

# THE CORPORATION OF TAY VALLEY TOWNSHIP

040-1105 ON W.A.L.V.B

---

## BY-LAW NO. 2011-049

### PARKING BY-LAW

---

**WHEREAS**, Section 11 (3) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that a municipality may pass by-laws respecting matters within its spheres of jurisdiction, including parking and traffic on highways;

**AND WHEREAS**, Section 7.1 (1) (c) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, Chapter 4, as amended, provides that a council of a municipality may pass by-laws designating private roads as fire routes along which no parking of vehicles shall be permitted and providing for the removal and impounding of any vehicle parked or left along any of the fire routes at the expense of the owner of the vehicle;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. DEFINITIONS

For the purpose of this By-Law:

**“Accessible Parking Permit”** – means a permit issued by the Ministry of Transportation to individuals and entitles the vehicle in which it is displayed to be parked in a designated accessible parking space.

**“Accessible Parking Space”** – means a parking space designated under this by-law for the exclusive use of a vehicle displaying a permit in accordance with the requirements of the *Highway Traffic Act* and the regulations made there under.

**“Crosswalk”** – means,

- (a) that 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 curbs, or in the absence of curbs, from the edges of the highway, or
- (b) any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface.

**“Curb”** – shall include the edge of the travelled portion of the highway.

**THE CORPORATION OF TAY VALLEY TOWNSHIP**  
**BY-LAW NO. 2011-049**

**“Driveway”** – means improved land on a highway which provides vehicular access between a highway to a laneway or a parking area on adjacent land.

**“Highway”** - includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

**“Intersection”** – means the area embraced within the prolonged or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways which join one another at an angle, whether or not one highway crosses the other.

**“Municipal Law Enforcement Officer”** – means a Police Officer, By-Law Enforcement Officer, or another person duly appointed to enforce the by-laws of the Township.

**“Parking Lot (public or private)”** – means any open area or portion of a structure, other than a street or highway intended for the temporary parking of vehicles whether its use involves the payment of a fee or otherwise.

**“Parking Space”** – means a part of the highway, the use of which is designated by signs or posts or lines or other markings on the highway or any other area, including a parking lot, used for the purpose of parking a vehicle.

**“Sidewalk”** – means that portion of a highway between the curb lines and the property line of the lot abutting the highway and which is intended for the use of pedestrians.

**“Township”** – means the Corporation of Tay Valley Township.

**“Vehicle”** – includes an automobile, truck, motorcycle, a motor-assisted bicycle, motorized snow vehicle, bus, trailer, traction engine, farm tractor, road-building machine and any other vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include vehicles running only upon rails.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2011-049**

**2. METHOD OF PARKING**

**2.1 Direction**

No person shall place, park, stop or stand an object or vehicle on any highway unless it is on the right-hand side of the highway, having regard for the direction in which the vehicle is proceeding.

**2.2 Within Parking Space**

Individual parking spaces may be defined by the Township by painted lines or other suitable marks on the surface of the parking lot or highway.

**3. PARKING AND STOPPING PROHIBITED - AT ANY TIME**

**3.1** No person shall place, park, stop or stand or cause to be parked, placed, stopped or stood, any object or vehicle in any of the following places at any time of the day unless such stopping is explicitly permitted by painted lines on the pavement, signs or other municipal markings or at the direction of a Municipal Law Enforcement Officer:

**3.1.1** on any sidewalk;

**3.1.2** in any intersection;

**3.1.3** within nine (9) metres of any intersection;

**3.1.4** within fifteen (15) metres of a controlled intersection;

**3.1.5** within six (6) metres of a crosswalk at an intersection;

**3.1.6** on any crosswalk;

**3.1.7** on any curb;

**3.1.8** in a cul-de-sac;

**3.1.9** in front of a public driveway;

**3.1.10** within half a (.5) metre of a public driveway;

**3.1.11** in front of a private driveway;

**3.1.12** within half a (.5) metre of a private driveway;

**3.1.13** in front of the entrance to a fire station;

**3.1.14** within three (3) metres from the closest point on a curb to any fire hydrant;

**3.1.15** on any rail crossing;

**3.1.16** within fifteen (15) metres of a level railway crossing;

**3.1.17** on any bridge;

**3.1.18** on the approaches to any bridge;

**3.1.19** on any highway in such a manner as to obstruct traffic;

**3.1.20** on any Yield Lane;

**3.1.21** within five (5) metres of any Yield Lane;

**3.1.22** adjacent to any median strip constructed on any highway;

**3.1.23** in such a position as to prevent the convenient departure of any other vehicle previously parked or standing.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2011-049**

**4. PARKING PROHIBITED – DESIGNATED “NO PARKING” AREAS**

**4.1** Those highways and portions of highways named and described in Schedule “A” of this by-law shall be designated as “No Parking” areas.

