

# The Corporation of the City of Guelph

## By-law Number (2022) - 20698

A by-law to repeal and replace  
By-law (2002)-17017, as amended  
being a By-law to regulate the use  
of Highways within the City of  
Guelph and the Traffic and Parking  
thereon

**Whereas** subsection 10(2) paragraph 7 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipal may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

**And whereas** subsection 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that a municipal power shall be exercised by by-law;

**And whereas** the Municipal Council for The Corporation of the City of Guelph enacted By-Law Number (2002)-17017, as amended to regulate traffic and parking in the City of Guelph;

**And whereas** it is deemed expedient to repeal By-Law Number (2002)-17017 and all its amendments and replace it with a new bylaw to regulate traffic and parking in the City of Guelph;

**The Council of the Corporation of the City of Guelph enacts as follows:**

### Interpretation

1.

(1) For the purposes of this By-law the following terms shall have the corresponding meanings:

“Authorized Emergency Vehicle” means:

- (i) a Vehicle of any fire department;
- (ii) a Vehicle of any police service;
- (iii) a Ministry of Public Safety and Security (Correctional Services) Vehicle;
- (iv) an ambulance;
- (v) an armoured car carrying cash or negotiable securities;
- (vi) a Ministry of Transportation of Ontario maintenance Vehicle; and
- (vii) a clearly marked public utility Vehicle, owned by a company (other than a municipal or local board of a municipality) incorporated for the purpose of supplying a public utility, as defined in the *Public Utilities Act*, R.S.O. 1990, c. P. 52, **as** amended from time to time, or any successor thereof.

“Act” means the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended from time to time, or any successor thereof;

“Bicycle” includes a tricycle, a unicycle and a Power-assisted Bicycle but does not include a Motor Assisted Bicycle;

“Boulevard” means that portion of a Highway that is not used as a Sidewalk, Multi-use path, Cycle Track, driveway, Roadway, median strip or Shoulder;

“Bus” means a Motor Vehicle designed for carrying ten or more passengers and used for the transportation of persons;

“Bus Stop” means an area designated by a Traffic Control Device as a bus stop;

“By-law Enforcement Officer” means a person appointed by the City to enforce or carry out the provisions of this By-law or any part or parts thereof;

“City” means The Corporation of the City of Guelph;

“City Engineer” means the City Engineer / General Manager Engineering & Transportation Services of the City or such designate;

“City Service” includes fire, ambulance, police and utility services, and any other

service provided or requested by or on behalf of the City, or relating to an emergency;

“Coin of Recognized Currency” means a legal coin of Canadian or United States currency or a token manufactured for and distributed by the City;

“Community Safety Zone” means a Highway or part of a Highway designated where public safety is a special concern, fines have been increased for certain traffic violations and is identified by “community safety zone” signs as prescribed in regulations under the Act;

“Contraflow” means to travel in the opposite direction along a one-way street;

“Crossride” means a dedicated space, identified by unique pavement markings, for cyclists to ride their Bicycles through an Intersection without dismounting and may appear alongside a pedestrian crosswalk as a separate facility or may be combined with a crosswalk;

“Curb” means the lateral boundary of the Roadway, whether such lateral boundary is physically marked or not;

“Cycle Track” means a paved pathway located between the curb and the sidewalk, intended for the exclusive use of people biking, in-line skating, skateboarding or using a mobility device;

“Designated” means designated by City by-law;

“Designated Area” means a Highway or a portion of a Highway that is designated that has a reduced speed limit for Vehicles that is set apart by a Traffic Control Device pursuant to Section 28 (1) of this By-Law;

“Designated Bicycle Lane” means that portion of a Highway, set out in Schedule F of this By-law, that is set apart by a Traffic Control Device for the use of Bicycles;

“Designated Bicycle Lane Extension” means a Highway or a portion of a Highway designated as an Intersection that is included within the connections of the lateral lines of the Designated Bicycle Lane on opposite sides of the Highway, measured from the edges of the Roadway;

“Delivery Vehicle” means a Vehicle engaged in delivering goods, and not people;

“Elementary School Zone” means a portion of a Highway under the City’s jurisdiction and within the geographic limits of the City, that adjoins the entrance to or exit from an elementary school (as defined in the *Education Act*, R.S.O. 1990, c. E.2, as amended, or any successor thereof) and that is within 150 metres along the Highway in either direction beyond the limits of the land used for the purposes of the elementary school;

“Emergency” includes, but is not limited to, a fire, flood or other natural disaster, unplanned removal of ice or snow, unplanned road repairs or maintenance work of a public utility and any circumstance in which section 134 of the Act applies;

“Executive Director” means the Deputy Chief Administrative Officer Public Services of the City or their designate;

“Farm Tractor” means a self-propelled vehicle designed and used primarily as a farm implement for drawing ploughs, mowing-machines and other implements of husbandry and not designed or used for carrying a load;

“Heavy Truck” means any commercial Motor Vehicle having a registered gross weight or actual gross weight in excess of four thousand, five hundred (4,500) kilograms, but does not include Authorized Emergency Vehicles, Buses, or Vehicles owned by or operated for the City or any local board of the City;

“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;

“In-line Skating” includes roller skating, and “In-line Skate” and “In-line Skater” shall have a corresponding meaning;

“Intersection” means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of two or more Highways that join one another at an angle, whether or not one Highway crosses the other;

“Kiss N’ Ride Zones” has meaning ascribed to it in Section 44;

“Motor Assisted Bicycle” means a bicycle:

- (i) that is fitted with pedals that are operatable at all times to propel the bicycle;
- (ii) that weighs not more than fifty-five (55) kilograms;
- (iii) that has no hand or foot operated clutch or gearbox driven by the motor and transferring power to a driven wheel,
- (iv) that has an attached motor driven by electricity or having a piston displacement or not more than fifty (50) cubic centimeters, and
- (iv) that does not have sufficient power to enable the bicycle to attain a speed greater than fifty (50) kilometers per hour on level ground within a distance of two (2) kilometers from a standing start;

“Motor Vehicle” includes an automobile, a Motorcycle, a Motor Assisted Bicycle unless otherwise indicated in this By-Law, and any other vehicle propelled or driven other than by muscular power, but does not include a street car or other motor vehicle running only upon rails, a Power Assisted Bicycle, a Motorized Snow Vehicle, a traction engine, a Farm Tractor or Self-propelled Implement of Husbandry or Road-building Machine;

“Motorcycle” means a self-propelled vehicle having a seat or saddle for the use of the driver and designated to travel on not more than three wheels in contact with the ground, and include a motor scooter, but does not include a Motor Assisted Bicycle;

“Motorized Snow Vehicle” has the same meaning as in the *Motorized Snow Vehicles Act*, R.S.O. 1990, c. M. 44 as from time to time, or any successor thereof;

