

CORPORATION OF THE TOWNSHIP OF LIMERICK  
BY-LAW #2013-18

Being a by-law to regulate traffic and parking in the Corporation for the Township of Limerick

THE COUNCIL OF The Township of Limerick hereby enacts as follows:

1. Part 1 – DEFINITIONS

- a) "Bicycle" shall mean as defined in the Highway Traffic Act, as amended.
- b) "Boulevard" shall mean the untraveled portion for the road allowance, including the sidewalk which is not intended for use by traffic.
- c) "Court" shall mean a Provincial Offences Court or, where jurisdiction in respect of the offence is conferred upon a Provincial Court (Family Division) by any other Act, the Provincial Court (Family Division).
- d) "Driveway" shall mean that part of the sidewalk or boulevard used as a vehicular access to a parking lot or to a commercial property, or to an industrial property, or to a residential property.
- e) "Disabled Person" shall mean a person as defined in Section 2(1)(a) of regulation 581 of the Highway Traffic Act.
- f) "Disabled person parking permit" shall mean a permit approved by the Minister as defined in regulation 581 of the Highway Traffic Act.
- g) "Fire Chief" shall mean a person appointed as Fire Chief or designate for the Corporation for the Township of Limerick.
- h) "Heavy Trucks" shall mean a commercial vehicle having weight, when unloaded, of five tons or more, but does not include a passenger vehicle, and ambulance or any vehicle of police, fire department, or the Township of Limerick.
- i) "Highway" shall mean a highway as defined in the Highway Traffic Act
- j) "Intersection" shall mean the area within the prolongation or connection of the lateral boundary lines of two or more roads which join one another at an angle, whether or not one road crosses the other.
- k) "Litter" shall mean any rubbish, brush, garbage, waste, and for the purpose of this by-law shall include snow and ice;
- l) "Motor Vehicle" includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in this by-law, trailer, boat, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a road-building machine within the meaning of the Highway Traffic Act.
- m) "Park" or "Parking" when prohibited, shall mean the standing still of a vehicle, whether occupied or not, except while actually engaged in loading or unloading passengers or goods.
- n) "Parking infraction" shall mean any unlawful parking, standing or stopping of a vehicle that constitutes an offence under this by-law.
- o) "Pedestrian" shall mean a person afoot, a person in a wheelchair and a child in a baby carriage.
- p) "Person" shall mean all persons, firms or corporations;
- q) "Pedestrian Crossover" shall mean any portion of roadway, designated by by-law at an intersection or elsewhere, distinctly indicated for pedestrian crossing by signs on the highway and lines or other marking on the surface of the roadway as prescribed by the regulations under the Highway Traffic Act.
- r) "Private Roadway" shall mean any private road, lane, ramp, or other means of vehicular access to or egress from a building or structure and it may include part of a parking lot.

- s) "Police Officer" shall mean a Provincial Offences Officer or a person designated under Section 1 (i) of the Provincial Offences Act, as amended and/or from time to time renumbered. It shall also include an Ontario Provincial Park Warden in areas adjacent to Provincial Parks if signed by the Corporation of the Township of Limerick
- t) "Road" shall mean a common and public highway including the untraveled portion thereof and includes a street, lane, alley, bridge and any other structure incidental thereto.
- u) "Roadway" shall mean the part of the road that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder or the portion of a driveway or laneway connecting the roadway with land adjoining the road, and where a road includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.
- v) "Manager of Services" shall mean a person appointed as Transportation Manager (or Road Superintendent) for the Township of Limerick.
- w) "Stand" or "Standing" when prohibited, shall mean the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers.
- x) "Stop" or "Stopping" when prohibited, shall mean the halting of a vehicle, whether occupied or not, except where necessary to avoid conflict with a pedestrian or other traffic or to comply with the direction of a police officer, traffic control signal or traffic control device.
- y) "Traffic" shall include pedestrians, ridden or herded animals, vehicles and other conveyances whether singly or together while using any highway for the purposes of travel.
- z) "Traffic control device" shall mean any sign or roadway, curb or sidewalk marking or other device placed or erected on a road under the authority of this by-law for the purpose of regulation, warning, parking or guiding traffic, in particular, and without limiting the generality of the foregoing, yellow paint applied to a curb is an official sign indicating that parking is prohibited where the curb is so marked.
- aa) "Traffic Control signal" shall mean any device, manually, electrically or mechanically operated for the regulation or control of traffic.
- bb) "U-turn" shall mean the turning of a vehicle within a roadway so as to proceed in the opposite direction.
- cc) "Vehicle" includes a motor vehicle, automobile, bicycle, motorcycle, boat, motor vehicle trailer, traction engine, farm tractor, road building machine and any vehicle propelled or driven by any kind of power including muscular power and such additional definitions as set out in the Highway Traffic Act, Chapter H. 8.
- dd) "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 except in periods when daylight savings time is in effect, in which period it shall be daylight savings time, in the Township of Limerick.

