

THE CORPORATION OF THE
TOWNSHIP OF SOUTH-WEST OXFORD
By-Law No. 50-2011

Being a By-Law for the regulation of Parking in the Township of South-West Oxford

WHEREAS pursuant to section 11(3) of the *Municipal Act*, 2001, S.O. 2001, c.25, a Municipality may pass By-Laws to regulate parking and traffic within its jurisdiction.

AND WHEREAS pursuant to section 101 of the *Municipal Act*, 2001, S.O. 2001, c.25, a Municipality may pass a By-Law providing 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 By-Law.

AND WHEREAS the Council of the Corporation of the Township of South-West Oxford deems it expedient to prohibit or regulate the parking of vehicles in the Township of South West Oxford.

NOW THEREFORE the Council of the Corporation of the Township of South-West Oxford enacts as follows:

1. Interpretation

(a) In this By-Law:

- i. "Corporation" means, Corporation of the Township of South-West Oxford;
- ii. "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;
- iii. "intersection" means the area embraced within the prolongation or connection of the lateral curb lines of two or more highways that join one another at an angle, whether or not one highway crosses the other;
- iv. "motor vehicle" includes an automobile, motorcycle and any other vehicle propelled or driven other than by muscular power;
- v. "official sign" means a sign approved by the Ministry of Transportation of Ontario;

- vi. “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 the loading or unloading of merchandise or passengers;
- vii. “By-Law Enforcement Officer(s)” means a person or persons empowered by the Council of the Corporation to enforce the various By-Laws of the Township and to carry into effect the provisions of any Act of the Legislature to be enforced by the Municipality;
- viii. “officer” means a By-Law Enforcement Officer or a police officer;
- ix. “police officer” means a member of the Ontario Provincial Police;
- x. “pedestrian” includes a person afoot and an invalid or child in a wheel chair or carriage;
- xi. “roadway” means part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately and not all of the roadways collectively;
- xii. “stand” or “standing” when prohibited or regulated, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;
- xiii. “storer” has the meaning given to it under the *Repair and Storage Liens Act* R.S.O. 1990, c.R.25;
- xiv. “stop” or “stopping”, when prohibited, 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 constable or other police officer or of a traffic control sign or signal;
- xv. “Township” means all lands within the jurisdiction of the Corporation of the Township of South-West Oxford;
- xvi. “traffic control signal” means any device, manually, electronically or mechanically operated for the regulation or control of traffic;

- xvii. “vehicle” includes a motor vehicle, motor assisted bicycle, trailer, traction 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, the cars of electric or steam railways running only upon its rails;
- xviii. “motor vehicle” means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways;
- xix. “heavy truck” means a commercial motor vehicle, having a weight when unloaded of 4.6 tonnes (4,600 kilograms) or more, but does not include a passenger vehicle, an ambulance, or a vehicle of the Police or Fire Department.
- xx. “boulevard” refers to municipally owned property within the public right-of-way extending between the curb or edge of the roadway and the nearest limit of the municipal road allowance, exclusive of any sidewalks or curb located therein.
- xxi. “road allowance” means the portion of the untraveled roadway that measures 33 feet from the centre of the roadway and includes the shoulder of the roadway.

2. Where any expression of time occurs or where any hour or period of time is stated, the time referred shall be the time currently in effect within the time zone commonly known as the “Eastern Time Zone”.

3. Enforcement of By-Law

Provisions of this By-Law shall be enforced by the By-Law Enforcement Officer(s) duly appointed by the Council of the Corporation and/or a police officer.

4. General Stopping and Parking Regulations

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

- i. Where there is a raised curb on the right side of the roadway, having regard to the direction such vehicle was proceeding, with its right front and rear wheels parallel to and not more than 300 mm out from the curb. In no circumstances shall a vehicle mount the raised curb and park or stop to the right of the raised curb;
 - ii. Where there is no curb or a rolled curb, with the right front and rear wheels parallel to and as near to the right hand limit of the highway as is practicable without stopping or parking on a sidewalk or footpath or on any part of the highway where grass is grown or which is not intended for the use of vehicles;
- (b) No person shall on a highway stop or park a vehicle in any of the following places:
- i. On or over a sidewalk;
 - ii. Within an intersection;
 - iii. Adjacent to or across the highway from any excavation or obstruction in the roadway when the free flow of traffic would thereby be impeded;
 - iv. In such a position as will prevent or block the removal of any other vehicle previously parked;
 - v. On or over a boulevard.
- (c) No person shall on a highway park a vehicle in any of the following places:
- i. In front of a driveway or laneway or so as to obstruct vehicles in the use of a driveway or laneway;
 - ii. Within 3 meters of a fire hydrant;
 - iii. Within 6 meters of the entrance to a water reservoir;
 - iv. Within 9 meters of an intersection;
 - v. Within 15 meters of any level crossing of a railway;
 - vi. In front of an entrance to or exit from any building or enclosed space in which persons may be expected to congregate in large numbers;
 - vii. Alongside the tracks of any railway;
 - viii. In front of the entrance to any place where goods or merchandise are regularly delivered or removed.
- (d) Where appropriate signs are erected and are on display, no person shall on any highway park a vehicle:
- i. Within 15 meters of an intersection;
 - ii. Within 30 meters of an intersection controlled by traffic signals;

