

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

BY-LAW NO. 2001-05

Being a By-law to amend By-law No. 95-15, being a by-law to regulate parking.

WHEREAS the Council of the Corporation of the Township of Manitouwadge deems it expedient to amend by-laws from time to time;

AND WHEREAS it is no longer necessary to have a voluntary payment schedule attached to the parking by-law as the voluntary payment amounts are included on the set fine schedule approved by the Regional Senior Judge for the Ministry of the Attorney General and Correctional Services;

NOW THEREFORE the Council of the Corporation of the Township of Manitouwadge enacts as follows that:

1. By-law No. 95-15 be amended as follows:


(1) Section 16 be deleted and the following substituted therefor:

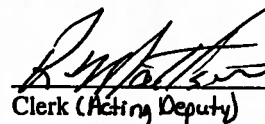
16. The owner or operator of the vehicle may, within five (5) days, exclusive of Sundays and holidays, after the time of the alleged offence, report to the Corporation's township offices and pay to the Corporation the sum designated on the PIN for voluntary payment, a penalty in full satisfaction in respect of the alleged offence, and a receipt therefor shall be given to the person making the payment

(2) Schedule "E" is deleted in its entirety.

2. This By-law comes into force and takes effect upon the date of its passing.

READ A 1ST AND 2ND TIME this 24th day of January, 2001 and **READ A THIRD TIME AND FINALLY ENACTED** this 24th day of January, 2001.


Mayor


Clerk (Acting Deputy)

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

BY-LAW NO. 95-15

Being a By-law to regulate parking

WHEREAS Section 210(117) of the Municipal Act, R.S.O. 1990, chapter M.45, as from time to time amended, provides that by-laws may be passed by the councils of municipalities regulating traffic on highways;

AND WHEREAS Section 210(118) of the said Municipal Act provides that by-laws may be passed by the Councils of municipalities for exempting, pursuant to permits issued, the owners and drivers of vehicles operated by or carrying a physically handicapped person, as defined in this by-law, from any provisions of a by-law passed by the council under the said Act or under any other general or specific Act for prohibiting or regulating the parking, standing or stopping of motor vehicles on a highway or part thereof under the jurisdiction of the council;

AND WHEREAS Section 210(118) of the said Municipal Act provides that by-laws may be passed by councils of municipalities for allowing the parking of motor vehicles or any class or classes thereof on designated parts of highways for specified periods and during specified hours pursuant to permits issued;

AND WHEREAS Section 210(125) of the said Municipal Act provides that by-laws may be passed by the councils of municipalities prohibiting the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property and 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;

AND WHEREAS Section 322 of the said Municipal Act provides that councils of municipalities may include in by-laws a provision for the voluntary payment of penalties out of court relating to parking, standing or stopping of vehicles;

NOW THEREFORE the Council of the Corporation of the Township of Manitowadge enacts as follows that:

1. Definitions - In this by-law:

- (a) "authorized sign" means any sign or the device erected under the authority of this By-law and authorized by the Corporation.
- (b) "Corporation" means the Corporation of the Township of Manitowadge.
- (c) "crosswalk" means:
 - (i) that part of a highway at an intersection that is included within the connection of the lateral lines of the sidewalk on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edge of the roadway; or
 - (ii) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or lines or other markings on the surface of the roadway.
- (d) "driver" means a person who drives or is in actual control of a vehicle;
- (e) "handicapped parking sign" means a sign bearing the international symbol for the physically handicapped and used for the purpose of designating parking spaces for the sole use of handicapped persons.
- (f) "handicapped parking space" means a parking space marked by a handicapped parking sign which has been erected and is on display under the authority of the Corporation.
- (g) "handicap permit" means a numbered plate issued under the provisions of the

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Highway Traffic Act, R.S.O. 1990, chapter H.8, as amended from time to time and bearing the symbol for the disabled.