“Multi-use path” means a paved pathway located within the boulevard and intended for use of pedestrians, Bicycles or mobility devices;

“No Parking Zone” has meaning ascribed to it in Section 40;

“No Stopping Zone” has meaning ascribed to it in Section 41;

“Non-Motorized Scooter” means a horizontal platform on small wheels with a handlebar that extends upwards from the base for steering purposes, and which is propelled by muscle power;

“Park” 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, and “Parked” and “Parking” shall have a corresponding meaning;

“Parking Control Device” means all devices intended to control Parking within a City parking facility or within an on-street parking stall. These devices include but are not limited to all parts associated with: a parking meter, pay and display parking machine, pay upon foot machine, pay by space parking machine, pay by plate machine, event attendant, scanning device, license plate recognition device, publicly zoned and publicly signed pay areas. These parking control devices may also include but are not limited to all parts associated with same: pay upon entry machine, pay upon exit machine, spitter machine, entrance gate, exit gate, mobile phone application, QR code-associated website and other such emerging technologies or staff as

implemented into the City parking facility or on-street locations;

“Parking Control Device Zones” has meaning ascribed to it in Section 63;

“Parking Space” means a portion of a Highway designated by the City with road paint marking or Traffic Control Device, designed and intended for the parking of a Vehicle;

“Pedestrian” includes a person on foot and a person in a wheelchair, carriage, stroller or the like;

“Pedestrian Crossover” means any portion of a roadway distinctly indicated for pedestrian crossing by signs on the Highway and lines or other markings on the surface of the roadway as prescribed by regulation under the Act;

“Police Officer” means a police officer employed by the Guelph Police Service or the Ontario Provincial Police;

“Power-assisted Bicycle” means:

- (i) a pedal-driven bicycle of conventional exposed fork-and-frame bicycle design and appearance that does not resemble a motor scooter or motorcycle and that:
  - (a) has two (2) or three (3) wheels,
  - (b) is fitted at all times with pedals that are always operable to propel the bicycle,
  - (c) is capable at all times of being propelled on level ground solely by using muscular power to operate the pedals,
  - (d) has steering handlebars,
  - (e) has wheels that have a width of not less than thirty-five (35) millimetres and a diameter of not less than three hundred and fifty (350) millimetres,
  - (f) has one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding five hundred (500) watts and that is incapable of providing propulsion assistance when the bicycle attains a speed of thirty-two (32) kilometres per hour or more, and
  - (g) weighs not more than fifty-five (55) kilograms,
- (ii) a vehicle that has the appearance of a motor scooter, with a seat and an open frame that may be stepped through and a platform on which the rider’s feet may rest and that:
  - (a) meets the description in subclauses (i) (a) to (f), and
  - (b) weighs not more than one hundred and twenty (120) kilograms,
- (iii) a vehicle that has the appearance of a motorcycle, with a saddle designed to be straddled and a footrest, pedals or pegs where the rider’s feet may remain secure, and that meets the description in subclauses (ii) (a) and (b);

which meaning shall supersede the definition in the Act in the event of a conflict;

“Road Allowance” means the part of the Highway that lies between the lateral property line on each side of the Highway and the corresponding Curb;

“Road-building Machine” means a self-propelled vehicle of a design commonly used in the construction or maintenance of Highways that:

- (i) belongs to a class of vehicles prescribed in the Act’s regulations;
- (ii) had the features or equipment prescribed in the Act’s regulations; or
- (iii) is being used as prescribed in the Act’s regulations;

“Roadway” means the part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the Shoulder, and, where a Highway includes two or more separate roadways, the term

"Roadway" refers to any one roadway separately and not to all of the roadways collectively;

"Roundabout" means a form of Intersection that accommodates counter clockwise traffic flow in a circular direction around a centre island;

"School Bus" means a bus that:

- (i) is painted chrome yellow,
- (ii) displays on the front and rear thereof the words "School Bus", and
- (iii) displays on the rear thereof the words "do not pass when signals flashing" or "do not pass when red lights flashing";

"Self-propelled Implement of Husbandry" means a self-propelled vehicle manufactured, designed, re-designed, converted or reconstructed for a specific use in farming;

"Shoulder" means that portion of a Highway that is paved or has a gravel surface, which is immediately adjacent to the Curb;

"Sidewalk" means the finished portion of a Highway that is situated:

- (i) between the Shoulder of the Roadway and the lateral property line of the Highway; and
- (ii) where there is no Shoulder, between the Curb and the lateral property line of the Highway,

and is designed for the use of Pedestrians;

"Skateboard" means a horizontal platform on small wheels that is capable of being used by a person or persons for transportation or play;

"Street Car" include a car of an electric or steam railway;

"Stop" 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 Police Officer or of a Traffic Control Device and "Stopped" and "Stopping" shall have a corresponding meaning;

"Taxi" means a taxicab as defined in the *Public Vehicles Act*, R.S.O. 1990, c. P.54, as amended from time to time or any successor thereof;

"Taxi Stands" has meaning ascribed to it in Section 47;

"Traffic" includes a Pedestrian, ridden or herded animal, Vehicle, or other conveyances either singularly or together, while using a Highway for the purpose of travel;

"Traffic Control Device" means any sign, traffic control signal, Roadway, Curb or Sidewalk marking, or any other device erected or placed under the authority of this By-law or of the City for the purpose of guiding, directing or regulating Traffic;

"Trailer" means a vehicle that is at any time drawn upon a Highway by a Motor Vehicle, except an implement of husbandry, a mobile home, another Motor Vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such Highway, and except a side car attached to a Motorcycle, and shall be considered a separate vehicle and not part of the Motor Vehicle by which it is drawn;

"U Turn" means the turning of a Vehicle ,within a Highway, or across or through a median strip, so as to proceed in the opposite direction;

"Vehicle" unless otherwise indicated in this By-Law includes a Motor Vehicle, Trailer, traction engine, Farm Tractor, Road-building Machine, Bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a Motorized Snow Vehicle or Street Car.

(2) Terms that are not defined in this By-law shall have the meaning as set

out in the Act.

- (3) Unless otherwise indicated in this By-Law, in the event of conflict between this By-law and the Act, the Act shall supersede as it relates to such conflict.

## **Administration**

2.

