

# **The Corporation of the Municipality of West Grey**

## **By-law Number 92 - 2018**

**Being,** a By-law to provide for the regulation and control of traffic.

**Whereas,** the Municipal Act S.O. 2001, as amended, and the Highway Traffic Act R.S.O. 1990, Chapter H.8, as amended, provides that a Municipal Council may pass By-laws to regulate and control traffic;

**And whereas,** the Council of the Corporation of the Municipality of West Grey deems it expedient to pass a By-law to regulate and control traffic within the Municipality of West Grey.

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST GREY ENACTS AS FOLLOWS:**

#### **Interpretation**

1.(1) In this By-law:

- a) "boulevard" shall mean the grassy area between the sidewalk and the curb of a roadway"
- b) "by-law enforcement officer" means a member of the West Grey Police Service or a person appointed by Council to enforce provisions of this By-law;
- c) "curb" means a raised concrete or stone border separating the Grass section portion of the boulevard from the road."
- d) "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;
- e) "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;
- f) "motor vehicle" includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven other 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;
- g) "official sign" means a sign approved by the Ministry of Transportation of Ontario;
- h) "Park" or "parking" when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purposes of and while actually engaged in loading or unloading or passengers;
- i) "pedestrian" includes a person afoot and an invalid or a child in a wheelchair or carriage;

(2)

- j) "pedestrian crosswalk" means any part of the 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 edge of the roadway, or any portion of a roadway at an intersection or elsewhere distinctly indicating for pedestrian crossing by signs or by lines or other markings on the road surface;
- k) "roadway" means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder 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;
- l) "stop" or "stopping", when prohibited, means the halting of a vehicle, even momentarily whether occupied or not, except when necessary to avoid a conflict with other traffic or in compliance with the directions of a police officer or a traffic control sign or signal;
- m) "traffic control signal" means any device, manually, electronically or mechanically operated for the regulation or control of traffic;
- n) "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;

Where any expression of time occurs or where any hour or other period of time is stated, the time referred to is standard time except in periods when daylight savings time is in effect, in which periods, it is daylight saving time.

### **Obedience to Traffic Regulations**

- 2. The provisions of this By-law shall be enforced by a member of the West Grey Police Service and/or By-law Enforcement Officer appointed by Council to enforce the provisions of this By-law.

### **Miscellaneous Driving Rules**

- 3. (1) No person shall drive a motor vehicle upon a sidewalk or a footpath except for the purpose of directly crossing the sidewalk or footpath.
- (2) No person shall drive a motor vehicle over a raised curb except at a place where there is a ramp.

### **General Stopping and Parking Regulations**

- 4. (1) No person shall park or stop any vehicle on any highway or portion thereof except as follows:

(3)

- a) where there is a raised curb, on the right side on the roadway, having regard for the direction such vehicle was proceeding, with its right front and rear wheels parallel to and not more than .15 metres out from such curb;
  - b) where there is no curb or rolled curb, with the right front and rear wheels parallel to and as near to the right hand limit of the highway as practicable without stopping or parking on sidewalk or footpath or on any part of the highway where grass is grown or which is not intended for the use of vehicles.
5. No person shall stop a vehicle on a highway in any of the following places;
- a) on or over a sidewalk;
  - b) on a boulevard where grass is growing, sodded or seeded;
  - c) within an intersection;
  - d) within a designated pedestrian crosswalk;
  - e) alongside or across a highway in such a manner that would impede the free flow of traffic in either direction;
  - f) on the roadway alongside any stopped or parked vehicle;
  - g) in any other place where signs in accordance with regulations of the Highway Traffic Act are erected.
6. No person shall park a vehicle in any of the following places;
- a) in front of or within 1.5 metres of a driveway or laneway or so as to obstruct vehicles in the use of a driveway or laneway;
  - b) within three metres of a point in the edge of the roadway and nearest a fire hydrant;
  - c) on any roadway having an overall width of less than six (6) metres;
  - d) on a highway in such a manner as to interfere with the clearing of snow from the highway between the hours of 12:00 midnight and 7:00 a.m. from November 15<sup>th</sup> of any year to April 15<sup>th</sup> of the following year;
  - e) within 15 metres of an intersection;
  - f) within 15 metres of a pedestrian crosswalk;
  - g) near a firehall entrance so to impede with the exit and return of any fire department apparatus to and from the firehall to the nearest roadway or within 30 metres of such firehall on the opposite side of the roadway;
  - h) without a permit in any area designated by pavement markings or signs as being for physically handicapped parking only;
  - i) in such a manner that is not wholly within an area with roadway markings designated as a parking space;
  - j) on private property without the consent of the owner or occupant of the property;

(4)

