

THE CORPORATION OF THE TOWNSHIP OF RAMARA
BYLAW 2003.52
BEING A BYLAW TO REGULATE THE PARKING OF
VEHICLES WITHIN THE TOWNSHIP OF RAMARA

Consolidated Version
not intended for legal use

WHEREAS the Municipal Act, 2001, Subsection 101(2), and the Highway Traffic Act, Subsection 170(1.5), provides that a municipality may pass a bylaw to regulate or prohibit the parking or leaving of a motor vehicle on land owned or occupied by the municipality or any of its local boards without the consent of the municipality or local board, as the case may be, it may provide for the removal and impounding or restraining and immobilizing of any vehicle, at the vehicle owner's expense, parked or left in contravention of the bylaw.

NOW THEREFORE, the Council of the Corporation of the Township of Ramara hereby enacts as follows:

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- 1, Definitions;
2. General Provisions;
3. Regulations;
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1. DEFINITIONS

- 1.1 All terrain vehicle means a vehicle that is capable of travelling on various conditions and types of land surface.
- 1.2 Provincial Offences Officer means a person appointed by the Council of the Corporation of the Township of Ramara to enforce the parking provisions of this Bylaw.
- 1.3 Corner means the point of intersection of the curbs or edges of the travelled portions of roadways used for vehicular traffic.

- 1.4 Driver means a person who drives or is in care or control of a vehicle.
- 1.5 Emergency Vehicle means
- a) a fire department vehicle as defined in the Highway Traffic Act while proceeding to a fire or responding to, but not while returning from, a fire alarm or other emergency call;
 - b) a motor vehicle while used by a person in the lawful performance of his/her duties as a police officer;
 - c) an ambulance while responding to an emergency call or being used to transport a patient or injured person in an emergency situation,
 - d) a cardiac arrest emergency vehicle by or under the authority of a hospital; or
 - e) a motor vehicle operated by or under the control of the Township while carrying out road, sewer and water maintenance and repairs or bylaw enforcement duties.
- 1.6 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 motor vehicles and includes the area between the lateral property lines thereof;
- 1.7 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 travelled roadways that join one another at an angle, whether or not one crosses the other.
- 1.8 Motor Vehicle includes an automobile, motorcycle, bus, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power including a motorized snow vehicle, all terrain vehicle, traction engine, farm tractor or road building machine.
- 1.9 Motorized Snow Vehicles means a self-propelled vehicles designed to be driven on snow or ice or both.
- 1.10 Owner of Vehicle means the person to whom a vehicle is registered under the Highway Traffic Act.
- 1.11 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, wares, merchandise or passengers.
- 1.12 Police Officer means a member of the police force of the Ontario Provincial Police.
- 1.13 Roadway means that portion of a highway improved, designed or ordinarily used for vehicular traffic.

- 1.14 Sidewalk means that portion of a highway at the side of or adjacent to a roadway normally used for pedestrian traffic only.
- 1.15 Township means the Corporation of the Township of Ramara.
- 1.16 Traffic includes pedestrians, ridden or herded animals, vehicles and other conveyance either singly or together while using any highway for the purposes of travel.
- 1.17 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.
- 1.18 Trailer means a vehicle that at any time drawn upon a highway by a motor vehicle and not part of that motor vehicle. Without limiting the generality of the foregoing, and for the purpose of this bylaw, a trailer includes recreational tent and house trailers, boat trailers, recreational vehicle trailers, flat bed trailers and any similar wheeled vehicle.
- 1.19 Traffic Control Signal means any device manually, electrically or mechanically operated for the regulation or control of traffic.
- 1.20 Overnight shall mean from 12:00 a.m. to 7:00 a.m. (2016.56)
- 1.21 Prohibited Months shall mean from November 15th in any given year through April 15th in the following year. (2016.56)
- 1.22 Commercial Motor Vehicle means a motor vehicle having permanently attached there to a truck or delivery body, buses, tractors used for hauling purposes on the highways and heavy trucks. (2020.67)
- 1.23 Heavy Truck means a commercial motor vehicle for carriage of goods having a weight when unloaded, of 2.72 tonnes or more or, when loaded, of 4.54 tonnes or more, but does not include a passenger vehicle, ambulance or any vehicle of a police, fire department or the Township; (2020.67)
- 1.24 Recreational Vehicle means a motor vehicle or trailer, that is designed and used as a mobile home for either sleeping, eating, office space or a combination thereof. (2020.67)

