

THE CORPORATION OF THE TOWNSHIP OF SOUTH DUNDAS

BY-LAW NO. 99-45

WHEREAS the Municipal Act, R.S.O. 1990, Chapter M.45, Section 123, provides that a municipality may regulate traffic on highways and may prohibit the parking, standing or stopping of vehicles on highways or any part of a highway;

AND WHEREAS Section 310(a) of the Municipal Act provides that a municipality may make by-laws for leasing or licensing the use of untravelled portions of highways;

AND WHEREAS Section 310(b) of the Municipal Act provides that a municipality may make by-laws for regulating and controlling the use, including the use for parking purposes, of untravelled portions of highways;

AND WHEREAS the Council of the municipality deems it expedient to pass a by-law restricting parking, stopping and/or standing on certain untravelled portions of highways within the municipality.

NOW THEREFORE the Council of the Township of South Dundas enacts as follows:

1. Definitions

"Parking", when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

"Stopping", when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a constable or other police officer or of a traffic control sign or signal.

"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.

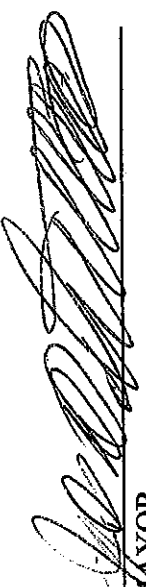
2. No person shall cause or permit a motor vehicle of any type, for any reason to engage in parking, stopping or standing upon those portions of highways within the municipality more particularly described as:


All that part of Block "A", Registered Plan 44 lying East of Lots 16 and 18 to 25 and West of Lots 26, 27A, 28 and 31 to 38, and that portion of Block "A" commencing at the Northwest angle of Lot 14, thence Thirty (30) feet North, thence East parallel to the Northerly boundary of Lot 14 to a point lying Thirty (30) feet North of the Northeast angle of Lot 27B, thence Southerly to the Northeast angle of Lot 27B, thence West to the point of commencement and shown highlighted in yellow on Schedule "A" attached hereto.

3. Any person contravening the provisions of this by-law is guilty of an offence and shall be subject to prosecution pursuant to the Provincial Offences Act, R.S.O. 1990 and shall be subject to a fine of not less than One Hundred (\$100.00) Dollars and not more than Two Thousand (\$2,000.00) Dollars.

4. Notwithstanding the provisions of this by-law, the Chief Building Official of the municipality may grant licences to land owners with lands abutting that part of the highway described in paragraph 2 hereof to utilize the said highway for parking purposes.
- (a) Licences may be granted to such individuals to permit parking at times prior to 7:00 a.m. or after 9:00 p.m. on any given day.
 - (b) Licences may allow standing or stopping for prescribed vehicles only, which vehicles shall be identified by valid Ontario licence plates. Such vehicles shall be permitted to park in such area and for such times as may be shown on the face of the licence. Licences may be issued for a period not exceeding ninety (90) days.
 - (c) Fees payable for licences pursuant to this section may be fixed by regulation.
5. Any police officer, police cadet, municipal law enforcement officer or other officer appointed for carrying out the provisions of this by-law may remove any vehicle on a highway in contravention of this by-law. Such enforcement person may move the vehicle or require the driver or operator or other person in charge of the vehicle to move it.

READ and passed in open Council, signed and sealed this 25th day of November, 1999.


MAYOR


CLERK