

THE CORPORATION OF THE TOWNSHIP OF PRINCE

BY-LAW NO. 2020-33

A by-law to regulate traffic and parking

THE COUNCIL of the Corporation of the Township of Prince, ENACTS as follows:

PART I - DEFINITIONS AND INTERPRETATION

1. DEFINITIONS

In this by-law,

- (1) **"Commercial Motor Vehicle"** means any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses, and tractors used for hauling purposes on the highway;
- (2) **"Controlled-Access Road"** means a road so designated under Section 92 of The Highway Improvement Act;
- (3) **"Corner"** means the point of intersection of curbs or edges of the parts of streets used for vehicular traffic;
- (4) **"Gross Weight"** means the combined weight of vehicle and load;
- (5) **"Heavy Truck"** means a commercial motor vehicle having a gross weight as licensed pursuant to The Highway Traffic Act in excess of 13 tonnes (28,000 pounds), but does not include an ambulance, a hearse, a casket wagon, a fire apparatus, a police vehicle or a motor bus;
- (6) **"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;
- (7) **"Holiday"** means New Year's Day, Good Friday, the birthday or the day fixed by proclamation of the Governor General for the celebration of the birthday of the reigning sovereign, Victoria Day, Dominion Day, any day proclaimed by the Mayor as a Civic Holiday, Labour Day, any day appointed by proclamation of the Governor General or the Lieutenant Governor as a public holiday or for a general fast on Thanksgiving, Remembrance Day, Christmas Day and Boxing Day;

- (8) "**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 roadways, that join one another at an angle, whether or not one street crosses the other;
- (9) "**Laned Roadway**" means a roadway on which the spaces for separate lanes of vehicular traffic are indicated by lines or other markings on the surface of the roadway or in any other manner;
- (10) "**Motorcycle**" means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and includes a bicycle with a motor attached and a motor scooter;
- (11) "**Motor Vehicle**" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but, does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a traction engine, farm tractor, self-propelled implement husbandry or road-building machine;
- (12) "**Park**" or "**Parking**" 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 of merchandise or passengers;
- (13) "**Pedestrian**" means a person afoot or an invalid, child or other person in a wheeled chair or baby carriage;
- (14) "**Pole Trailer**" means a trailer attached to a towing vehicle by means of reach or pole or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly- shaped loads such as poles, pipes or structural members capable, generally of sustaining themselves as beams between the supporting connections;
- (15) "**Right of Way**" means the privilege of the immediate use of the roadway;
- (16) "**Road Building Machine**" means a self-propelled vehicle designed and used primarily in connection with the building or maintenance of highways and not designed or used for carrying a load;
- (17) "**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 at all of the roadways collectively;
- (18) "**Semi-trailer**" means any trailer that is so designed that, when operated, the forward part of its body or chassis rests upon the body of chassis of the towing vehicle;

- (19) "**Stand**" or "**Standing**" when prohibited means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;
- (20) "**Stop**" or "**Stopping**" when prohibited means the halting of a vehicle even momentarily, whether occupied or not, except when necessary to avoid conflict with either traffic or in compliance with the directions of a constable or other police officer or of a traffic signal, traffic control device control officer;
- (21) "**Street**" includes a highway and roadway and means the entire width between the boundary lines of the street or highway;
- (22) "**Through Highway**" means a through highway as defined in The Highway Traffic Act;
- (23) "**Traffic**" includes pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using a street for the purposes of travel;
- (24) "**Traffic Control Device**" means any sign or roadway, curb or sidewalk marking, or other device erected or placed under the authority of this by-law for the purpose of guiding or directing traffic;
- (25) "**Traffic Signal**" means any device operated manually, electrically or mechanically for the regulation of traffic.
- (26) "**Trailer**" means any vehicle that is at any time drawn upon a highway by a motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved such highway, and except a side car attached to a motor cycle, and shall be considered a separate vehicle and not a part of the motor vehicle it is drawn;
- (27) "**U-Turn**" means the turning of a vehicle within a roadway so as to proceed in the opposite direction to that in which the vehicle was traveling immediately prior to making the turn;
- (28) "**Vehicle**" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind or power, including muscular but not including the cars of electric or steam railways running only upon rails.