## **2. PART 2 – TRAFFIC**

### **Obedience to Police Officers**

- a) The lawful direction of a police officer for the regulation of traffic shall be obeyed notwithstanding any provision of this by-law.

- b) Traffic officials appointed by the Council of the Township of Limerick are authorized to place or erect and to maintain such official signs and traffic control signals as are required to give effect to the provisions of this by-law or as are required to warn or guide traffic for the safety or convenience of the public.
- c) No person shall place, maintain, or display upon or in view of any road any sign, signal, marking or device, which purports to be or is an imitation of or resembles an official sign or traffic control signal, or which conceals from view or interferes with the effectiveness of an official sign or traffic control signal.
- d) No person shall drive a motor vehicle upon a sidewalk or footpath except for the purpose of directly crossing the sidewalk or footpath, except for snow cleaning equipment.
- e) No person shall drive a motor vehicle over a raised curb except at a place where there is a ramp.
- f) No driver of a vehicle shall drive a motor vehicle on, over or across any fire hose laid on any street unless directed to do so by the person in charge of such a hose, or by a police officer.
- g) No person shall play or take part in any game or sport upon a roadway and no person upon roller skates, skateboards, or operating by any means any coaster or toy vehicle or similar device shall go upon a roadway, and no person upon roller skates or skateboards shall go upon any sidewalk or municipal parking facility in the Township of Limerick.
- h) No person riding on a bicycle designed for carrying one person only shall carry other persons thereon.
- i) No person shall park a bicycle on a highway, sidewalk, boulevard, or footpath in such a manner as to interfere with vehicles or pedestrians.
- j) Every person who contravenes any provision of Part 2 of this by-law is, upon conviction, guilty of an offence and shall be liable to a fine as laid out in Schedule "A", exclusive of costs.
- k) Proceedings in respect of offences under Part 2 of this by-law may be commenced and carried on under the provision of Parts 1 or 3 of the Provincial Offences Act, R.S.O. 1990 Chapter P. 33.

**3. Part 3 – PARKING**

- 1. No person shall park or stand any vehicle on any road, or portion thereof, posted with tow-away signs or any portion thereof except as follows;
  - a) Where there is a raised curb on the right side on the travelled portion of the road, or any portion thereof, having regard to the direction such vehicle was proceeding in with its right front and rear wheels parallel to and not more than 30 centimeters out from such curb.

- b) Where there is no curb, with the outside front and rear wheels parallel to and as near to the right hand limit of the road as is practicable without stopping or parking over a sidewalk or footpath or over any part of the road where grass is grown or which is not intended for the use of vehicles.
2. No person shall park or stand any vehicle on any road carrying one-way traffic or any portion thereof except as follows;
- a) Where there is a raised curb on either side of the travelled portion for the road with its outside front and rear parallel to and not more than 30 centimeters out from such curb;
  - b) Where there is no curb, with the outside wheels parallel to and as near to the outside limit of the road as is practicable without stopping or parking over a sidewalk or footpath or over any part of the road where grass is grown or which is not intended for the use of vehicles.
  - c) No person shall park or stand a vehicle on a sidewalk, boulevard or footpath.
3. No person shall park or stand a vehicle on a highway;
- a) At any time when prohibited by traffic control device, or during the times as displayed by traffic control device.
  - b) Within 5 meters of Stop/Yield sign preceding an intersection.
  - c) Within 1 meter of a property line, or the projection thereof onto a highway.
  - d) Within 1 meter of a driveway or laneway or so as to obstruct vehicles in the use of a driveway or laneway.
  - e) Within 5 meters of a marked crosswalk.
  - f) Within a designated pedestrian crosswalk.
  - g) Within 16 metres of any level crossing of a multi-use trail.
  - h) For an unreasonable length of time having regard to traffic conditions, and in no case for a period longer than 3 hours in areas as listed in Schedule "C".
  - i) Displaying the vehicle for sale.
  - j) For the purposes of washing, greasing or repairing the vehicle, except for such repairs as have been necessitated by an emergency.
  - k) Alongside or across the road from any excavation or obstruction in the roadway when the free flow of traffic would be impeded.
  - l) On the roadway side of any stopped or parked vehicle.
  - m) No person shall park or stand a vehicle on a bridge or elevated structure
4. No person shall park or stand a vehicle;
- a) Within 7 meters of any fire hall on either side of the road on which the fire hall is located.
  - b) In a fire lane as designed by traffic control devices or within 5 metres of a fire hydrant.
  - c) At or near the site of a fire so as to interfere with emergency vehicles or equipment.

For the purpose of Section 3 g. any vehicle in contravention may be removed upon the order by the Fire Chief or his designate.