- k) on any bridge or approaches thereto except Garafraxa Street North, Durham;
  - l) on property owned or occupied by the Municipality of West Grey, other than public parking lots, except during regular business hours when on municipal business or during hours when meetings opened to the general public are in session at that particular property, without the consent of the Municipality or local board as the case may be (See Appendix "A");
  - m) on a highway or where parking occurs on municipal parking lots in excess of 96 continuous hours for non-commercial vehicles;
  - n) on a highway or where parking occurs on municipal parking lots in excess of 3 continuous hours for commercial vehicles;
  - o) recreational vehicles, tractors and un-plated vehicles for a period exceeding eight (8) hours;
  - p) on Garafraxa Street, Durham between George Street and Saddler Street; Lambton Street East and West between College Street and Kincardine Street, Durham; and Albert Street between Mill Street and Saddler Street East, Durham; for a period exceeding two (2) hours;
  - q) in any other area where signs in accordance with regulations of the Highway Traffic Act are erected. (See Appendix "C").
  - r) where authorized signs marked "No Parking-Fire Route" or "No Parking-Fire Lane" designate a fire route, no person shall park or leave a vehicle in that fire route at any time;
  - s) on the east side of College Street North, Durham, between Durham Road West and Chester Street West; and on the south side of Chester Street West, Durham, between DJay Crescent and College Street North; from 7:00 a.m. to 5:00 p.m., excluding weekends and statutory holidays;
7. Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, c.P.33.
8. That Appendices "A", "B", and "C" attached hereto, form part of this By-law.
9. By-law Number 23-2018 is hereby repealed.
10. This By-law shall come into full force and effect upon obtaining set fines approval by the Office of the Regional Senior Justice – Ontario Court of Justice West Region.

Read a first and second time this 23<sup>rd</sup> day of August, 2018.

Read a third time and finally passed this 23<sup>rd</sup> day of August, 2018.

\_\_\_\_\_  
(Signed)  
Kevin Eccles, Mayor

\_\_\_\_\_  
(Signed)  
Mark Turner, Clerk

## **Appendix "A"**

### **To By-law Number 92 - 2018 Regulations and Control of Traffic**

#### **Parking on Municipal Property**

With respect to property owned or occupied by the municipality or any local board thereof, the persons holding the following positions shall be deemed to have the consent of the Municipality or local board, as the case may be, to park on the said municipal property:

- The Mayor and all members of Council during the currency of their terms of office;
- The Director of Infrastructure and Public Works or, in his absence, the person acting in his place and stead;
- The CAO/Deputy Clerk, Clerk and the Director of Finance/Treasurer, or in their absence, the person or persons acting in their place or stead;
- Police officers of the West Grey Police Service;
- Members of local boards or committees;
- Representatives of government or agencies;
- Employees of the Municipality or local boards, when space is available;

when on municipal business.

The Municipality may designate parking spaces for certain officers and employees of the Municipality, which shall be reserved for such officers and employees.

**Appendix "B"**

**To By-law Number 92 - 2018  
Regulations and Control of Traffic**

OFFICE OF THE REGIONAL SENIOR JUSTICE  
ONTARIO COURT OF JUSTICE  
WEST REGION

80 DUNDAS STREET, 10<sup>th</sup> FLOOR, UNIT L  
LONDON, ONTARIO N6A 6A8



CABINET DU JUGE PRINCIPAL RÉGIONAL  
COUR DE JUSTICE DE L'ONTARIO  
RÉGION DE L'OUEST

80, RUE DUNDAS, 10<sup>e</sup> ÉTAGE, UNITÉ L  
LONDON (ONTARIO) N6A 6A8

TELEPHONE/TÉLÉPHONE (519) 660-2292  
FAX/TÉLÉCOPIEUR (519) 660-3138

September 20, 2018

Mark Turner  
Municipality of West Grey  
402813 Grey Road 4  
RR 2  
Durham, ON N0G 1R0

Dear Mr. Turner:

**Re: Set Fines - Provincial Offences Act - Part I and II  
By-law Number 92-2018, of the Municipality of West Grey**

Enclosed herewith are the original Orders, and the original schedules of set fines for the above referenced By-Law, 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.

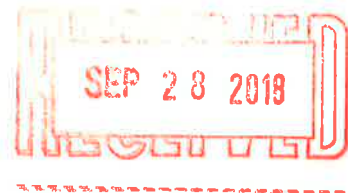
I have forwarded the copies of the Orders and the schedules of set fines to the Provincial Offences Court in Owen Sound together with a copy of the By-law.

Yours truly,

A handwritten signature in black ink, appearing to read "Stephen J. Fuerth".

Stephen J. Fuerth  
Regional Senior Justice  
West Region

encl.  
/kz



**ONTARIO COURT OF JUSTICE**

**PROVINCIAL OFFENCES ACT**

**PART I**

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. 92-2018, of the Municipality of West Grey, attached hereto are the set fines for those offences. This Order is to take effect September 20, 2018.

Dated at London this 20<sup>th</sup> day of September, 2018.