- (1) It shall be the general duty of the City Engineer to determine the installation, maintenance and proper timing of Traffic Control Devices, to conduct engineering analysis of Traffic collisions to identify deficiencies within the street network and to devise remedial measures to correct said deficiencies, to conduct engineering analysis of Traffic conditions, to plan the operation of Traffic on the Highways of the City of Guelph, and to co-operate with other City officials in the development of ways and means to improve Traffic conditions in the City of Guelph.
- (2) The Executive Director, City Engineer or a Police Officer may place and maintain on any Highway within the City of Guelph any Traffic Control Device authorized by the City, including a temporary Traffic Control Device, as is required to give effect to the provisions of this By-law, or as required to warn, guide or direct Traffic for the safety and convenience of the public.
- (3)
  - (i) Where a temporary Traffic Control Device is placed that prohibits Parking or Stopping, the enforcement of such Traffic Control Device may occur after one (1) hour has elapsed since the placing of the Traffic Control Device.
  - (ii) No person shall Stop or Park or remain Stopped or Parked on a Highway in contravention of a temporary Traffic Control Device that prohibits Parking or Stopping, as the case may be, after one (1) hour has elapsed from the time when the temporary Traffic Control Device was placed on the Highway.
- (4)
  - (i) Notwithstanding Subsection 2 (3), no person shall Stop or Park or remain Stopped or Parked on a Highway at any time in such a manner as to interfere with any City Service relating to an Emergency, or with any other service working in conjunction with such City Service.
  - (ii) Any person who is requested by a By-law Enforcement Officer or Police Officer to move a Vehicle Stopped or Parked in contravention of clause 2 (4) (i) of this By-law, shall do so immediately in accordance with the directions of the By-law Enforcement Officer or Police Officer.
- (5) The City Engineer may issue permits authorizing Vehicles or loads of excessive weight, width, or length to travel on a Highway.

- 3. A Police Officer has the authority to enforce any provision of this By-law and a By-law Enforcement Officer has the authority to enforce any Parking or Stopping provision of this By-law.
- 4. No provision of this By-law is deemed to permit the operation, Stopping or Parking of a Vehicle where, or at any time, or in such a manner as would otherwise be prohibited by law.

## **General Regulations**

- 5. No person shall place, deposit or throw any handbill or literature on or into any Vehicle that is Stopped or Parked on a Highway, except when authorized by law or by the City.
- 6.

- (1) No person shall place, maintain or display upon or in view of a Highway any sign, signal, marking or device which purports to be or is an imitation of, or resembles, or conceals from view or interferes with the effectiveness of, any Traffic Control Device.
- (2) Except when authorized by law or by the City, no person shall place, maintain or display upon a Highway any drawing, graffiti, art or the like which may distract or confuse any motorist using such Highway.

7.

- (1) No person shall obstruct, occupy or otherwise encumber any portion of any Highway or bridge by placing, constructing or depositing, or permitting to be placed, constructed or deposited, any object or structure on such Highway or bridge, including any building, fence, recreational device, sign, snow, ice, brick, piece of wood, waste receptacle, table, construction material, tree, shrub or other planting, or the like, without authority to do so from the City or other lawful authority.
- (2)
  - (i) Any person who obstructs, occupies or otherwise encumbers a Highway contrary to Subsection 7 (1) of this By-law shall remove the object causing such obstruction, occupation or encumbrance.
  - (ii) Where any person fails to comply with Clause 7 (2) (i) of this By-law, the City may, in addition to any other remedy, remove the object causing the obstruction, occupation or encumbrance at the person's expense, and the City may recover the expense by action or in like manner as municipal taxes.

### **Exemptions**

- 8. Sections 11, 12, 14, 19(3), 31(2) and (5), 33 (2), 40 (2), 41 (2), 42 (2), 44 (2), 46 (2) and (3), 49, 50, 52, 54, 55 (1), 58, 59, 60 (1) (ii), 61, 62 (1) and (5), and 63 (3), (4), (5) and (7) of this By-law do not, if compliance therewith would be impractical, apply to an Authorized Emergency Vehicle or to a Vehicle operated on behalf of the City by a City employee, while actually engaged in work authorized by the organization for whom the Vehicle is operated.

### **Driving Regulations**

9.

- (1) U Turns are prohibited at the locations set out in Column A of Schedule B of this By-law in the directions set out in Column B of Schedule B of this By-law.
- (2) Where a Traffic Control Device to that effect is displayed, no person shall make a U Turn at a location set out in Column A of Schedule B of this By-law in the direction set out in Column B of Schedule B of this By-law.
- (3) In addition to Subsection 9 (2) of this By-law, no person shall make a U Turn at any other location upon any Highway, unless such U Turn can be made in safety and without interfering with other Traffic.

- 10. Except under the direction of a Police Officer, no person shall drive any Vehicle on a Highway between the Vehicles comprising a funeral or other procession recognizable as such by the display of pennants, lights or other identifying insignia, while the Vehicles in such procession are in motion.

11.

- (1) No person shall drive any Vehicle upon a Sidewalk, Multi-use path, Cycle Track, or Boulevard of a Highway except for the purpose of directly crossing such Sidewalk, or Boulevard and only at a location designed for vehicular access.
- (2) Despite subsection 11 (1) of this By-law, Bicycles shall be permitted to drive upon any Multi-use path or Cycle Track.

- 12.No person shall drive a Vehicle over a raised Curb except at a place where the Curb is designed for such purpose.
- 13.
- (1) No person shall back a Vehicle on any portion of a Highway, unless such movement can be made in safety and without interfering with other Traffic.
  - (2)
    - (i) No person driving a Vehicle shall enter an Intersection, facing a traffic control signal that shows a circular green or green arrow indication, unless Traffic in front of such Vehicle is moving in a manner that would reasonably lead the driver to believe that such driver can clear the Intersection before the signal indication changes to a circular red indication.
    - (ii) Clause 13 (2) (i) shall not apply to a driver of a Vehicle entering an Intersection for the purpose of turning left or right into an intersecting Highway, where the driver has signaled their intention to make the turn prior to entering the Intersection.
  - (3) No person shall drive any Vehicle or animal in a Roundabout other than in a counter clockwise direction.
  - (4) When a Traffic Control Device to that effect is displayed, no person shall operate a Vehicle on Carden Street, east of Wyndham Street North, except a Delivery Vehicle engaged in delivering goods, and not people, to or from a destination on Carden Street, east of Wyndham Street North, a Bus that is operated by a public transportation service, a Taxi or an Authorized Emergency Vehicle.
- 14.No person age fourteen (14) and older shall ride a Bicycle upon any Sidewalk unless a Traffic Control Device has been erected on or alongside such Sidewalk to indicate a recognized Bicycle pathway.
- 15.No person shall drive a Vehicle over any unprotected fire hose of the Guelph Fire Department, when laid down to be used at any fire, alarm of fire or training operations, unless directed to do so by a Police Officer or employee of the Guelph Fire Department.
- 16.No person shall drive a Vehicle within one hundred (100) metres of a road painting machine while such machine is actively engaged in painting a Roadway.
- 17.
- (1) Turns are prohibited as set out in Schedule C of this By-law at the times and locations and in the directions set out therein.
  - (2) When a Traffic Control Device to that effect is displayed, no person proceeding in the direction set out in Column B of Schedule C of this By-law at a location set out in Column A of such Schedule shall turn a Vehicle in the direction set out in Column C at the time indicated in Column D of such Schedule.
- 18.
- (1) When a Traffic Control Device to that effect is displayed, no person shall operate a Vehicle under an overhead bridge set out in Schedule D of this By-law when the height of the Vehicle or any person or thing on or attached to the Vehicle exceeds the height set out in the said Schedule.
  - (2) The maximum gross weight of any Vehicle permitted on or over any bridge is as set out in Schedule E of this By-law.
  - (3) When a Traffic Control Device to that effect is displayed, no person shall drive a Vehicle on a bridge set out in Column A of Schedule E of this By-law when such Vehicle exceeds the maximum weight set out in Column B of Schedule E of this By-law.
- 19.