- iii. Within 7.5 meters of any fire hall entrance on the side of the highway on which the fire hall is located or within 30 metres of such fire hall on the opposite side of the roadway.

5. No Parking

- (a) Where official signs are erected and are on display no person shall park a vehicle on any highway at the side and between the limits set out respectively in columns 1, 2, and 3 of Schedule “A” to this By-Law;
- (b) No person shall park a heavy truck on any highway.

6. Restricted Parking

- (a) Where official signs are erected and are on display no person shall park a vehicle on any highway at the side and between the limits set out respectively in Columns 1, and 2 of Schedule “B” of this By-Law at any time exceeding one hour as set out in Column 3 of said schedule.

7. Special Conditions /Winter Parking

No person shall park or leave standing any vehicle on any highway within the Township between the hours of 1:00 in the morning and 8:00 in the morning of the same day, during the winter control season commencing on the 15th day of November in each calendar year and continuing until the 31st day of March of the year next following.

8. Removal and Impounding of Vehicles

- (a) No person shall park, leave standing or abandon a vehicle unattended on any highway within the Township for a continuous period of time in excess of forty eight (48) hours;
- (b) Upon the discovery or notification that a vehicle is parked or has been abandoned or left unattended in contravention of Section 8(a) of this By-Law, the investigating officer shall note in writing and filed for possible future reference the following information:
 - i. Make and model of the vehicle;
 - ii. Location of the occurrence;
 - iii. Date and time of the investigation;
 - iv. License number of the vehicle, if any;

- v. Name of the investigating officer and any other person who may have been in attendance as an observer;

At the time of completing the above mentioned report, the officer shall affix a written notice to the said vehicle on which it is noted that the vehicle may be removed and placed in storage, at the owner's expense, if not removed within 48 hours from the date and time the notice was issued.

- (c) Where the said vehicle is left parked, standing, unattended or abandoned in excess of the 48 hour time period stated in the "Notice" provided for under Section 8(b) herein, a duly authorized By-Law Enforcement Officer of the Township 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 and no such vehicle shall be released or returned to the owner thereof until all such costs and charges, if any, have been paid in full;
- (d) In addition to any other remedy provided for in this By-Law, where a vehicle is parked or left standing in contravention of Section 7 of this By-Law, or if a vehicle has been parked or left standing in such a manner so as to obstruct the entrance or exit to a fire hall, the By-Law Enforcement Officer or police officer may cause such vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charges for the removing, care and storage thereof, if any, are a lien upon the vehicle and no such vehicle shall be released or returned to the owner thereof until all such charges and costs, if any, have been paid in full;
- (e) Where a vehicle has been moved or taken to and placed or stored (impounded) in a suitable place and costs and charges have been incurred therewith, and where the owner refuses or fails to pay such costs or charges within sixty (60) days upon receipt of notice from the storer, the storer may proceed to dispose of the said vehicle pursuant to the provisions of the *Repair & Storage Liens Act*, R.S.O. 1990, c.R.25.

9. Penalties and Wording of Infraction Notice

- (a) The words or expressions set out in Column 1 of the Schedule C may be used by the By-Law Enforcement Officer or a police officer in a Certificate of Parking Infraction, Parking Infraction Notice or Notice of Impending Conviction to designate the offence in the provision set out opposite thereto in Column 2 of Schedule C;
- (b) Any person who is found in violation of Sections 4 to 7 inclusive of this By-Law is guilty of an offence and is liable to pay the set fine set out in Column 3 of Schedule

C opposite to the offence described in Column 1 for each offence if paid out of Court, or an amount fixed and approved by the Provincial Chief Judge, inclusive of costs and surcharges if the charge proceeds under Part II of the Provincial Offences Act R.S.O. 1990, cP.33 as the same may be amended from time to time;

- (c) All penalties imposed by a judicial official are recoverable under the Provincial Offences Act together with such costs, expenses and surcharges as are imposed thereunder;
- (d) Any person charged under this By-Law may make payment as shown on the Parking Infraction Notice. Payment may be made at the Township Clerk's office within the time period noted on the Parking Infraction Notice and payment shall be accepted in full satisfaction of the charge and no further proceedings will be taken.