- (h) "highway" includes the entire right-of-way of a common and public highway, street, avenue, parkway, driveway, square, place, viaduct or trestle designed and intended for or used by the general public for the passage of vehicles.
- (i) "intersection" means the area embraced within:
 - (i) the prolongation or connection of the lateral curb lines; or
 - (ii) the prolongation or connection of the lateral boundary lines where curbs do not exist;
of two (2) or more roadways which join one another at an angle whether or not one roadway crosses the other.
- (j) "lane" or "laneway", except when referring to a traffic lane which forms part of the roadway, includes the entire width of the right-of-way between the property lines at the rear of such lands abutting another highway and any outlet connection such as lane with a highway.
- (k) "Municipal Law Enforcement Officer" means a person appointed by the Corporation to enforce its by-laws.
- (l) "municipal property" means any property which ownership is in the name of the Corporation.
- (m) "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 merchandise or passengers.
- (n) "parking infraction" means any unlawful parking, standing or stopping of a vehicle that constitutes an offence under this By-Law.
- (o) "pedestrian way" means a right-of-way clearly marked by authorized signs for pedestrian use only and includes the entire width of the right-of-way between the property lines of abutting lands.
- (p) "PIN" means the parking infraction notice which is placed on a vehicle and upon which is detailed the particulars of the parking infraction.
- (q) "Police Officer" means a chief of police or other police officer or constable, but does not include a special constable or Municipal Law Enforcement Officer.
- (r) "Provincial Offences Officer" means a police officer or a person designated under Section 1 of the Provincial Offences Act, R.S.O. 1990, chapter P.33, as amended from time to time.
- (s) "roadway" means the part of the highway that is improved, designated or ordinarily used for vehicular traffic but does not include the shoulder.
- (t) "sidewalk" means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.
- (u) "stand or standing" means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers.

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- (v) "stop or stopping" 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 police officer or a traffic control sign or signal.
 - (w) "vehicle" means any motor vehicle, trailer, tractor engine, farm tractor, road building machine 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 on rails.
2. Except where angle parking is permitted, no person shall park, stand or stop a vehicle on any highway unless on the right hand side thereof having regard to the direction in which the vehicle has been proceeding and unless the right front and right rear or wheels of the vehicle are parallel to and distant respectively not more than fifteen centimetres (15 cm.) from the edge of the roadway unless angle parking is specifically authorized by this By-Law.
 3. Notwithstanding the provisions of section 2 of this By-Law, and provided that parking is permitted on the left hand side of a one-way street and except where angle parking is permitted, no person shall park, stand or stop a vehicle on the left hand side of a highway designated for one-way traffic having regard to the direction in which the vehicle has been proceeding, unless the left front and left rear wheels or runners are parallel to and distant respectively not more than fifteen centimetres (15 cm.) from the edge of the roadway, unless angle parking is specifically authorized by this By-Law.
 4. No person shall park a vehicle in the area so designated for angle parking except in such a manner that the angle between the vehicle and the edge of the roadway is as closely as practicable to sixty degrees (60°) and so that the front portion of the motor vehicle shall be nearest to the edge of the roadway
 5. No person shall park, stop or stand a vehicle on the highways or parts of highways set out in Schedule "A" attached hereto and forming part of this By-Law, except on those portions of said highways or parts thereof as specifically set out in Schedule "B" to this By-Law and forming part of this By-Law.
 6. No person shall stop a vehicle on such portion of a highway during specified times.
 7. **Handicapped Parking Spaces** - No person shall park, stand or stop a vehicle in a handicapped parking space unless such vehicle bears a handicap permit and is operated by or actually transporting a handicapped person.
 8. **October 1st to April 30th** - No person shall park, stop or stand a vehicle on any public highway under the jurisdiction of the Corporation between the hours of 2:00 a.m. and 6:00 a.m. local time, from and including the first day of October in each year to and including the 30th day of April in the next following year.
 9. Nothing herein shall be construed as permitting the parking of vehicles on any highway or part thereof in contravention of any other provisions of this By-Law or of any other by-law, statute or regulation.
 10. **Parking Prohibited Without Signs** - No person shall park a vehicle or permit a vehicle to remain parked on a highway or lane:
 - (a) within twelve (12) metres of the offloading end of a garbage dumpster;
 - (b) within nine (9) metres of an intersection;
 - (c) within three (3) metres of a fire hydrant;