For the purposes of this by-law members of the Township of Limerick Fire Department are exempt from the parking provisions of this by-law while in the lawful performance of their duties.

### **Angle Parking**

5. Where traffic control device displays angle parking no person shall;
  - a) Park or stand a vehicle on a highway parallel to the curb or sidewalk.
  - b) Park or stand a vehicle on a highway with the front wheel farther than 3 meters from curb or sidewalk.
  - c) No person shall park any vehicle on a road at a place marked by a sign as a passenger or freight loading zone during the time shown on such sign.

No person shall display signs referred to in this Section except with approval of the Council of the Township of Limerick.

### **Disabled Parking Zones**

6. No person shall park or stand a motor vehicle or leave a motor vehicle standing, in any parking space marked for use by the disabled by an official sign, unless;
  - a) That person, or a passenger in the vehicle or a person to be picked up as a passenger, is disabled and the vehicle bears a "Disabled" designation as approved by the Minister.

For the purpose of this subsection fines will be in accordance with Section 425, subsection (2) of the Municipal Act.

### **Temporary "No Parking" and "No Stopping" signs**

7. Temporary "No Parking" or "No Stopping" signs may be erected by the authority of the Municipality in the event of emergencies, approved parades, special events or funerals on any highway or portion thereof during such time or times as may be deemed necessary for the proper and orderly control and regulation of traffic for the safety of pedestrians. No person shall;
  - a) Park or stop, as the case may be, where prohibited by signs erected pursuant to this section.
  - b) Erect or cause to be erected or used a "No Parking" or "No Stopping" sign, except by the authority of the Municipality.

### **Parking of Motor Vehicles on Private Property**

8. No person shall park or leave a motor vehicle on private property without authority from the owner or occupant of such property, and then only within areas and to the extent authorized.
9. The driver or owner of a motor vehicle parked or left on private property shall not be liable to a penalty or to have the motor vehicle removed from such property, or impounded under this section, except upon the complaint of the occupant or an adult resident of the property delivered to the Traffic Official or By-Law Enforcement Officer appointed by the Township of Limerick or a police officer.

## **Winter Parking**

10. No person shall park a motor vehicle on any of the streets or highways or boulevards adjacent thereto, in the Township of Limerick in such a manner that interferes with the clearing of snow from a highway between the hours of 07:00 am to 07:00 pm Eastern Standard time from the fifteenth (15<sup>th</sup>) day of October in any given year to the fifteenth (15<sup>th</sup>) day of April inclusive, in the following year.
11. The public shall be informed of this restriction by advertising on the municipal website at the beginning of the winter maintenance season.

## **Public Works**

12. No person shall park a vehicle in such a manner as to interfere with necessary civic services such as road repairing, snowplowing or snow removal that is already in progress, nor park a vehicle at any place where signs have been placed indicating any snow removal or other civic operations are to be commenced.
13. Any vehicle in contravention of this Section may be removed by the Roads Superintendent or his designate.
14. No person shall deposit or throw any litter/snow on Municipal property, sidewalks or highway.

## **4. Part 4 – OFFENCES AND PENALTIES**

- a) Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990. c. P 33.
- b) The driver of a motor vehicle, not being the owner, is liable to any penalty provided by Part 3 of this by-law and the owner of the motor vehicle is also liable to such penalty, unless at the time the offence was committed, the motor vehicle was in the possession of a person other than the owner or his chauffeur, without the owner's consent.
- c) Any vehicle found in contravention of this by-law may be moved or taken to, placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act.
- d) Proceedings in respect of offences under Part 3 may be commenced and carried on under the provision of Parts II and III of the Provincial offences Act, as amended.
- e) Parking Infraction Notices issued with respect to contravention of Part 3 shall display the fine set for the offence charged.

**5. Part 5 – GENERAL MATTERS: EXEMPTIONS**

- a) The Schedules referred to in this by-law shall form part of this by-law and each entry in a column of such a Schedule shall be read in conjunction with the entries across therefrom and not otherwise.
- b) This by-law shall come into force and effect immediately on the passing hereof by Council.

**6. Part 6 – ENFORCEMENT**

- a) The provisions of this by-law shall be enforced by a Police Officer, Ontario Provincial Park Warden in areas adjacent to Provincial Parks, Provincial Offences Officer, and where indicated, Roads Superintendent, Fire Chief, By-Law Enforcement Officer and Traffic Officials appointed by the Council of the Township of Limerick.

**7. Part 7 – BY-LAW TITLE**

This by-law shall be cited as the "Parking By-Law".

**8. PART 8 -VALIDITY AND SEVERABILITY**

Should any section, subsection, clause, paragraph or provision for this by-law be declared by a court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of any other provision of this by-law or of the by-law as a whole.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 5<sup>TH</sup> DAY OF NOVEMBER, 2013.

  
Reeve – David Golem

  
Clerk – Jennifer Trumble

Seal