2. INTERPRETATION

(1) In this by-law,

(a) words importing the singular number or the masculine gender only include more persons, parties or things of the same kind than one and females as well as males and the converse;

(b) a word interpreted in the singular number has a corresponding meaning when used in the plural;

(c) "may" shall be construed as permissive;

(d) "shall" shall be construed as imperative;

(2) In the schedules to this by-law, the following abbreviations, definitions, and symbols stand for the words respectively set forth opposite thereto as follows:

(a)	Ave.	----	Avenue
	Dr.	-----	Drive
	Hwy.	-----	Highway
	Ln.	-----	Lane
	Rd.	-----	Rd.
	St.	-----	Street
(b)	m (ft.)	-----	metres (feet)
	cm (in.)	-----	centimetres (inch)
	km/h (m.p.h.)	-----	kilometres per hour (miles per hour)
(c)	N.	-----	North
	S.	-----	South
	E.	-----	East
	W.	-----	West
(d)	A.M.	-----	Ante Meridian
	P.M.	-----	Post Meridian

(3) Imperial measurements are indicated in brackets following metric measurements and for enforcement purposes, and all other purposes, both the Metric and Imperial Systems form part of this by-law.

3. **STANDARD TIME AND DAYLIGHT SAVING TIME**

Where any expression of time occurs or where any hour or other period of time is stated, the time referred to shall be standard time, provided however, if what is known as "daylight saving time" has been generally adopted in the Township of Prince for any period of the year, under any statute, order-in-council, by-law, resolution or proclamation, whether the same is effective in law or not, such time shall be the time referred to during such period in any reference to time in this by-law.

PART II—PARKING REGULATIONS

4. **METHOD OF PARKING. ANGLE PARKING**

- (1) No person shall park or stop any vehicle on any street except on the right hand side of the street having regard to the direction in which the vehicle was proceeding with the right front and right rear wheels parallel to and not more than thirty centimetres (twelve inches) from the curb where there is a raised curb, and where there is no curb with right front and rear wheels parallel to and as near to the right hand limit of the roadway as is practicable but this provision shall not apply, where angle parking is permitted under subsection (4).
- (2) Where angle parking spaces are designated by lines painted on the roadway, or otherwise, no person shall stop or park any vehicle except within an area so designated as a parking space.
- (3) Where angle parking is permitted on a street, no person shall stop or park any vehicle except at the angle designated by signs or markings on the roadway.

5. **PARKING PROHIBITED IN SPECIFIED PLACES WITHOUT SIGNS**

No person shall park a vehicle on any street;

- (1) in front of the entrance to a public street;
- (2) in or within nine metres (thirty feet) of an intersection;
- (3) within three metres (10 feet) of either side of a fire hydrant;
- (4) in front of a private driveway;
- (5) on any bridge or on the approaches to any bridge, where such approach is limited by a post and cable guiderail, a post and deep beam guiderail or an embankment retaining wall;
- (6) on any street in such manner as to obstruct traffic;
- (7) in such a position that will prevent the convenient removal of any other vehicle previously parked or standing;
- (8) along side or opposite any street excavation or obstruction;
- (9) on any street for the purpose of displaying the vehicle for sale;

- (10) for the purpose of cleaning, washing, greasing, or repairing the vehicle except for such repairs as have been necessitated by an emergency;
- (11) at any time between 12:00 o'clock midnight of one day and 6:00 o'clock in the morning of the next day during any of the months of November, December, January, February, March or April in any year.

6. **MAXIMUM PARKING LIMIT**

Subject to the other provisions of this by-law, no person shall park a vehicle on any roadway for an unreasonable period of time having regard to the traffic on such roadway, and in no case for a period of time longer than eighteen hours.

7. **INTERFERENCE WITH TRAFFIC AND SNOW CLEARING**

Notwithstanding any other provisions of this by-law, no person shall park or stand a vehicle on a street in such a manner as to interfere with the movement of traffic or the clearing of snow from the street.