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- (d) in front of or within one and one-half (1.5) metres of a lane, pedestrian way, crosswalk or driveway;
 - (e) for the purpose of displaying the vehicle for sale;
 - (f) for the purpose of washing, greasing or repairing the vehicle except for such repairs as have been necessitated by an emergency; or
 - (g) on or partly over a sidewalk.
11. **Parking Prohibited with Signs** - When authorized signs have been erected and are on display, no person shall park a vehicle or permit a vehicle to remain parked on any highway:
- (a) **Firehall Building** - in front of a firehall building or within eight (8) metres of the projected sidelines of a firehall building on the side of the highway on which the firehall building is located; and
 - (b) **Firehall Building** - in front of a firehall building or within thirty (30) metres of the projected sidelines of a firehall building on the opposite side of the highway on which the firehall building is located; and
 - (c) **Schools** - on the side of any highway adjacent to the grounds of any elementary or secondary school between the hours of 8:00 a.m. and 5:00 p.m. on any day when such school is in session.
12. **Loading Zones** - The portions of highways more particularly set out in Schedule "C" to this By-Law are hereby designated as loading zones. No person shall park or stand a vehicle in a loading zone on any day other than a Sunday or public holiday between the hours of 6:00 a.m. and 6:00 p.m. except while actually engaged in loading or unloading goods, wares or merchandise into or from such vehicle.
13. **Fire Lanes** - The portions of highways more particularly set out in Schedule "D" to this By-Law are hereby designated as fire lanes. No person shall stop, stand or park a vehicle in a fire lane except the operator of a fire department vehicle or an ambulance as these are defined in the Highway Traffic Act, R.S.O. 1990, chapter H.8, as amended from time to time unless such stopping, standing or parking is otherwise specifically permitted by this By-Law.
14. When a vehicle is found parked, standing or stopped in contravention of a provision of this By-Law, the Police Officer, Municipal Law Enforcement Officer or Provincial Offences Officer so finding the vehicle may complete and place upon or attach to the vehicle a Parking Infraction Notice ("PIN") in the form of a serially numbered notice stating:
- (a) the licence number of the vehicle;
 - (b) a description of the offence;
 - (c) the date, time and location of the alleged offence;
 - (d) the signature of the issuing officer;
 - (e) the set fine for the alleged offence;
 - (f) that the owner or driver thereof may make a voluntary payment in the manner set forth in paragraph 18 hereof or, within fifteen (15) days of the alleged infraction, either pay the set fine therefor or plead "not guilty", in which latter event, a trial will be held.

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- (g) that if the owner or a driver fails to make the voluntary payment, pay the set fine or plead "not guilty", a conviction may be registered under Part II of the Provincial Offences Act, R.S.O. 1990, chapter P.33, as amended from time to time;
- (h) the address for payment of the voluntary payment or set fine.
- 15. The notice shall be completed in duplicate, (PIN and certificate of parking infraction) and the Municipal Law Enforcement Officer or Provincial Offences Officer shall attach one (1) copy (the PIN) to the vehicle and deliver the other copy to the Corporation's township offices.
- 16. The owner or operator of the vehicle may, within five (5) days, exclusive of Sundays and holidays, after the time of the alleged offence, report to the Corporation's township offices and pay to the Corporation the sum designated on the PIN for voluntary payment as set forth in Schedule "E" to this By-Law, a penalty in full satisfaction in respect of the alleged offence, and a receipt therefor shall be given to the person making the payment.
- 17. The failure to attach a PIN to or place a PIN upon a vehicle found in contravention of a provision of this By-Law shall not prejudice any prosecution for an offence hereunder.
- 18. The owner of a vehicle that is parked, stopped or standing in contravention of a provision of this By-Law is guilty of an offence and on conviction is liable to a fine in the same amount as that to which the driver is liable for so parking, stopping or leaving standing such vehicle unless the owner proves to the satisfaction of the court that at the time of the event the motor vehicle was in the possession of someone other than the owner or his chauffeur without the owner's consent, express or implied.
- 19. Upon discovering a vehicle parked or standing in contravention of any provision of this By-Law, a Municipal Law Enforcement Officer or Provincial Offences Officer appointed for the purpose of enforcing this By-Law may cause such vehicle to be moved or taken to and placed or 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 for in the Construction Lien Act, R.S.O. 1990, chapter C.30, as amended from time to time.
- 20. Every person who contravenes any provision of this By-Law is guilty of an offence and the matter will be dealt with as provided for in the Provincial Offences Act, R.S.O. 1990, chapter P.33, as amended from time to time.
- 21. That by-laws 93-40 and 95-01 are hereby repealed.
- 22. This by-law comes into full force and effect upon the date of its passing.

READ A 1ST AND 2ND TIME this 8th day of March, 1995 and **READ A THIRD TIME AND FINALLY ENACTED** this *22nd* day of *MARCH*, 1995.