10. General

- (a) Schedule "A", "B", and "C" inclusive of this By-Law shall form part of the By-Law.
- (b) Where a vehicle has been left parked, stopped or standing in contravention of this By-Law, the owner of a vehicle is guilty of an offence, even though the owner was not the driver of the vehicle at the time of the contravention of the By-Law, and is liable for the applicable fines unless, at the time of the offence, the vehicle was in the possession of another person without the owner's consent.

11. Repeal of Previous By-Law

Any other By-Law, the provision of which are not consistent with those set forth herein, be and the same are amended or appealed in whole or in part as the case may be. For greater certainty By-Law No. 46-2002 is hereby repealed.

12. Citation

This By-Law may be cited as "Township of South-West Oxford Parking Control By-Law"

13. Coming Into Force

The provisions of this By-Law shall take full force and effect on the date of passing.

By-Law READ a FIRST and SECOND time this 6th day of September, 2011.

By-Law READ a THIRD time and FINALLY PASSED this 6th day of September, 2011.

DAVID MAYBERRY, MAYOR

MARY ELLEN GREB, CLERK

APPROVED

**Township Of South – West Oxford
Schedule “A” To By-Law No 50-2011**

No Parking At Any Time

Column 1	Column 2	Column 3	
Highway	Side or Sides	From	To
Ross Street	Both Sides	Zorra Line	East end of Ross Street
Thames Street	Both Sides	Beachville Road	North end of Thames Street
Oxford Street	Both Sides	Zorra Street	King Street

APPROVED

**Township Of South – West Oxford
Schedule “B” To By-Law No 50-2011**

Restricted Parking At Any Time

Column 1 Highway	Column 2 Side or Sides	Column 3 Time Restriction
Barrett Street, Salford	Both Sides	1 Hour
Salford Road, Salford	From a point 325 ft. west of Dereham to Line to Plank Line	1 Hour
Dereham Line, Salford	Both Sides from Plank Line to a point 722 ft. South of Salford Road	1 Hour
Mt Elgin Road, Mt. Elgin	Both Sides from the Canadian Pacific Railway right-of-way to a point 2,150 ft. east of Plank Line	1 Hour

APPROVED

**Township of South - West Oxford
Schedule "C"
To By-Law 50-2011, as amended: Parking**

Part II Provincial Offences Act

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
	Short Form Wording	Provision creating or defining offences	Set Fine
1	Parked or stopped on/over a sidewalk.	Section 4(b)(i)	\$50.00
2	Parked or stopped within an intersection.	Section 4(b)(ii)	\$100.00
3	Parked or stopped across highway from excavation or obstruction that impedes traffic flow.	Section 4(b)(iii)	\$50.00
4	Parked so as to block other vehicles.	Section 4(b)(iv)	\$50.00
5	Parked on or over boulevard.	Section 4(b)(v)	\$50.00
6	Parked obstruction use of driveway/laneway.	Section 4(c)(i)	\$50.00
7	Parked too close to a fire hydrant.	Section 4(c)(ii)	\$50.00
8	Parked too close to a water reservoir.	Section 4(c)(iii)	\$50.00
9	Parked too close to an intersection.	Section 4(c)(iv)	\$50.00
10	Parked too close of any level crossing/railway.	Section 4(c)(v)	\$50.00
11	Parked alongside the tracks of any railway.	Section 4(c)(vii)	\$50.00
12	Parked within 15 metres of an intersection.	Section 4(d)(i)	\$50.00
13	Parked within 30 metres of an intersection controlled by a traffic signal.	Section 4(d)(ii)	\$50.00
14	Parked with 7.5 metres of any firehall on the same side of road.	Section 4(d)(iii)	\$100.00
15	Parked within 30 metres of a firehall on opposite side of road.	Section 4(d)(iii)	\$50.00
16	Parked in area prohibited by sign.	Section 5(a)	\$50.00
17	Parked longer than 1 hour.	Section 6(a)	\$50.00
18	Parked on highway 1:00 am to 8:00 am during winter season.	Section 7	\$50.00

Note: the general penalty provision for the offences listed above is Section 9 of By-Law 50-2011, a certified copy of which has been filed.