

**THE CORPORATION OF THE
TOWN OF THE BLUE MOUNTAINS**

BY-LAW NO. 2003 - 11

**Including Amending By-law No. 2003-47, 2005-06, 2006-24, 2006-91, 2007-74,
2008-59, 2008-117, 2013-15 & 2014-4
(Office Consolidation)**

WHEREAS Section 11 and Part III of the *Municipal Act, 2001*, and amendments thereto, enables the council of a local municipality to pass by-laws respecting the placing, standing, stopping or parking of an object or vehicle on highways;

AND WHEREAS Section 42 of the *Municipal Act, 2001*, and amendments thereto, enables the council of a local municipality to pass a by-law to delegate to an employee of the municipality the ability to temporarily close a highway for any purpose specified in the by-law

AND WHEREAS Council of the Corporation of the Town of The Blue Mountains deems it expedient to pass a by-law to regulate the placing, standing, stopping or parking of an object or vehicle on highways within its jurisdiction;

NOW THEREFORE the Council of the Corporation of the Town of The Blue Mountains enacts as follows:

1. DEFINITIONS

In this by-law,

- a) "Authorized Sign" means 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 regulating parking;
- aa) "Boulevard or Shoulder" means that portion of the street or highway from the edge of the roadway to the limit of the road allowance and includes the shoulder, ditch and boulevard;
- b) "By-law Enforcement Officer" means a person appointed by the Council of The Town of The Blue Mountains for the purpose of enforcing the by-laws of the municipality;
- c) "Corner" means the point of intersection or curbs or edges of the portion of the highway used for vehicular traffic;
- d) "Corporation" means the Corporation of the Town of The Blue Mountains;
- e) "Crosswalk" means that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs from the edges of the roadway, or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface;
- f) "Designated Physically Disabled Parking Space" means a parking space designated for the sole use of motor vehicles on which a permit is properly displayed identifying that vehicle for use by the physically disabled;
- g) "Highway" see "Street or Highway";
- h) "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 highways which join one another at an angle, whether or not one crosses the other;
- i) "One Way Street" means a street upon which vehicular traffic is limited to movement in one direction;
- j) "Park or Parking" when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;
- k) "Parking Space" means a portion of the surface of the roadway which is designated for the parking of a vehicle;
- l) "Pedestrian" means a person afoot and invalids and children in wheeled carriages;
- m) "Place or Placing" when prohibited, means the placing of a vehicle;
- n) "Police Officer" means a member of the Ontario Provincial Police or a person authorized by the Commander of the Ontario Provincial Police Detachment to regulate or direct traffic;
- o) "Roadway" means that 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;
- p) "Sidewalk" means that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of the pedestrians;
- q) "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;
- r) "Stop or Stopping", when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Constable or other Police Officer or of a traffic control sign or signal;
- s) "Street or Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle;
- t) "Superintendent of Public Works" means the person duly appointed to the position by the Corporation;

- u) "Traffic" includes pedestrians, ridden or herded animals, vehicles, street cars and other conveyance either singly or together while using any street for the purpose of travel;
- v) "Traffic Control Device" means any sign; or roadway, curb, or sidewalk marking; or other device erected or placed under the authority of the Municipal Council for the purpose of guiding or directing traffic;
- w) "Traffic Signal" means any device manually, electrically or mechanically operated for the regulation of traffic;
- x) "Through Highway" means any highway or part of a highway designated as such by the Minister or by by-law of the municipality, approved by the Department and every such highway shall be marked by a stop sign or a yield right-of-way sign in compliance with the regulations of the Department;
- y) "Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machinery, and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

2. ENFORCEMENT

The Ontario Provincial Police (the "OPP") and By-law Enforcement Officers shall enforce the provisions of this by-law.