- (1) Designated Bicycle Lanes are hereby established as set out in Schedule F of this By-law.
- (2) Except in accordance with a Traffic Control Device or when necessary to avoid conflict with other Traffic or in compliance with the directions of a Police Officer, no person shall Park or Stop any portion of a Vehicle, including a Bicycle, in a Designated Bicycle Lane.
- (3) Except in accordance with Section 38 of this By-law, where a Designated Bicycle Lane set out in Schedule F of this By-law is marked by a Traffic Control Device, no person shall operate a Vehicle other than a Bicycle in any portion of the Designated Bicycle Lane, other than:
  - (i) for the purpose of ingress to or egress from a private lane or driveway adjacent to the Bicycle Lane;
  - (ii) for the purpose of making a turn at a Highway intersecting the Bicycle Lane;
  - (iii) for the purpose of entering or exiting a curb lane used for Parking; or
  - (iv) for the purpose of actually loading or unloading merchandise or passengers where such activity is otherwise permitted.
- (4) Every person riding a Bicycle on the Highway shall face and move in the direction of vehicular Traffic and shall travel in the Designated Bicycle Lane or on the finished Shoulder, or where there is no Designated Bicycle Lane or finished Shoulder, a minimum of one (1) meter away from the edge of the Roadway.

## **Traffic Control**

20.

- (1) Every Highway, or portion thereof, set out in Schedule G of this By-law is designated as a through Highway for the purposes of the Act.
- (2) Despite Subsection 20 (1) of this By-law, a through Highway shall not include any Intersection where a traffic control signal, an all-way stop or Roundabout are installed.

21. The installation of traffic control signals, including pedestrian signals is hereby authorized at the locations set out in Schedule H of this By-law.

22. The designation of lanes on Highways to indicate the permitted direction of travel within such lanes are as set out in Schedule I of this By-law for the Highways set out therein.

23.

- (1) The installation of "Yield Right of Way" signs is hereby authorized at the locations set out in Schedule J of this By-law.
- (2) In addition subsection 23 (1), the installation of "Yield Right of Way" signs is hereby authorized at all Roundabouts, facing the Traffic entering from any approach to the Roundabout.

24. The installation of "All-Way Stop" signs is hereby authorized at the locations set out in Schedule K of this By-law.

25. The installation of Pedestrian Crossovers is hereby authorized at the locations set out in Schedule L of this By-law.

26.

- (1) Every Highway, or portion thereof, set out in Schedule M of this By-law is hereby designated for one-way traffic for Vehicles to move only in the direction set out in such Schedule.
- (2) Despite subsection 26 (1), Bicycles shall be permitted to move in a contraflow direction on any Highway, or portion thereof, as set out in Schedule N of this By-law.

27. The rate of speed permitted on the Highways, or portions thereof, set out in

Schedule O of this By-law is as indicated therein.

28.

- (1) The areas listed in Column A of Schedule P of this By-law are designated under subsection 128(2.1) of the Act as Designated Areas.
- (2) No Vehicle shall be driven at a greater rate of speed than that specified in Column B of Schedule P of this By-law on any Highway or portion of within Column A set out in such Schedule.
- (3) Despite subsection 28 (1) and 28 (2) of this By-law, the Highways or portions thereof listed in Column A of Schedule O of this By-law are excluded from the corresponding Designated Area.

29. Every Highway, or portion thereof, set out in Schedule Q of this By-law is hereby designated as a Community Safety Zone.

30. The installation of Crossrides is hereby authorized at the locations set out in Schedule R of this By-law.

### **Heavy Trucks**

31.

- (1) The Highways and portions of Highways indicated in Schedule S of this By-law are hereby designated as permissive truck routes during the times set out therein.
- (2) When Traffic Control Devices indicating that permissive truck routing is in effect are displayed, no person shall move, drive or operate a Heavy Truck as defined in Section 31 (1) of this By-law on any Highway or portion of Highway, at any time, other than as expressly permitted in Schedule S of this By-law.
- (3)
  - (i) Subject to subsection 31 (3) (ii), subsection 31 (2) of this By-law shall not apply to any Vehicle engaged in the provision of goods or services to any premises in the City of Guelph, while travelling to or returning from such premises.
  - (ii) Where a Highway or portion thereof is a permissive truck route during restricted hours, as set out in Schedule S of this By-law, such Highway or portion thereof may be used outside of permitted hours by a Heavy Truck engaged in the provision of goods or services to a premises only if the premises is located directly on the Highway or portion thereof or can only be reached through the use of the Highway or portion thereof, and provided that the Highway or portion thereof is travelled only in so far as is unavoidable in getting to and from such premises.
- (4) Subsection 31 (2) of this By-law shall not apply to a privately owned commercial Vehicle being driven to or from the residence of the owner or operator, where such residence is located within the City of Guelph, or to any authorized commercial Vehicle being driven to or from:
  - (i) an area where Heavy Truck parking is permitted by the City; or
  - (ii) any other parking area where Heavy Truck parking is permitted under the City of Guelph Zoning By-law (1995)-14864, as amended from time to time, or any successor thereof,

if the residence or parking area in question cannot be reached except through the use of a Highway or portion of Highway not expressly permitted in Schedule S, and provided that the said Highway or portion thereof is travelled only in so far as is unavoidable in getting to and from such premises.

- (5) No person shall Park a Heavy Truck on any Highway between 8:00 p.m.

of one day and 6:00 a.m. of the next day.

32. The Highways and portions of Highways indicated in Schedule T of this By-law are hereby designated as Heavy Truck exclusion zones.

### **Half Loads**

33.

- (1) During the period from the first day of March to the thirtieth day of April inclusive in each calendar year, half load restrictions may be implemented on the Highways set out in Column A of Schedule U of this By-law between the locations set out in Columns B and C of Schedule U of this By-law.
- (2) When a Traffic Control Device to that effect is displayed in respect of a portion of Highway set out in Schedule U, half load restrictions are in effect on such portion of Highway, and no person shall operate a Vehicle on such portion of Highway in excess of the half load restriction.

