit	Most Southerly Limit of Hamilton Street	2 Hour Limit	9:00 a.m. to 6:00 p.m. Inclusive Local Time
Muskoka Street	East Side from the North Limit Of Hamilton Street	Most Southerly Limit of Albany Street	2 Hour Limit	9:00 a.m. to 6:00 p.m. Inclusive Local Time

SCHEDULE A TO BY-LAW NO. 2007-66

THE STOPPING OF VEHICLES IS PROHIBITED ALONG THE FOLLOWING STREETS:

Street	From	To	Hours in Effect
Division Road West (south side)	Martindale Crescent	Wainman Line	All Hours
Gray Street	Coldwater Road	Firehall Lane	All Hours
Michael Anne Drive	Gray Street	Coldwater Road	All Hours

SCHEDULE AD@ TO BY-LAW 2007-66

Description Of Offence	Provision Creating or Defining Offence	Voluntary Payment Within 7 Days	Set Fine
1. Improper parallel park or stop	3.1	\$10.00	\$15.00
2. Park, stand or stop on a sidewalk or a boulevard	4.1	\$10.00	\$15.00
3. Park, stand or stop within 3 metres of a fire hydrant	4.2	\$15.00	\$20.00
4. Park, stand or stop within 3 metres of a driveway	4.3	\$10.00	\$15.00
5. Park, stand or stop within 9 metres of an intersection	4.4	\$10.00	\$15.00
6. Park, stand or stop within 3 metres of a crosswalk	4.5	\$10.00	\$15.00
7. Park, stand or stop on a bridge or approach to a bridge	4.6	\$10.00	\$15.00
8. Park on a roadway in excess of 48 hours	4.7	\$10.00	\$15.00
9. Double park	4.8	\$10.00	\$15.00
10. Park, stand or stop preventing removal of other vehicles	4.9	\$10.00	\$15.00
11. Park on municipal property without permission	4.10	\$10.00	\$15.00
12. Park restricting the traffic lane to less than 3 metres	5.1	\$17.00	\$25.00
13. Park a prohibited vehicle	6.1	\$17.00	\$25.00
14. Park in contravention of posted signs	7.1	\$15.00	\$20.00

Schedule "D" to By-law No. 2007-66 (cont'd)

15. Park in contravention of posted signs – prohibited times	7.2	\$15.00	\$20.00
16. Park, stand or stop improperly while loading or unloading	8.1	\$10.00	\$15.00
17. Park in a designated disabled parking space in public area without displaying the appropriate permit	10.4 a)	\$300.00	\$300.00
18. Park in a designated disabled parking space in private area without displaying the appropriate permit	10.4 b)	\$300.00	\$300.00