3. PARKING

Method of Parking

- a) Parallel – No person shall park a vehicle on any street unless on the right-hand side of the street, having regard for the direction in which the vehicle had been proceeding and unless the right-front and right-rear wheels or runners of the vehicle are parallel to and distant respectively not more than six inches from the edge of the roadway, unless prevented from doing so by an accumulation of snow in winter.
- b) Angle – Where angle parking is permitted, no person shall park a vehicle except at an angle of forty-five degrees with the edge of the roadway and so that the front end of the vehicle is nearest to the edge of the roadway and where streets are marked for individual diagonal parking, all cars shall be parked as nearly as possible midway between the designating stripes. Failure to keep reasonably near the middle area for parking with any car wheels touching the parking stripes will be deemed to be illegal parking.
- c) One-way Streets – Where parking is permitted on a one-way street, a person may park a vehicle facing only in the direction in which it was proceeding and with the left-front and left-rear wheels parallel to and distant not more than six inches from the edge of the roadway, provided that this provision shall not apply where parking on the right-hand side of a one-way street is specifically authorized by by-law.
- d) Designated Parking Space - Where authorized signs have been erected, no person shall park a vehicle other than wholly within the designated parking space, all vehicles shall be parked as nearly as possible midway between the designating stripes.

4. PARKING PROHIBITED

- a) No person shall park, place, stand or stop a vehicle in any of the following places:
 - I. On a sidewalk.
 - II. Within or on a crosswalk.
 - III. In front of a public or private driveway.
 - IV. Within an intersection.
 - V. Within 3.0 meters of a fire hydrant.
 - VI. Within 7.6 meters of a crosswalk at an intersection.
 - VII. Within 10 meters of an intersecting roadway.
 - VIII. Between a pedestrian cross-over and the adjacent curb.
 - IX. On any bridge or in any subway, or the approaches thereto.
 - X. On any street in such a manner as to obstruct traffic.
 - XI. In such a position as will prevent the convenient removal of any other vehicle previously parked or standing.
 - XII. Alongside or across the highway from any excavation or obstruction in the roadway when the free flow of traffic would thereby be impeded.
 - XIII. On the roadway side of any stopped or parked vehicle.
 - XIV. Within 15.25 meters of any level crossing of a railway.
 - XV. For the purpose of displaying the vehicle for sale.
 - XVI. For the purpose of washing, greasing or repairing the vehicle, except for such repairs as have been necessitated by an emergency.
 - XVII. Within 5.0 metres of any part of any agricultural entrance or access point to, on and along a municipal highway, whether or not such access point is gated or closed or not open to the public.
 - XVIII. On any street or highway, roadway, boulevard or shoulder contained within any of the following highways: King Street East, Bridge Street East and Arthur Street West.

b) The provisions of Section 4 (a) V, VI and VII of this By-law shall not apply to prevent the parking, placing, standing or stopping of a vehicle within a parking space that has been designated by the municipality with designated parking stripes.

c) No vehicle shall park or stand directly opposite another on any street where the width of the vehicular traveled portion of the street or the width of the width between curbs is less than 8.3 meters or where such standing or parking would prevent the free passage of two lines of traffic is obstructed on any street, the vehicles parked on both sides will be deemed to have violated the provisions of this section.

d) No vehicle shall be parked, placed or left standing on any street between the hours of 2:00 a.m. and 7:00 a.m. from November 1 until April 1 following. Any vehicle parked, placed or left standing during the aforementioned period in violation of this section may be tagged and/or removed to other parking places on orders of a Police Officer or a By-law Enforcement Officer and any expense incurred for such removal shall be charged to and collected from the owner of such offending vehicle.

e) Notwithstanding the hours noted in Section 4. d), the Superintendent of Public Works, or his designate, may extend the hours that no vehicle may be parked, placed or left standing, to allow for the safe and orderly removal of snow.

f) No vehicle shall be parked, placed or left standing on any street where said street has been temporarily closed in accordance with Section 12 of this By-law or, by the Corporation.