### **Prohibited Pedestrian Crossings**

34.

- (1) Except where a Traffic Control Device indicates that a Pedestrian may cross, where a Pedestrian is lawfully within a crosswalk as set out Subsection 144 (7) of the Act, or where a Pedestrian is directed to proceed by a Police Officer controlling Traffic, every Pedestrian crossing a Highway, at any place other than a Pedestrian Crossover, shall yield the right-of-way to all Vehicles upon such Highway.
- (2) Notwithstanding subsection 34 (1), every driver shall take all reasonable care to avoid a collision with a Pedestrian.
- (3) Notwithstanding any other provision of this By-law, when a Traffic Control Device to that effect is displayed, no person shall at any time cross at or upon the Intersection listed in Column A of Schedule V to this By-law in the crossing set out Column B of this Schedule.

35. No Pedestrian shall proceed over, under or around any barrier installed on a Highway or part of a Highway.

36. No person shall play or take part in any game, sport, activity or the like upon any Highway, without authority to do so from the City.

37.

- (1) Except as set out in Sections 37 (2), 38 and 39, no person shall ride by means of In-line Skates, a Skateboard, or a Non-Motorized Scooter, or ride in or by means of any other coaster, toy Vehicle, or by similar device upon any Roadway, Sidewalk, or any other portion of a Highway, or upon any other City property without authority to do so from the City.
- (2) Despite Subsection 37 (1) of this By-law, the use of Skateboards, In-line Skates and Non-Motorized Scooters is permitted in any park within the City of Guelph, except on any object including a bench, raised Curb, play equipment or the like and except in any area set aside for use as a tennis court, swimming pool or parking lot.

### **In-line Skating**

38.

- (1) In-line Skating is permitted on Highways within the City of Guelph, only as set out in this Section.
- (2) Every person In-line Skating on any Highway or portion thereof shall, at all times:
  - (i) exercise due care and attention to their safety;
  - (ii) skate in a manner and at a speed appropriate to the surface being skated upon; and

- (iii) exercise due care and attention to the safety of all other users of the Highway.
- (3) No person shall In-line Skate on any portion of a Highway set out in Schedule W of this By-law, unless within the Designated Bicycle Lane, Multi-use path, Cycle Track, on the finished Shoulder or on the Sidewalk. If on any such portion of a Highway there is no Designated Bicycle Lane, finished Shoulder or Sidewalk, In-line Skating is prohibited at that point.
- (4)
  - (i) Subject to Subsections 38 (8) and (9), an In-line Skater legally upon a Highway, including a portion of a Highway set out in Schedule W of this By-law, may cross such Highway or an intersecting Highway:
    - (a) within a crosswalk;
    - (b) within a Pedestrian Crossover;
    - (c) within a Crossride; or
    - (d) at a location other than a crosswalk, Pedestrian Crossover or Designated Bicycle Lane Extension, only after ensuring that it is safe to do so.
  - (ii) Notwithstanding clause (4) (i), every driver of a Vehicle shall take all reasonable care to avoid a collision with an In-line Skater crossing a Highway.
- (5) No person shall In-line Skate on any Highway in such a manner so as to cause any damage to public or private property.
- (6) Every person In-line Skating on a Highway shall:
  - (i) at all times wear a Canadian Standards Association ("CSA") approved helmet appropriate for In-line Skating, with the chin strap securely fastened; and
  - (ii) at all times between dusk and dawn wear reflective materials that are visible from both the front and back of the person and that are at least twenty four (24) millimetres wide by two hundred fifty (250) millimetres long.
- (7) Every person In-line Skating, other than on a Sidewalk, shall move in the direction of vehicular Traffic, and shall travel in the Designated Bicycle Lane or on the finished Shoulder, or where there is no Designated Bicycle Lane or finished Shoulder, travel as close as is practicable to the right hand Curb;
- (8) Every person In-line Skating on a Roadway, in a Designated Bicycle Lane, Multi-use path, Cycle Track or on a finished Shoulder shall:
  - (i) obey all Traffic Control Devices;
  - (ii) when stopped at a stop sign, yield the right-of-way to all other Traffic on the Roadway and proceed only when it is safe to do so;
  - (iii) when being overtaken by another user of the Roadway, Designated Bicycle Lane or paved Shoulder that is travelling at a greater speed than such user, turn out to the right and allow the other user to pass;
  - (iv) when turning to the left or right or stopping, clearly signal such movement by using the appropriate hand signals as set out in the Act; and
  - (v) when making a left turn, use only a Designated Bicycle Lane Extension or combination of Designated Bicycle Lane Extensions, a crosswalk or a Pedestrian Crossover.
- (9) Every person In-line Skating on a Sidewalk shall:
  - (i) come to a complete stop before entering any Roadway, proceeding only when it is safe to do so;

- (ii) obey all pedestrian control signals; and
- (iii) at all times yield the right-of-way to Pedestrians using the Sidewalk.

- (10) Nothing in this Section relieves an In-line Skater from complying with the provisions of the Act.

### **Skateboards and Non-Motorized Scooters**

39.

- (1) The riding of Skateboards and Non-Motorized Scooters is permitted on Sidewalks within the City of Guelph, only as set out in this Section.
- (2) No person shall ride a Skateboard or Non-Motorized Scooter on any Sidewalk designated in Schedule X of this By-law.
- (3) Every person who is riding a Skateboard or Non-Motorized Scooter on any Sidewalk shall, at all times:
  - (i) exercise due care and attention to their safety;
  - (ii) travel in a manner and at a speed appropriate to the surface being travelled upon; and
  - (iii) exercise due care and attention to the safety of all other users of the Sidewalk.
- (4) Every person riding a Skateboard or Non-Motorized Scooter on a Sidewalk shall come to a complete stop and disembark from the Skateboard or Non-Motorized Scooter prior to entering any Roadway.
- (5) No person shall ride a Skateboard or Non-Motorized Scooter on any Sidewalk in such a manner so as to cause any damage to public or private property.
- (6) Any person riding a Skateboard or Non-Motorized Scooter on a Sidewalk shall:
  - (i) at all times wear a Canadian Standards Association ("CSA") approved helmet appropriate for Skateboarding or the riding of a Non-Motorized Scooter, as the case may be, with the chin strap securely fastened;
  - (ii) at all times between dusk and dawn wear reflective materials that are visible from both the front and back of the person and that are at least twenty-four (24) millimetres wide by two hundred and fifty (250) millimetres long;
  - (iii) travel as close as is practicable to the right-hand side of the Sidewalk, having regard to their direction of travel; and
  - (iv) at all times yield the right-of-way to Pedestrians.
- (7) Without limiting the generality of Subsection 39 (3), no person shall engage in any of the following activities while riding a Skateboard or Non-Motorized Scooter on any Sidewalk:
  - (i) vaulting from a ramp or other object;
  - (ii) using any object to move over, under, on, in or around for a recreational purpose;
  - (iii) dismounting from a Skateboard or Non-Motorized Scooter in an unsafe manner;
  - (iv) riding the Skateboard or Non-Motorized Scooter in such a manner so as to permit or cause it to leave the ground; or
  - (v) moving erratically from side to side.
- (8) No person shall place on any Sidewalk any object that is intended to be used to ride a Skateboard or Non-Motorized Scooter over, under, on, in or around.