PART V—STOP AND YIELD REGULATIONS

8. **STOPPING PROHIBITED IN SPECIFIED PLACES WITHOUT SIGNS**

No person shall stop a vehicle on a street at any of the following places.

- (1) along side or across the street from any excavation or obstruction in the roadway when the free flow of traffic would thereby be impeded;
- (2) on the roadway side of any stopped or parked vehicle.

9. **TRAFFIC CONTROL AT FIRES**

- (1) No person shall move or operate a vehicle other than a police or fire department vehicle on any street or lane within 91 metres (300 feet) of a fire or fire apparatus or fire-fighting equipment, except as directed by a constable, by-law enforcement officer or fireman.
- (2) No person shall drive a vehicle over a fire hose on any street or lane.

10. **MOTORCYCLES**

No person operating a motorcycle on a street shall carry on such motorcycle more persons than the motorcycle is designed and properly equipped to carry.

11. BOARDING AND ALIGHTING FROM MOVING VEHICLES

No person shall board or alight from any vehicle while such vehicle is in motion.

12. FRESHLY PAINTED LINES ON THE ROADWAY

No person shall drive or attempt to drive on or over or tamper with or walk on a newly painted line or sign on any roadway, when the presence of such line or sign is indicated by markers or lighted lanterns.

PART VIII—LOAD LIMITS AND HEAVY TRAFFIC**13. REDUCED LOADS ON STREETS (LOAD RESTRICTION IN EFFECT 5 TONNES PER AXLE)**

When properly worded signs have been erected and are on display the provisions of section 122 of The Highway Traffic Act are declared to be in force in respect of all streets in the Township of Prince.

PART IX—PEDESTRIANS RIGHTS AND LIABILITIES**14. PEDESTRIAN TO YIELD TO VEHICULAR TRAFFIC**

Except where traffic is being controlled by a constable or by-law enforcement officer, a pedestrian crossing a street shall yield the right-of-way to all vehicles upon the roadway, but nothing in this section shall relieve the driver of a vehicle from the obligation of taking all due care to avoid an accident.

15. PLAYING ON ROAD PROHIBITED

No person shall play or take part in any game or sport upon a roadway.

PART X—BICYCLES**16. BICYCLES**

- (1) A person driving a bicycle upon a roadway shall drive as near the right-hand side of the roadway as practicable and shall exercise due care when passing a standing vehicle or one proceeding in the same direction.
- (2) Persons operating bicycles upon a roadway shall do so in single file.
- (3) No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping both hands on the handle bars.
- (4) No person riding a bicycle shall remove his feet from the pedals which the bicycle is in motion.

- (5) No person shall park a bicycle on the roadway.
- (6) No person riding on a bicycle designed for carrying one person only shall carry any other person thereon.

PART XI—APPLICATION AND ADMINISTRATION

17. **ENFORCEMENT**

- (1) This by-law shall be enforced by the By-law enforcement officers who shall have the authority to enforce the parking, standing and stopping provisions of this by-law.
- (2) Notwithstanding subsection 1
 - (a) All members of the Fire Department of the Township of Prince, while on duty, may enforce sections 5 and 9 of this by-law.

18. **DIRECTION OF TRAFFIC**

When, in the opinion of a by-law enforcement officer, it is necessary for the preservation of public order and safety of the movement of traffic, he shall

direct and control traffic and for such purposes shall divert, halt, restrain or direct the movement of traffic while such necessity exists and every person shall promptly obey his directions.

19. **BY-LAW APPLIES TO ALL STREETS OF CORPORATION**

This by-law applies only to streets under the jurisdiction of The Corporation of the Township of Prince.

20. **VEHICLES SUBJECT TO REMOVAL WHEN ILLEGALLY PARKED**

In addition to any other penalties provided by this by-law, upon discovery of any vehicle parked or standing on any street in contravention of the provisions of this by-law, a constable a by-law enforcement officer, and the Commissioner of Engineering and Planning 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 in lien upon the vehicle being released and may be enforced in the manner provided by of The Repair and Storage Liens Act.