2. GENERAL PROVISIONS

- 2.1 Where ever in this Bylaw 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;
- 2.2 Council by resolution may direct that any section of this Bylaw 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;
- 2.3 This bylaw applies to the whole of the Township of Ramara;
- 2.4 This bylaw shall not apply to an emergency vehicle;
- 2.5 If a court of competent jurisdiction should declare any section or part of a section of this bylaw to be invalid the remainder of this bylaw shall continue to be valid and remain in force.

3. REGULATIONS

- 3.1 No person shall park, drive, or operate a motor vehicle or trailer on a highway except in accordance with and as authorized by this bylaw;
- 3.2 No person shall park **or stop** a motor vehicle or trailer on a highway within 6 metres of an intersection; (2019.09)
- 3.3 No person shall park **or stop** a motor vehicle or trailer on a roadway within 3 metres of a point in the edge of the roadway nearest a fire hydrant; (2019.09)
- 3.4 No person shall double park a motor vehicle or trailer on a highway or a roadway.
- 3.5 No person shall park a motor vehicle or trailer on the roadway set out in Schedule "A" of this bylaw;
- 3.6 No person shall park a motor vehicle or trailer on the roadway set out in Schedule "B" to this bylaw ~~between the dates November 1st and April 1st~~ **during the prohibited months;** (2019.09)
- 3.7 No person shall park a motor vehicle or trailer on a footpath or sidewalk of a highway;

- 3.8 No person shall park a motor vehicle or trailer on a bridge over or across which a highway passes;
- 3.9 No person shall park a motor vehicle or trailer in a manner as to obstruct an entranceway for motor vehicles to pass between the roadway and land contiguous to the highway;
- 3.10 No person shall drive or operate a motor vehicle or trailer on a sidewalk or footpath on a highway except for the purpose of directly crossing the sidewalk or footpath;
- 3.11 No person shall operate or drive a motor vehicle or trailer over a raised curb on a highway except at a place where a ramp has been provided by the Township or approved by the Township, the County of Simcoe or the Ministry of Transportation;
- 3.12 No person shall park a motor vehicle or trailer on any highway except as follows:
- a) where parallel parking is permitted and there is a raised curb with the right front and right rear wheels parallel to and not more than, .15 metres from such curb;
 - b) where parallel parking is permitted and there is no raised curb, with the front right and right rear wheels parallel to and as near to the right hand limit of the roadway as practicable without parking on a sidewalk, footpath or any part of the highway where grass is grown or which is not intended for vehicle use;
 - c) where angle parking is permitted and there is a raised curb, with the front end of the motor vehicle nearest the curb not more than .15 metres set out from such curb.
 - d) where angle parking is permitted and there is no curb with the vehicle more than .15 metres away from the travelled portion of the roadway.
- 3.13 No person shall park a motor vehicle or trailer on a highway in a position or place that prevents, interferes with or is likely to prevent or interfere with the movement of motor vehicle traffic;
- 3.14 No person shall park a vehicle or trailer on any highway in excess of 48 hours.
- 3.15 No person shall park in any place or position to prevent the convenient removal of any other vehicle previously parked;