**4.2** No person shall place, park, stop or stand an object or vehicle at any time within the highway or portion of highway named and described in Schedule “A” of this by-law.

**5. ACCESS ROUTES FOR FIRE DEPARTMENT**

**5.1** Those highways, portions of highways and portions of parking lots named and described in Schedule “B” of this by-law shall be designated “Fire Access Routes”.

**5.2** No person shall place, park, stop or stand an object or vehicle at any time within or so as to obstruct a Fire Access Route named and described in Schedule “B” of this by-law.

**6. DESIGNATED PARKING SPACES – ACCESSIBLE PARKING SPACES**

**6.1** Those highways or portions of highways and public property named and described in Schedule “C” of this by-law shall be designated as “Accessible Parking Spaces”.

**6.2** No person shall park a vehicle at any time in a “Accessible Parking Space” when a properly marked sign is displayed, unless:

**6.2.1** a valid Accessible Parking Permit is displayed on the front dash of the vehicle or the front of an extended sun visor so as to be clearly visible from the exterior of the vehicle; and

**6.2.2** the vehicle is operated by the holder of an Accessible Parking Permit or by a person engaged to pick up or transport the holder of an Accessible Parking Permit.

**6.3** No person shall use or display an Accessible Parking Permit in any fashion other than for which the permit was issued.

**7. DESIGNATED PARKING SPACES**

**7.1** Those highways or portions of highways and public property named and described in Schedule “D” of this by-law shall be designated as “Parking Spaces”.

**THE CORPORATION OF TAY VALLEY TOWNSHIP**  
**BY-LAW NO. 2011-049**

**8. WINTER PARKING RESTRICTIONS**

**8.1** No person shall place, park, stop or stand an object or vehicle or permit a vehicle to remain placed, parked, stopped or stood on any highway or in a municipal parking lot between the hours of 2:00 a.m. to 7:00 a.m. from December 1<sup>st</sup> in any year to March 31<sup>st</sup> of the following year, both dates inclusive.

**8.2** No person shall place, park, stop or stand an object or vehicle or permit a vehicle to be placed, parked, stopped or stood on any highway so as to interfere in any manner with the work of removing snow or ice there from and in such a manner as to interfere with highway cleaning operations.

**9. ERECTION OF SIGNS**

**9.1** The Township shall erect and maintain all authorized signs and other parking control devices necessary for the lawful implementation and enforcement of this by-law.

**9.2** No person shall place, maintain or display on or in the view of any highway, any sign, signal, marking or device which purports to be, or is an imitation, or resembles, any authorized sign or parking control device.

**9.3** No person shall damage, deface or tamper with any authorized sign or other control device;

**9.4** No unauthorized person shall move or remove any authorized sign or control device.

**10. EMERGENCY PROHIBITION**

**10.1** Notwithstanding anything to the contrary contained herein, a Municipal Law Enforcement Officer during any emergency or special circumstance may:

**10.1.1** prohibit any or all parking on a highway within the area affected by the emergency or special circumstance;

**10.1.2** authorize the erection of temporary "No Parking" signs or barricades on any highway or portion of highway;

**10.1.3** declare that any vehicle already parked is parked illegally regardless of the time permitted for parking such vehicle under the provisions of this by-law;

**THE CORPORATION OF TAY VALLEY TOWNSHIP**  
**BY-LAW NO. 2011-049**

**10.2** Where possible, the owner or driver of a vehicle declared to be illegally parked under this Section shall be notified by a Municipal Law Enforcement Officer that such parking has been prohibited and shall be ordered to remove the vehicle within a specified time frame.