21. **EMERGENCY PARKING PROHIBITION**

Notwithstanding any provisions of this by-law to the contrary, a constable, a by-law enforcement officer, or the Commissioner of Engineering and Planning may during any emergency or special circumstances, by the erection of appropriate signs or signals, prohibit the movement or parking of vehicles on any street or part of a street and no person shall park, drive or operate a vehicle in contravention of any such sign or signal. A vehicle already parked when such signs are erected shall be forthwith removed.

PART XII—OFFENCES AND PENALTIES

22. **PENALTIES**

(1) **Interpretation**

Where a penalty is provided in this by-law for a first or subsequent offence, the words "first" or "subsequent" relate only to offences committed in any twelve-month period.

(2) **Subject to The Provincial Offences Act**

Any fine imposed or offence created by this by-law is subject to the provisions of the Provincial Offences Act.

(3) **Penalty - TEN DOLLARS - \$10.00**

Any person who contravenes any of the provisions of the following Sections of By-law 2020-33 is liable upon conviction therefore to a fine of \$10.00 exclusive of costs.

Section 4 - Method of Parking on Streets (Paragraphs 1 through 3)

Section 5 - Parking prohibited in Specified Places Without Signs (Paragraphs 1 through 3)

Section 6 - Maximum Parking Limit on City Streets.

Section 8 - Stopping Prohibited in Specified Places Without Signs (Paragraphs 1 through 2)

Section 16
- Bicycles (Paragraphs 1 through 6)

(4) **Penalty - TWENTY DOLLARS - \$20.00**

Any person who contravenes any of the provisions of the following Sections of By-law 2020-33 is liable upon conviction therefor to a fine of \$20.00 exclusive of costs.

Section 7 - Interference with Traffic and Snow Clearing

(6) **General Penalty - FIFTEEN DOLLARS - \$15.00**

Any person who contravenes any of the provisions of By-law 2020-33 for which a penalty for contravention thereof has not otherwise been provided is liable upon conviction therefor for a first offence to a fine of not less than \$15.00 and not more than \$1,000.00 and for any subsequent offence to a fine of not less than \$20.00 and not more than \$1,000.00 exclusive of costs.

(7) Any person who contravenes any of the provisions of Sections 13 of By-law 2020-33 is subject to the penalties provided therefore in The Highway Traffic Act.

(8) **Offences Punishable by Highway Traffic Act**

Notwithstanding all other provisions of By-law 2020-33 in respect to penalties for violations of the provisions of Section 4, 5, 6, 7 and 16 of By-law 2020-33, any person may upon presentation of a tag issued alleging commission of any of the offences provided in the said

sections, pay out of Court within 72 hours (exclusive of Sunday, Saturdays and public holidays) from the date of issue of the said tag, the penalty provided for such offence by By-law 2020-33 at the office of The Parking Division, Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario, and upon such payment no further proceedings shall be taken under By-law 2020-33 in respect of said offence alleged in the tag. The receipt of payment signed by the person assigned to the duty of receiving payments shall be evidence of payment of the penalty provided for the violation.

PART XIII—GENERAL

23. BY-LAW SUBJECT TO HIGHWAY TRAFFIC ACT

The provisions of this by-law are subject to the provisions of The Highway Traffic Act and amendments thereto.

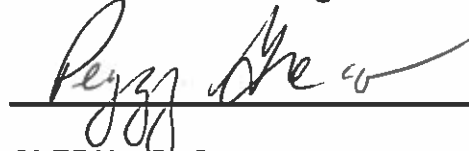
24. BY-LAW SUBJECT TO APPROVAL OF MINISTRY OF TRANSPORTATION

This by-law shall not become effective until approved by the Ministry of Transportation and Communications for Ontario nor shall any particular provision thereof become effective until the sign or signs, if any, applicable to such particular provision has or have been erected and is or are on display.

READ the first, second and third times and FINALLY PASSED in open Council this 13 day of October 2020.



MAYOR – K. Lamming



CLERK – P. Greco