- 3.16 No person shall park on property owned or occupied by the municipality or any local Board thereof without consent of the Township or Local Board as the case may be. For the purpose of this section, land owned by the municipality includes all municipal parking lots, road allowances, parks and vacant lands within the municipality whether or not such highways or road allowances have been assumed by the Township for use by the public. Where one or more signs have been posted on municipal property stating conditions on which a motor vehicle may be parked or left 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 prohibition shall be deemed to have been parked or left without consent. (2011.49)
- 3.17 Under the provisions of the Highway Traffic Act, Section 170 (12) no person shall park or stand a vehicle on a highway in such a manner as to interfere with the movement of traffic or the clearing of snow from the roadway.
- 3.18 No person shall park in a handicapped parking space without a proper permit clearly visible. (2006.47)
- 3.19 No person shall park a vehicle on any Township road overnight during the prohibited months. (2016.56)
- 3.20 No person shall park a Commercial Motor Vehicle or heavy truck on any Township road overnight between the hours of 9:00 pm and 9:00 am the following day. (2020.67)
- 3.21 No person shall park a Recreational Vehicle on any Township road overnight between the hours of 9:00 pm and 9:00 am the following day. (2020.67)
- 3.22 No person shall park a vehicle on a road, highway or in a municipal parking lot in a neighbourhood, waterfront area or in municipal parking lot where "No Parking Except by Permit" signs are on display at the entrance to such neighbourhood, waterfront area or municipal parking lot without a valid Township of Ramara parking permit. (2021.34)

4. ENFORCEMENT

- 4.1 Where a vehicle or trailer is found parked in contravention of any of the parking provision of this bylaw, the Provincial Offences Officer who is responsible for the enforcement of the Bylaw so finding the vehicle may commence proceedings for

parking infractions under Part 2 of the Provincial Offences Act, 1990, Chapter P. 33;

- 4.2 Every person who contravenes any provision of this bylaw is guilty of an offence and is liable to a fine as listed in Schedule "C" attached to and forming part of this bylaw.
- 4.3 Every person who contravenes the provisions of this bylaw is guilty of an offence and upon conviction is liable to a fine or penalty as provided by the Provincial Offences Act.
- 4.4 Notwithstanding the foregoing, and where applicable, a person served with an Offence Notice may report to the Township Office to make the "early payment" indicated on the said Notice. Such early payment must be received by the Township within 14 days of the date when the Notice was issued inclusive of Saturdays, Sundays and holidays.
- 4.5 Where a motor vehicle or trailer has been parked in contravention of this bylaw the owner of the motor vehicle or trailer, notwithstanding that he was not the driver of the motor vehicle at the time of the contravention of this bylaw is guilty of an offence and is liable to the fine prescribed for the offence herein unless at the time of the offence, the motor vehicle was in the possession of some person other than the owner without the owner's consent.
- 4.6 In addition to and notwithstanding Section 4.2 of this bylaw where a vehicle is found parked in contravention of the parking provisions of this bylaw a Provincial Offences Officer who is responsible for the enforcement of this Bylaw, 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.
- 4.7 Where a conviction is entered under Section 4, in addition to any other remedy or penalty provided 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.
- 4.8 The Ontario Provincial Police may enforce this bylaw.
- 4.9 The Council may appoint one or more persons by bylaw as Provincial Offence Officers to enforce the provisions of this bylaw.

5. ROAD SIGNAGE

- 5.1 Where road signs are displayed, no persons shall park a vehicle on any roadway at the side and between the limits as set out in Schedule "A & B".
- 5.2 Signage shall be displayed at road entrances to the Township advising motorists that no parking is permitted overnight on any Township road between November 15th and April 15th. (2016.56)

6. SCHEDULES

- 6.1 Schedules A, B and C shall form and be part of this bylaw.

7. ENACTMENT

- 7.1 That bylaws 2000.63 and 2001.24 shall be repealed.
- 7.2 That this bylaw shall come into force and take effect on the date the Order for the set fines is approved by the Ontario Court of Justice.

BYLAW READ A FIRST, SECOND AND THIRD TIME AND
FINALLY PASSED ON THE 28TH DAY OF JULY 2003.

"Thomas V. Garry, MD"

Thomas V. Garry, MD
Mayor

"Janice McKinnon"

Janice McKinnon
Deputy Clerk