**10.3** Where the owner or driver notified under Section 10.2 of this by-law to remove the vehicle, does not do so, or where the owner or driver cannot immediately be located, the said vehicle declared to be parked illegally may be revoked and impounded forthwith by an order of a Municipal Law Enforcement Officer in accordance with Section 12 of this by-law.

**10.4** Where in the opinion of the Municipal Law Enforcement Officer the owner has not voluntarily contravened the order issued under Section 10.3 of this by-law, the costs associated with removing, caring and storing the vehicle will be borne by the Township.

**11. EXEMPTIONS**

**11.1 Municipal Vehicles**

Any vehicle owned by the Township shall be permitted to park in any parking space or on any highway, provided that the said vehicle displays on the exterior of the vehicle, a recognized symbol of the Township.

**11.2 Emergency Vehicles**

Any authorized emergency vehicle shall be permitted to park in any parking space or on any highway, provided that the said vehicle displays on the exterior of the vehicle, a recognized symbol of the emergency service. This exemption also includes the personal vehicles of volunteer firefighters when on duty.

**11.3 Utility Vehicles**

Any authorized utility vehicle shall be permitted to park in any parking space or on any highway, provided that the said vehicle displays on the exterior of the vehicle, a recognized symbol of the utility service.

**12. REMOVAL OF ILLEGALLY PARKED VEHICLE**

**12.1** A Municipal Law Enforcement Officer, upon discovery of any vehicle parked, or left on any highways or portions of highways and public property that is in contravention of the provisions of this by-law may cause such vehicle to be moved or taken to and placed or stored in a suitable place.

**12.2** All costs and charges for removing, caring and storing the vehicle, if any, shall be paid by the owner to the Township prior to it being released by the Municipal Law Enforcement Officer, in accordance with the *Repair and Storage Liens Act*.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2011-049**

**12.3** The Township will not be liable for damages that may occur to vehicles being moved under the provisions of Section 12 of this by-law.

**13. ENFORCEMENT**

**13.1** Municipal Law Enforcement Officers are authorized to enforce this By-Law on behalf of the Township.

**14. PENALTIES**

**14.1** Any person who contravenes any provision of this by-law shall be guilty of an offence and shall be liable, upon conviction, to a fine for each offence in accordance with Section "D" of this by-law.

**14.2** Upon registering a conviction for the contravention of any provision of the by-law, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted, pursuant to the *Municipal Act, 2001*, as amended.

**15. BY-LAWS TO BE REPEALED**

**15.1** By-Law No. 2008-049 is hereby repealed.


**15.2** All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

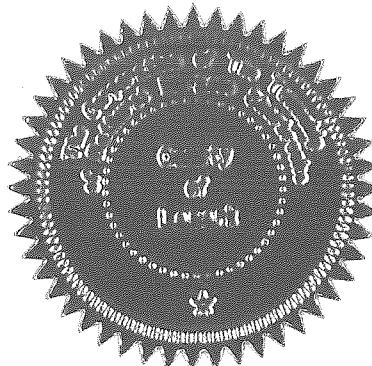
**16. ULTRA VIRES**

**16.1** Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**17. EFFECTIVE DATE**

ENACTED AND PASSED this 27<sup>th</sup> day of September, 2011.

  
\_\_\_\_\_  
Keith Kerr, Reeve



  
\_\_\_\_\_  
Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2011-049**

**SCHEDULE "A"**

**"NO PARKING" AREAS**

<b>HIGHWAY</b>	<b>FROM</b>	<b>TO</b>	<b>SIDE</b>	<b>PERIOD</b>
Glen Tay Road (Rail Crossing)	North bound lane on Glen Tay Road	Immediately south of the rail crossing	Both sides of Glen Tay Road affecting north and south bound traffic	Anytime
Harper Road	Intersection of Highway No. 7 and Harper Road	500 metres North on Harper Road	West side of Harper Road from Highway #7	Monday to Friday 8:00 am – 5:00 pm
Miller Bay Road	County Road #21 (Elmgrove Road)	Otty Lake, including the boat launch circle	South	Anytime
Miller Bay Road	County Road #21 (Elmgrove Road)	Colin Farmer Road	North	Anytime
Mutton's Road	South entrance gate at the Glen Tay Waste Site	200 metres North of the south entrance gate at Glen Tay Waste Site	Both sides of Mutton Road affecting north and south bound traffic	Anytime
Zealand Road	25 metres west of the entrance gate at the Maberly Waste Site	100 metres east of the entrance gate at the Maberly Waste Site	Both sides of Zealand Road affecting east and west bound traffic	Anytime