- (9) Every person riding a Skateboard or a Non-Motorized Scooter on a Sidewalk shall ensure that such Skateboard or Non-Motorized Scooter does not enter into the Roadway.

## **No Parking Zones**

40.

- (1) "No Parking Zones" are hereby established prohibiting Parking at the times and locations set out in Schedule Y of this By-law.
- (2) When a Traffic Control Device to that effect is displayed, no person shall Park any portion of a Vehicle at a location set out in Columns A, B and C of Schedule Y of this By-law at the time set out in Column D of Schedule Y of this By-law, or Park any portion of a Vehicle in a No Parking Zone set out in Subsection 40 (3) of this By-law, except when necessary to avoid conflict with other Traffic or in compliance with a temporary Traffic Control Device, or the directions of a Police Officer.
- (3) "No Parking Zones" are further established as follows:
  - (i) At the times and locations set out in clauses 59 (1) (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x) and (xi) of this Bylaw;
  - (ii) At Taxi Stands established pursuant to Subsection 47 (1) of this By-law, except for Vehicles authorized by the city pursuant to Section 47 of this By-law;
  - (iii) In School Bus Loading Zones established pursuant to Section 58 of this By-law, except for School Buses; and,
  - (iv) At the locations set out in Clauses 61 (1) (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix) and (x) of this By-law.
- (4) When a Traffic Control Device to that effect is posted, no person shall Park any portion of a Vehicle in a No Parking Zone set out in Subsection 40 (3) of this By-law, unless in accordance with an exception set out in Subsection 40 (3) (ii) or (iii), or when necessary to avoid conflict with other Traffic or in compliance with a temporary Traffic Control Device or the directions of a Police Officer.

## **No Stopping Zones**

41.

- (1) "No Stopping Zones" are hereby established prohibiting Stopping at the times and locations set out in Schedule Z of this By-law.
- (2) When a Traffic Control Device to that effect is displayed, no person shall Stop any portion of a Vehicle at a location set out in Columns A, B and C of Schedule Z of this By-law at the time set out in Column D of Schedule Z of this By-law, or Stop any portion of a Vehicle in a No Stopping Zone set out in Subsection 41(3) of this By-law, except when necessary to avoid conflict with other Traffic or in compliance with a temporary Traffic Control Device or the directions of a Police Officer.
- (3) "No Stopping Zones" are further established as follows:
  - (i) At the times and locations set out in Clauses 59(1) (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x) and (xi) of this By-law;
  - (ii) At Taxi Stands established pursuant to Subsection 47(1) of this By-law, except for Vehicles authorized by the City pursuant to Section 47 of this By-law;
  - (iii) In School Bus Loading Zones established pursuant to Section 58 of this By-law, except for School Buses; and,
  - (iv) At the locations set out in Clauses 61 (1) (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix) and (x) of this By-law.
- (4) When a Traffic Control Device to that effect is posted, no person shall Stop any portion of a Vehicle in a No Stopping Zone set out in Subsection 41 (3) of this By-law, unless in accordance with an exception set out in

Subsection 40 (3) (ii) or (iii), or when necessary to avoid conflict with other Traffic or in compliance with a temporary Traffic Control Device or the directions of a Police Officer.

### **Duration of Restricted Parking Zones**

42.

- (1) Parking is limited to the duration of time set out in Schedule AA of this By-law at the corresponding locations shown therein.
- (2) Unless otherwise provided for by this By-law or so authorized by the City, when a Traffic Control Device to that effect is displayed, no person shall Park any portion of a Vehicle on a Highway set out in Column A of Schedule AA of this By-law at a location set out in Column C of such Schedule on the side of the Highway set out in Column B of such Schedule in excess of the time limit set out at any time indicated in Column D of such Schedule.

### **15 Minute Public Loading Zones**

43. Unless so authorized by the City, when a Traffic Control Device to that effect is displayed, no person shall Park any portion of a Vehicle on a Highway set out in Column A of Schedule BB of this By-law on the side of the Highway set out in Column B of such schedule at a location set out in Column C of such Schedule between the times set out in Column D of such Schedule, for longer than fifteen (15) minutes.

### **Kiss N' ride Zones**

44.

- (1) "Kiss N' Ride Zones" are hereby established at the locations and times set out in Schedule CC of this By-law.
- (2) Where a Traffic Control Device is displayed indicating a Kiss N' Ride Zone, no person shall park any portion of a Vehicle within such zone for longer than five minutes.

### **School Bus Loading Zones**

45. When a Traffic Control Device to that effect is posted, "School Bus Loading Zones" are in effect at the locations set out in Schedule DD of this By-law.

### **Permitted Angle Parking Zones**

46.

- (1) Angle parking is in effect as set out in Schedule EE of this By-law.
- (2) Where angle parking exists on any Highway or portion thereof in accordance with Schedule EE of this By-law, no person shall Park any portion of a Vehicle at that location except at the angle as indicated by road paint markings or, if not indicated by such markings, at a forty-five (45) degree angle from the lateral line of the Curb or, where no Curb exists, the lateral line of the Shoulder.
- (3) No person shall Park any portion of a Vehicle in a Parking Space where angle parking is designated pursuant to Schedule EE of this By-law, without the front end of such Vehicle as close to the Curb as is practicable where a raised Curb exists, and as close as is practicable to the furthest limit of the Shoulder beyond the Roadway where a Shoulder exists.

### **Taxi Stands**

47.

- (1) "Taxis Stands" are hereby established as set out in Schedule FF of this By-law.

- (2) Taxis Stands shall be allotted as to location and Parking Space as approved by the City.
- (3) Every Taxi company wishing to use a portion of a Highway as a Taxi Stand shall obtain authority to do so from the City annually and pay the amount of the fee as set by the City for such authorization.
- (4) The authority to use a Taxi Stand is subject to compliance with the provisions of this By-law and may be cancelled by the City at any time for infraction of such provisions.
- (5) Section 61 does not apply to a Taxi that have been authorized to Park in a Taxi Stand, provided however that where a Taxi is Parked in a Taxi Stand between the hours of 2:00 a.m. and 6:00 a.m., the driver shall move such Taxi from the Taxi Stand immediately upon request by the City.
- (6) No person shall Park or Stop any portion of a Vehicle in a Taxi Stand, except with the authorization of the City as set out in this Section.

