

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 08-049

A By-law to reduce or prohibit the parking of vehicles on designated municipal roads.

WHEREAS Section 8 of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

WHEREAS Section 9 of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act; and

WHEREAS Section 11(3) of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, provides that a single tier municipality may pass by-laws respecting certain matters within the spheres of jurisdiction set out therein, specifically highways, including parking and traffic on highways and parking, except on highways; and

WHEREAS it is deemed advisable to reduce or prohibit the parking of vehicles on certain municipal roads, thereby improving community safety and vehicular congestion;

NOW THEREFORE the Council of the Corporation of Tay Valley Township enacts as follows:

DEFINITIONS

1. In this By-law

"By-law Enforcement Officer" means the person(s) appointed for the purpose of enforcing the by-law of Tay Valley Township.

"Ontario Provincial Police" means any officer of the detachment of the Ontario Provincial Police providing service in Tay Valley Township.

"Corporation" means The Corporation of Tay Valley Township.

"Highway" includes the entire right-of-way of a common and public highway, street, avenue or bridge designed and intended for, or used by, the general public for the passage of vehicles.

"Motor vehicle" includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated by the Highway Traffic Act, and any other vehicle propelled or driven other than by muscular power.

"Park" or "parking" when prohibited means the standing of a vehicle, whether occupied or not.

"Public Works Superintendent" means the person(s) appointed by By-law to position by the Council of Tay Valley Township.

"Sign" means any sign placed or erected on a highway under the authority of this By-law for the purpose of regulating, warning or guiding traffic. Such signs shall meet the standards established by the Ministry of Transportation for parking purpose.

"Snow removal activity" means the work associated with the scheduled removal of snow and/or ice, or the clearing of snow.

PARKING PROHIBITED WITH SIGNS

- 2. No person shall park a vehicle or permit a vehicle to remain parked on any highway or portion of highway designated in Schedule "A" attached hereto and forming part of this by-law.

PARKING PROHIBITED WITHOUT SIGNS

- 3. No person shall park a vehicle or permit a vehicle to remain parked on any highway:
 - a. so as to interfere in any manner with the work of removing snow or ice therefrom;
 - b. in such manner as to interfere with highway cleaning operations.

ERECTION OF SIGNS

- 4. The Road Superintendent is hereby authorized and directed to erect and maintain such signs which are required to give effect to this By-law and as required to regulate and direct traffic for the safety and convenience of the public.

VEHICLES SUBJECT TO REMOVAL WHEN ILLEGALLY PARKED

- 5. In addition to any other penalties provided by the By-law, upon discovery of any vehicle parked, stopped or standing on any highway in contravention of the provisions of this By-law, an OPP Constable or By-law Enforcement Officer may cause such vehicle to be removed or taken to and placed or stored in a suitable place. All costs and charges for the removing, care and storage of the vehicle shall be paid

by the owner of the vehicle to the Corporation prior to its being released by the OPP Constable or the By-law Enforcement Officer.

6. Any person who contravenes a provision of this By-Law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000. Set fines for contravention, pursuant to the Provincial Offences Act, may be established by the Corporation.

ENFORCEMENT

7. This By-law shall be enforced by the By-law Enforcement Officer(s) of the Corporation and/or Ontario Provincial Police.

APPLICATION

8. This By-law applies to all highways under the jurisdiction of Tay Valley Township.

SCHEDULES ADOPTED

9. The schedules referred to in this By-law shall form an integral part of this By-law.


FORMER BY-LAWS REPEALED

10. All previous By-laws regulating parking, specifically By-law No. 08-021 is hereby repealed.

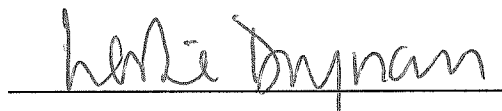
BY-LAW IN FORCE

11. The provisions of this By-law shall come into force and take effect upon passage and the erection of appropriate signage.

Passed and enacted this 12th day of August, 2008



Reeve



Clerk

SCHEDULE "A" to By-law No. 08-049**PROHIBITED PARKING AREAS**

HIGHWAY	FROM	TO	SIDE
Mutton's Road	South Entrance Gate at the Glen Tay Waste Site	200 metres North of the South Entrance Gates of the Glen Tay Waste Site	Both Sides of Mutton Road affecting north and south bound traffic
Zealand Road	25m west of the Entrance Gate at the Maberly Waste Site	100 m east of the Entrance Gate at the Maberly Waste Site	Both sides of Zealand Road affecting east and west bound traffic
Glen Tay Road Rail Crossing (DO NOT BLOCK TRACK)	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
Miller Bay Road	Intersection of County Road 21 (Elmgrove Road) and Miller Bay Road	170 metres west on Miller Bay Road to Blair Poole Farm Road	South side of Miller Bay Road from County Road 21 (Elmgrove Road)

REDUCED PARKING AREAS

HIGHWAY	FROM	TO	SIDE	TIME
Harper Road	Intersection of Highway No. 7 and Harper Road	500 metres North on Harper Road	West side of Harper Road from Hwy 7	Monday to Friday from 8:00 am to 5:00 pm local time

SCHEDULE "B" TO By-law No. 08-049**SET FINES**

ITEM	OFFENCE	AUTHORITY	PROPOSED FINE
1	Park vehicle in prohibited parking area	2	\$25.00
2	Park vehicle so as to interfere with removal of snow or ice	3a	\$25.00
3	Park vehicle so as to interfere with highway cleaning operations	3b	\$25.00