**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2011-049**

**SCHEDULE "B"**

**"FIRE ACCESS ROUTES"**

<b>HIGHWAY</b>	<b>FROM</b>	<b>TO</b>	<b>SIDE</b>
Miller Bay Road	County Road #21 (Elmgrove Road)	Otty Lake, including the boat launch circle	South

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2011-049**

**SCHEDULE "C"**

**ACCESSIBLE PARKING SPACES**

<b>LOCATION</b>	<b>NUMBER OF SPACES</b>
Tay Valley Township Municipal Office	2
Burgess Hall	1
Maberly Community Hall	2

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2011-049**

**SCHEDULE "D"**

**DESIGNATED PARKING SPACES**

<b>LOCATION</b>	<b>FROM</b>	<b>TO</b>	<b>SIDE</b>	<b>NUMBER OF SPACES</b> (does not include Accessible Parking Spaces)
Tay Valley Township Municipal Office	N/A (Municipal Parking Lot)	N/A (Municipal Parking Lot)	N/A (Municipal Parking Lot)	23
Burgess Hall	N/A (Municipal Parking Lot)	N/A (Municipal Parking Lot)	N/A (Municipal Parking Lot)	12
Maberly Community Hall	N/A (Municipal Parking Lot)	N/A (Municipal Parking Lot)	N/A (Municipal Parking Lot)	12
Miller Bay Road	Colin Farmer Road	Intersection of Miller Bay Road and Blair Poole Farmer Road	North	3

THE HONOURABLE LISE T. MAISONNEUVE  
REGIONAL SENIOR JUSTICE  
ONTARIO COURT OF JUSTICE  
EAST REGION

161 ELGIN STREET, 6<sup>TH</sup> FLOOR  
OTTAWA, ONTARIO K2P 2L1



L'HONORABLE LISE T. MAISONNEUVE  
JUGE PRINCIPALE RÉGIONALE  
COUR DE JUSTICE DE L'ONTARIO  
RÉGION DE L'EST

161, RUE ELGIN, 6<sup>ÈME</sup> ÉTAGE  
OTTAWA (ONTARIO) K2P 2L1

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

February 23<sup>rd</sup>, 2012

Corporation of Tay Valley Township  
217 Harper Road, R.R. #4  
Perth, Ontario  
K7H 3C6



**Attention: Ms. Amanda Mabo, Clerk**

Dear Ms. Mabo,

***Re: Set Fines – Provincial Offences Act – Part I and Part II  
By law No. 2011-049: Parking***

---

Enclosed herewith is two original Orders dated February 23<sup>rd</sup>, 2011 and original schedule of set fines for By-Law No. 2011-049, the By-law indicated in the schedule.

You will note that I have amended Item 1 on the Set Fine Schedule for Part I from \$250.00 to \$150.00. Items, 1, 4, 5, 6, 8, 9, 10, 11, 13, 15, 22, 23, 25 and 26 have also been amended on the Set Fine Schedule for Part II.

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 Corporation of Tay Valley Township.

Yours truly,

A handwritten signature in cursive script, appearing to read "L. Maisonneuve", written over a horizontal line.


Lise T. Maisonneuve  
Regional Senior Justice  
East Region  
Enclosures

**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. 2011-049 of the Corporation of Tay Valley Township, attached hereto is the set fine for that offence. This Order is to take effect on February 23<sup>rd</sup>, 2012.

Dated at Ottawa this 23<sup>rd</sup> day of February 2012.


  
.....  
Lise T. Maisonneuve, Regional Senior Justice  
Ontario Court of Justice  
East Region

**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. 2011-049 of the Corporation of Tay Valley Township, attached hereto is the set fine for that offence. This Order is to take effect on February 23<sup>rd</sup>, 2012.

Dated at Ottawa this 23<sup>rd</sup> day of February 2012.