### **General Stopping and Parking Restrictions**

48.

- (1) No person shall Park any portion of a Vehicle on any Highway when such Vehicle is leaking any fluid, including but not limited to, oil or gasoline, but not including water from the Vehicle's air-conditioning unit.
- (2) Where a Vehicle Parked in contravention of Subsection 48 (1) leaks any fluid onto any portion of the Highway, the owner of the Vehicle shall cause the fluid to be cleaned up to the satisfaction of the City.
- (3) If the owner of the Vehicle fails to comply with Subsection 48 (2), the City may, in addition to any other remedy, clean up the fluid at the Vehicle owner's expense, and the City may recover the expense by action or in like manner as municipal taxes.

49. No person shall Stop or Park any portion of a Vehicle on any Highway in such a manner, or under such conditions, so as to leave less than three point five (3.5) metres width of the Roadway available for the movement of other Traffic.

50. No person shall Park any portion of a Vehicle on any Highway for a period exceeding forty-eight (48) consecutive hours.

51. No person shall Stop or Park any portion of a Vehicle on any Highway when such Vehicle does not bear valid proper number plates or a corresponding current validation sticker, issued by the Ministry of Transportation of Ontario or respective extra-Provincial or State authority, and registered to such Vehicle.

52. No person shall Park any portion of a Vehicle in a Parking Space except wholly within the road paint markings for such Parking Space.

53. No person shall Park any portion of a Vehicle on or over a public or private driveway in any part of a Road Allowance unless authorized by the City.

54. No person shall Stop or Park any portion of a Vehicle on any Highway in such a manner so as to obstruct other Traffic.

55.

- (1) No person shall Stop or Park any portion of a Vehicle on any Highway except on the right hand side of such Highway, having regard to the forward direction in which the Vehicle was travelling, with the right wheels parallel to and not further than zero point three (0.3) metres from the Curb where there is a raised Curb, and with the right wheels parallel to and as near to the right hand limit of the Shoulder as is practicable where a Shoulder exists.
- (2) Despite Subsection 55 (1) of this By-law, no person shall Stop or Park any portion of a bus in a Bus Stop on any Highway without the right wheels being parallel to and not further than zero point five (0.5) metres



from the Curb where there is a raised Curb, and with the right wheels parallel to and as near to the right hand limit of the Shoulder as is practicable where a Shoulder exists.

- (3) Subsection 55 (1) of this By-law shall not prevent the Stopping or Parking of a Vehicle on the left hand side of a Highway which is designated for one-way traffic pursuant to Schedule K of this By-law, provided the left wheels of such Vehicle are parallel to and not more than zero point three (0.3) metres from the Curb where there is a raised Curb, and that the left wheels are parallel to and as near to the left hand limit of the Shoulder as is practicable where a Shoulder exists.
- (4) Subsections 55 (1) to (3) inclusive of this By-law shall not apply where a Traffic Control Device indicating otherwise has been erected in accordance with this By-law.

56.

- (1) No person shall Stop any portion of a Bus on any Highway at any place other than a Bus Stop, except when authorized by the City or when necessary to avoid conflict with other Traffic or at the direction of a Police Officer or Traffic Control Device.
- (2) Subsection 56 (1) of this By-law does not apply to a Bus operated on behalf of the City.

57. Unless authorized by the City, no person shall Park any portion of a School Bus on any Highway at any place other than a School Bus Loading Zone.

58. No person shall Stop any portion of a Vehicle, other than a School Bus, on any Highway in a location designated by Schedule DD of this By-law as a School Bus Loading Zone and so indicated by a Traffic Control Device.

59.

- (1) No person shall Stop or Park any portion of a Vehicle, except when necessary to avoid conflict with other Traffic or in compliance with a Traffic Control Device or with the direction of a Police Officer:
  - (i) on or over a Sidewalk between 6:00 a.m. of one day and 2:00 a.m. of the next day;
  - (ii) on or over a Sidewalk between 2:00 a.m. and 6:00 a.m.;
  - (iii) in front of, or within one (1) metre of a public or private driveway or laneway;
  - (iv) within three (3) metres of the point on the Curb or edge of the Shoulder adjacent to a fire hydrant;
  - (v) within an Intersection, or a Roundabout;
  - (vi) within a Pedestrian Crossover;
  - (vii) within fifteen (15) metres of any Intersection, or trail crossing;
  - (viii) on a Roadway alongside of any Vehicle which is Stopped or Parked at the Curb or edge of a Shoulder of such Roadway;
  - (ix) on any bridge or other elevated structure of a Highway;
  - (x) within fifteen (15) metres of a signalized Intersection, or a Roundabout; or, any bridge or other elevated structure of a Highway; or,
  - (xi) on or over any part of a Highway where grass is growing or is seeded, or where an earth surface exists.
- (2) Subsections 59 (1) (iii), (iv), (v), (vii) and (x) do not apply where a Parking Space is provided by the City.

60.

- (1) No person shall Stop or Park any portion of a Vehicle on any Highway for the purpose of:
  - (i) washing, greasing or repairing such Vehicle, except for repairs necessitated by emergency;
  - (ii) unloading or transferring materials of any kind from one Vehicle to another, except in cases of emergency; or

- (iii) advertising or selling goods without authority to do so from the City.

## **Signed Parking Regulations**

61.

- (1) Where a Traffic Control Device to that effect is displayed, no person shall Stop or Park any portion of a Vehicle on any Highway:
  - (i) within fifteen (15) metres of a non-signalized intersection, or trail crossing;
  - (ii) within fifteen (15) metres of the nearest rail of the approach to a railroad crossing;
  - (iii) within seven (7) metres of a driveway entrance to any fire station on the side of the Highway on which the driveway is located, and, on the side of the Highway opposite such entrance, within twenty-three (23) metres of either side of the point on the Curb or Shoulder of the Highway opposite said entrance;
  - (iv) in front of the entrance to a hotel, theatre, office building or place where goods are regularly delivered or removed;
  - (v) within thirty (30) metres of a signalized Intersection, or a Roundabout;
  - (vi) within thirty (30) metres of a Pedestrian Crossover;
  - (vii) within fifteen (15) metres of the point on the Curb or edge of the Shoulder adjacent to the Bus Stop sign, on the side of the Highway on which the Bus Stop is located;
  - (viii) within thirty (30) metres of a Pedestrian Crosswalk which is controlled by a Traffic Control Signal;
  - (ix) within fifteen (15) metres of a school crosswalk signed with a Traffic Control Device; or,
  - (x) within fifteen (15) metres of the termination of a dead end street.

62.