Silvio Bertolero
Reeve

[Signature]
Clerk

**SCHEDULE "A" TO BY-LAW NO. 95-15
PARKING PROHIBITED**

MAJOR ROADS:		
Street Name or Description	From	To
Manitou Road	Intersection with McDonald Street	Intersection with Geco Bridge
Lower Manitou, North Side (Manitouwadge Hotel)	Lot 8, Plan M163	Lot 21, Plan M163
Station Road	Intersection with Manitou Road East	Terminus at CPR Right-of-Way
Ohsweken Road	Intersection with Manitou Road and Mississauga Drive	Intersection with Willroy Road
RESIDENTIAL STREETS:		
West side of Adjala Avenue	Intersection with Manitou Road West	Intersection with Shawinigan Place
Graham Drive	Easterly intersection with Manitou Road	Westerly intersection with Manitou Road
Agawa Gardens	Intersection with Mississauga Drive	Intersection with MicMac Street and Ohsweken Road
Trailer Park Circle	Entrance off MicMac Street	Exit on MicMac Street
East side of MicMac Street	Intersection with Ohsweken Road	Terminus at Pedestrian Way/Parklands
South side of Seneca Street	Intersection with MicMac Street	Terminus at school lands
North and West side of Cree Street	Intersection with MicMac Street	Terminus at Pedestrian Way/Parklands
Wenonah Drive	Intersection with Shingwauk Drive	Intersection with Neebig Avenue
South side of Neebig Avenue	Intersection with Ohsweken Road	Intersection with Adjala Avenue
Flicker Avenue	Intersection with Redwing Avenue	Intersection with Warbler Drive
Redwing Avenue	Intersection with Ohsweken Road	Intersection with Partridge Avenue
DOWNTOWN STREETS:		
Mississauga Drive*	Intersection with Manitou Road East & West and Ohsweken Road	Intersection with Manitou Road East
Shebandowan Avenue*	West intersection with Mississauga Drive	East intersection with Mississauga Drive
Huron Walk*	Intersection with Mississauga Drive	Intersection with Shebandowan Avenue
Barker Walk*	Intersection with Huron Walk	Intersection with Mississauga Drive
Forster Walk*	Intersection with Huron Walk	Intersection with Mississauga Drive

SCHEDULE "A"

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Street Name or Description	From	To
OTHER:		
Community Centre Driveway	Entrance or exit off South side of Manitou Road West	Exit or entrance off south side of Manitou Road West
Rear or south side of Community Centre	Southeast corner of building in a westerly direction	a distance of one hundred fifty (150') feet

* except as specifically permitted in Schedule "B" to this By-Law.

SCHEDULE "B" TO BY-LAW NO. 95-15**DOWNTOWN PARKING PERMITTED**

STREET NAME	TYPE OF PARKING	FROM	TO
Mississauga Drive	ANGLE - south side of street only	Northern point of radius in Block A, Plan M-163	Southwest corner of intersection with Barker Walk
Mississauga Drive	PARALLEL - East side of street only	Intersection with Shebandowan	Northern part of radius in Block A, Plan M-163
Barker Walk	PARALLEL - east and west sides of street	Intersection with Mississauga Drive	Intersection with Huron Walk
Forster Walk	ANGLE - east and west sides of street	Intersection with Mississauga Drive	Intersection with Huron Walk
Huron Walk	ANGLE - north side of street only	Intersection with Mississauga Drive	Southeast corner of Lot 80, Plan M-163
Shebandowan Avenue	ANGLE - south side of street only	Northwest corner of Lot 8, Plan M-163	Northeast corner of Lot 33, Plan M-163

SCHEDULE "C" TO BY-LAW NO. 95-15

LOADING ZONES

STREET NAME	FROM	TO
North side of Shebandowan Avenue	Southern point of radius in Block G, Plan M-163 * Southeast corner of Hallmarket Square (Dorion's Valumart)	Southeast corner of Block F, Plan M-163 * Southeast corner of Northern Store
Lane	Northwesterly corner of Lot 116, Plan M-163 * Lane between commercial buildings from the Casa D'Or to the L.C.B.O. building	Northeasterly corner of Lot 71, Plan M-163
Lane	Southwesterly corner of Lot 122, Plan M-163 * Rear lane behind Superior Sports & BJ's Variety Store.	Northwesterly corner of Lot 117, Plan M-163

* This insertion is for information only.

SCHEDULE "D" TO BY-LAW NO. 95-15

FIRE LANES

STREET NAME	FROM	TO
Shebandowan Avenue	Southern point of radius in Block G, Plan M-163 * Southeast corner of Hallmarket Square (Dorion's Valumart)	Southeasterly corner of Lot 56, Plan M-163 * End of Shebandowan at Esso Station
Lane	Northwesterly corner of Lot 116, Plan M-163 * Lane between commercial buildings from the Casa D'Or to the L.C.B.O. building	Northeasterly corner of Lot 71, Plan M-163
Lane	Southeasterly corner of Block G, Plan M-163 * Lane between Hallmarket Square and the Northern Store	Northeasterly corner of Block G, Plan M-163

* This insertion is for information only.

SCHEDULE "E" TO BY-LAW NO. 95-15

ESTABLISHMENT OF VOLUNTARY PAYMENTS

Handicap Parking Violation (Section 7)	\$35.00
Parked between 2:00 a.m. and 6:00 a.m. (Section 8)	\$35.00
Fire Hall Violations (Sections 13(a) and 13(b))	\$15.00
Parked Adjacent to School (Section 13(c))	\$15.00
Loading Zone Violation (Section 14)	\$15.00
Fire Lane Violation (Section 15)	\$15.00
-All other parking violations	\$10.00