  
.....  
Lise T. Maisonneuve, Regional Senior Justice  
Ontario Court of Justice  
East Region

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2011-049**

**SCHEDULE "E"**

**SET FINES**

**Part I, Provincial Offences Act**

<b>ITEM</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Offence Creating Provision</b>	<b>Column 3 Set Fine</b>
1.	Misuse of Accessible Parking Permit	Section 6.3	<del>\$300</del> 150.00
2.	Erection of Unauthorized Sign, Signal, Marking or Device	Section 9.2	\$50
3.	Cause Damage, Deface or Tamper with Authorized Sign or Control Device	Section 9.3	\$50
4.	Moving or Removal of Authorized Sign or Control Device by Unauthorized Person	Section 9.4	\$50

Note: The penalty provisions for the offences indicated above is Section 14 of By-Law No. 2011-049, a certified copy of which has been filed.

Note: The general penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2011-049**

**SET FINES**

**Part II, Provincial Offences Act**

<b>ITEM</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Offence Creating Provision</b>	<b>Column 3 Set Fine</b>
1.	Park Vehicle in Wrong Direction	Section 2.1	<del>\$50</del> 30.00
2.	Park Vehicle on Sidewalk	Section 3.1	\$100
3.	Park Vehicle in Intersection	Section 3.1	\$100
4.	Park Vehicle within nine (9) metres of Intersection	Section 3.1	<del>\$100</del> 50.00
5.	Park Vehicle within fifteen (15) metres of a Controlled Intersection	Section 3.1	<del>\$100</del> 50.00
6.	Park Vehicle within six (6) metres of a Crosswalk at an Intersection	Section 3.1	<del>\$100</del> 50.00
7.	Park Vehicle on Crosswalk	Section 3.1	\$100
8.	Park Vehicle on Curb	Section 3.1	<del>\$100</del> 50.00
9.	Park Vehicle in a Cul-de-Sac	Section 3.1	<del>\$100</del> 50.00
10.	Park Vehicle in front of a Public Driveway	Section 3.1	<del>\$100</del> 50.00
11.	Park Vehicle within half a (.5) metre of a Public Driveway	Section 3.1	<del>\$100</del> 50.00
12.	Park Vehicle in front of a Private Driveway	Section 3.1	<del>\$100</del> 50.00
13.	Park Vehicle within half a (.5) metre of a Private Driveway	Section 3.1	<del>\$100</del> 50.00
14.	Park Vehicle in front of the Entrance to a Fire Station	Section 3.1	\$100
15.	Park Vehicle within three (3) metres from the closest point on a Curb to any Fire Hydrant	Section 3.1	<del>\$100</del> 50.00
16.	Park Vehicle on any Rail Crossing	Section 3.1	\$100
17.	Park Vehicle within fifteen (15) metres of a Level Railway Crossing	Section 3.1	\$100
18.	Park Vehicle on Bridge	Section 3.1	\$100
19.	Park Vehicle on the Approaches to Bridge	Section 3.1	\$100
20.	Park Vehicle to Obstruct Traffic	Section 3.1	\$100
21.	Park Vehicle on Yield Lane	Section 3.1	\$100
22.	Park Vehicle within five (5) metres of Yield Lane	Section 3.1	<del>\$100</del> 50.00
23.	Park Vehicle adjacent to Median Strip	Section 3.1	<del>\$100</del> 50.00
24.	Park Vehicle to prevent Departure of other Vehicle	Section 3.1	\$100
25.	Park Vehicle in "No Parking" Area	Section 4.2	<del>\$100</del> 50.00
26.	Park Vehicle in "Fire Access Route"	Section 5.2	<del>\$500</del>



27.	Park Vehicle in "Accessible Parking Space" without properly Displaying Accessible Parking Permit	Section 6.2	\$300
28.	Park Vehicle between the hours of 2:00 am and 7:00 a.m. from December 1 <sup>st</sup> in any year to March 31 <sup>st</sup> of the following year	Section 8.1	\$50
29.	Park Vehicle so that it interferes with highway cleaning operations	Section 8.2	\$50

Note: The penalty provisions for the offences indicated above is Section 14 of By-Law No. 2011-049, a certified copy of which has been filed.

Note: The general penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.