Stephen J. Fuerth  
Regional Senior Justice  
West Region



**ONTARIO COURT OF JUSTICE**

**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. 92-2018, of the Municipality of West Grey, attached hereto are the set fines for those offences. This Order is to take effect September 20, 2018.

Dated at London this 20<sup>th</sup> day of September, 2018.

Stephen J. Fuerth  
Regional Senior Justice  
West Region

**APPENDIX "B" TO BY-LAW NUMBER 92 – 2018**  
**Part II Provincial Offences Act**  
**Corporation of the Municipality of West Grey**  
**By-law Number 92 - 2018: Traffic Control**

| <b><u>Item</u></b> | <b><u>Column 1</u></b><br><b><u>Short Form Wording</u></b>                                        | <b><u>Column 2</u></b><br><b><u>Provisions or creating or defining offence</u></b> | <b><u>Column 3</u></b><br><b><u>Set fine</u></b> |
|--------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------|
| 1.                 | Park more than .15 metres from curb                                                               | s. 4. (1)a)                                                                        | \$20                                             |
| 2.                 | Park to far from edge of roadway                                                                  | s. 4. (1)b)                                                                        | \$20                                             |
| 3.                 | Stop on sidewalk                                                                                  | s. 5. a)                                                                           | \$20                                             |
| 4.                 | Stop on boulevard                                                                                 | s. 5. b)                                                                           | \$20                                             |
| 5.                 | Stop within intersection                                                                          | s. 5. c)                                                                           | \$20                                             |
| 6.                 | Stop within designated pedestrian crosswalk                                                       | s. 5. d)                                                                           | \$20                                             |
| 7.                 | Stop impeding traffic                                                                             | s. 5. e)                                                                           | \$20                                             |
| 8.                 | Stop alongside stopped or parked vehicle                                                          | s. 5. f)                                                                           | \$20                                             |
| 9.                 | Stop not in accordance with sign                                                                  | s. 5. g)                                                                           | \$20                                             |
| 10.                | Park within 1.5 metres of driveway or laneway                                                     | s. 6. a)                                                                           | \$20                                             |
| 11.                | Park within 3 metres of fire hydrant                                                              | s. 6. b)                                                                           | \$20                                             |
| 12.                | Park on roadway having overall width of less than 6 metres                                        | s. 6. c)                                                                           | \$20                                             |
| 13.                | Park between 12 midnight and 7 a.m. from Nov. 15 – Apr. 15                                        | s. 6. d)                                                                           | \$25                                             |
| 14.                | Park within 15 metres of an intersection                                                          | s. 6. e)                                                                           | \$20                                             |
| 15.                | Park within 15 metres of pedestrian crosswalk                                                     | s. 6. f)                                                                           | \$20                                             |
| 16.                | Park near fire hall to impede fire vehicles                                                       | s. 6. g)                                                                           | \$50                                             |
| 17.                | Park in designated handicapped zone – no permit                                                   | s. 6. h)                                                                           | \$350                                            |
| 18.                | Park not within roadway markings designated as a parking space                                    | s. 6. i)                                                                           | \$20                                             |
| 19.                | Park on private property without consent of owner                                                 | s. 6. j)                                                                           | \$50                                             |
| 20.                | Park on bridge                                                                                    | s. 6. k)                                                                           | \$20                                             |
| 21.                | Park on property owned or occupied by municipality without consent                                | s. 6. l)                                                                           | \$20                                             |
| 22.                | Park non-commercial vehicles for a period exceeding ninety-six (96) hours                         | s. 6. m)                                                                           | \$20                                             |
| 23.                | Park commercial vehicles for a period exceeding three (3) continuous hours                        | s. 6. n)                                                                           | \$20                                             |
| 24.                | Park recreational vehicle, tractor or unplated vehicles<br>for a period exceeding eight (8) hours | s. 6. o)                                                                           | \$20                                             |
| 25.                | Park for a period exceeding two (2) hours                                                         | s. 6. p)                                                                           | \$20                                             |
| 26.                | Park not in accordance with regulatory signs                                                      | s. 6. q)                                                                           | \$20                                             |
| 27.                | Park on a designated fire route                                                                   | s. 6. r)                                                                           | \$50                                             |
| 28.                | Parking between 7am and 5pm, excluding weekends and statutory holiday                             | s. 6. s)                                                                           | \$20                                             |

"The general penalty section for the offences cited above is section 7 of By-law Number 92 - 2018, a certified copy of which has been filed".

## **Appendix "C"**

### **To By-law Number 92 - 2018**

#### **Regulations and Control of Traffic**

All highways as defined under Section 2 of the Highway Traffic Act, R.S.O. 1990, c. H.8 as amended under the jurisdiction of the Municipality of West Grey or any type of class thereof under the jurisdiction of the Municipality of West Grey where prescribed signs or markings pursuant to Regulations 615, R.R.O. 1990 as amended, have been erected or placed.