- (1) When a Traffic Control Device to that effect is displayed at each Highway entrance to the City, no person shall Park any portion of a Vehicle on or over any Highway between the hours of 2:00 a.m. and 6:00 a.m. from the 1st day of December in each calendar year until the 31st day of March in the next calendar year inclusive.
- (2) Subsection 62 (1) of this By-law does not apply to a Vehicle that is exempted by the City.
- (3) Subsection 62 (1) of this By-law does not apply to a portion of a Highway at a location set out in Schedule GG of this By-law that is not part of a Guelph Transit bus route and when a Traffic Control Device is displayed permitting Parking between 2:00 a.m. and 6:00 a.m. on such portion of Highway, provided that such Parking is carried out in accordance with the Traffic Control Device.
- (4) The Executive Director may declare a temporary Parking ban at any time on any portion of any Highway within the City.
- (5) Notwithstanding any other provision of this By-law, that permits the Parking of a Vehicle on a Highway, when a Temporary Parking ban has been declared, no person shall Park a Vehicle or permit a Vehicle to remain parked on any portion of a Highway included in the ban.

## **Parking Control Device Zones**

63.

- (1) "Parking Control Device Zones" are hereby established as set out in Schedule HH of this By-law, including the location of the Parking Control Device, the maximum duration of such Parking Control Device and the rate to be deposited in such Parking Control Device to cover the length of

time a Vehicle is Parked in a corresponding Parking Space.

- (2) Every Parking Control Device within a Parking Control Device Zone is in effect during the days and times set out on such meter, which days and times shall be in accordance with Schedule HH of this By-law.
- (3) No person shall Stop or Park any portion of a Vehicle on a Highway in any Parking Space located in a Parking Control Device Zone and equipped with a Parking Control Device:
  - (i) without setting the Parking Control Device into operation, such that the expiry signal is not visible, by depositing a Coin of Recognized Currency into such Parking Control Device in the amount sufficient to cover the duration of time that the Vehicle is to be Stopped or Parked in such Parking Space; or
  - (ii) in accordance the terms and conditions of a parking permit issued by the City for that location.
- (4) Section 52 of this By-law shall not apply in a Parking Control Device Zone to any Vehicle which is of a size too large to be Parked wholly within a single Parking Space, provided that the Parking Control Device corresponding to each Parking Space occupied, or partially occupied, is placed into operation as required in Subsection 63 (3) of this By-law.
- (5) No person shall Park any portion of a Vehicle on a Highway in any Parking Space located in a Parking Control Device Zone and equipped with a Parking Control Device, for a consecutive period of time longer than the maximum period of time permitted on such Parking Control Device Zones in accordance with Schedule HH of this By-law, irrespective of the amount of Coin of Recognized Currency deposited in such Parking Control Device or the number of times a person deposits a Coin of Recognized Currency in such Parking Control Device.
- (6) No person shall deposit or attempt to deposit in any Parking Control Device any other coin or substance other than a Coin of Recognized Currency.
- (7) Within a Parking Control Device Zone, no person shall Stop or Park any portion of a Vehicle in a metered Parking Space when such Parking Control Device is covered, unless so authorized by the City.

## **Offence**

64. Within a Parking Control Device Zone, no person shall Stop or Park any portion of a Vehicle in a metered Parking Space when such Parking Control Device is covered, unless so authorized by the City.
65. The owner of a Vehicle that is found Parked or Stopped in contravention of this By-law is guilty of an offence and, upon conviction, shall be subject to the governing penalties, unless the owner of a Vehicle proves to the Court that, at the time of the offence, the Vehicle was in the possession of another person without the owner's consent, express or implied.

## **Penalties**

66. Every person who is convicted of an offence under any provision of this By-law shall be liable to a penalty as set out in Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended from time to time, or any successor thereof.

## **Removal of Vehicle**

- 67.
- (1) Where a Vehicle is found Parked or Stopped in contravention of this By-law, a By-law Enforcement Officer or Police Officer may cause the Vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charges for this removal and for any care and storage of the Vehicle, are a lien upon the Vehicle, which may be enforced in the

manner provided by the *Repair and Storage Liens Act*, R.S.O. 1990, c. R.25, as amended from time to time, or any successor thereof.

- (2) Without limiting Subsection 67 (1) of this By-law, where a Vehicle is found Parked or Stopped in contravention of subsection 2 (4) (i) of this By-law, and:
- (i) was Parked or Stopped in that location prior to the posting of a Traffic Control Device to indicate that Parking or Stopping is prohibited; and,
  - (ii) the Owner of the Vehicle has not been located so as to request the Owner to remove the Vehicle, or a By-law Enforcement Officer or Police Officer determines that it is impractical to attempt to locate the Owner of the Vehicle in the circumstances,

a By-law Enforcement Officer or Police Officer may cause the Vehicle to be moved to a location in reasonable proximity, on-street or in a City owned facility, where the Vehicle will not contravene the said provisions and where parking is permitted. No fee shall be charged to the Owner for said removal.

### **Schedules form part of By-law**

68. All Schedules shall form part of this By-law and each entry in a column of such Schedule shall be read in conjunction with the entry or entries across therefrom, and not otherwise.

### **By-law cumulative**

69. The various prohibitions of this By-Law are cumulative and not mutually self-exclusive.

### **Severability**

70. If any provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of this By-law or its application in other circumstance, shall not be affected and shall continue to be in full force and effect.

### **Short title**

71. The short title of this By-law is the Traffic and Parking By-Law.

### **Effective date of By-law**

72.

- (1) This By-law shall come into force and take effect at 12:01 a.m. on April 1, 2022 or when the set fines have been approved by the Regional Senior Justice of the Peace, whichever occurs first.
- (2) Notwithstanding Subsection 72 (1), those provisions requiring approval by the Ministry of Transportation of Ontario in accordance with Section 195 of the Act shall not come into effect until such approval has been granted by the Ministry.

73. Notwithstanding Section 72 and Section 74 of this By-law shall come into effect immediately.

### **Prior By-laws repealed**

74.

- (1) By-law Number (2002)-17017 and all amendments, are hereby repealed as of as of the date this By-Law comes into effect in accordance with section 72.
- (2) Notwithstanding subsection 74 (1) of this By-Law, By-Law Number (2002)-17017, as amended shall continue to apply to proceedings in respect of any offences committed against the provision of By-Law (2002)-17017, as amended that occurred or any penalty incurred in

respect thereof or any investigative procedure including but not limited to any prosecution thereunder before the repeal of By-Law (2002)-17017, as amended.

**Passed this twenty-eighth day of March, 2022.**

**Schedules:**

See Schedule A to By-law (2022)-20698 List of Schedules and Schedules B to HH referenced in Schedule A.

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**Cam Guthrie, Mayor**

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**Stephen O'Brien, City Clerk**