5. IN SPECIFIED PLACES WHERE AUTHORIZED SIGNS ARE ON DISPLAY

When authorized signs have been erected and are on display, no person shall park, place, stop or stand a vehicle in any of the following places:

- a) Within 15.25 meters of any intersection on any through highway.
- b) Within 7.75 meters of the lot on which a fire hall is located on that side of the street on which such fire hall is located or within 30.5 meters of such lot on the opposite side of the street.
- c) Within a designated physically disabled parking space unless a permit is properly displayed identifying that vehicle for use by the physically disabled;
- d) Within an area designated no parking, standing or stopping.
- e) For a time period in excess of the time specified on the authorized sign.

6. NO PARKING AREAS

When authorized signs have been erected, the highways as set out in Schedules "A" and "C" attached hereto shall be deemed no parking, no standing and no stopping areas in the areas described therein. **(By-law 2014-4)**

7. TIME LIMIT PARKING

Where authorized signs have been erected, the highways as set out in Schedule "B" attached hereto shall be deemed to be time limited parking and no person shall park a vehicle on the highway for more than the time limit posted thereon.

8. ANGLE PARKING

When authorized signs have been erected and are on display, no person shall park a vehicle on the highway or parts of highways hereinafter named, except so that the front portion of the vehicle shall be nearest the edge of the roadway and the vehicle shall be parked as nearly as possible midway between the designated stripes:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side</u>
Bruce Street North	King Street	Arthur Street	West

9. REMOVAL OF MOTOR VEHICLES

Any vehicle which is parked or left standing anywhere in the Town of The Blue Mountains in violation of any of the provisions of this by-law for a period exceeding six hours may be removed on the orders of a Police Officer or a By-law Enforcement Officer to a car pound or service station designated by him and any expense incurred for such removal shall be charged to and collected from the owner of such offending vehicle. In the event that the owner of such offending vehicle does not pay the charges incurred in the said removal, the vehicle may be sold by public auction to pay the said charges. In the event that a vehicle is parked or left standing anywhere in the Town of The Blue Mountains in violation of any of the provisions of this by-law such that in the sole and uncontrolled discretion of any Police Officer or By-law Enforcement Officer, an emergency situation is created said vehicle may forthwith be removed on the orders of said Police Officer or By-law Enforcement Officer to a car pound or service station designated by him and any expenses incurred for such removal shall be charged to and collected from the owner of such offending vehicle. In the event that the owner of such offending vehicle does not pay the said charges, the vehicle may be sold at public auction.

10. CONTINUED VIOLATIONS

If any vehicle is parked or left standing anywhere in the Town of The Blue Mountains in violation of any of the provision of this by-law and a serially numbered notice is attached to such vehicle by a member of the OPP, or a By-law Enforcement Officer, nothing in the provisions of this by-law shall be construed to prevent any member of the OPP or a By-law Enforcement Officer from attaching another serially numbered notice to such vehicle if the violation of any of the provisions of this by-law continues.

11. REPORTS

It shall be the duty of members of the OPP and By-law Enforcement Officers assigned to the enforcement of this by-law to report:

- a) The complete permit number and other identification tag marking, if any, of any vehicle parked in violation of any of the provisions of the by-law.
- b) Any member of the OPP or a By-law Enforcement Officer engaged in the enforcement of this by-law, shall also attach to such vehicle a serially numbered notice to the owner or operator thereof that such provisions of this by-law and instructing such owner or operator to report to the office of the Treasurer of the Corporation or such other official as the Council may designate for that purpose in regard to such violation.

12. DELEGATION TO TEMPORARILY CLOSE HIGHWAYS

The Superintendent of Public Works, or his designate, may temporarily close a highway for road or infrastructure repair; fire, medical, snow or other similar emergency, or, to address any natural disaster that has occurred.

13. GENERAL

- a) The provisions of this by-law shall be subject to the provisions of *The Highway Traffic Act* and amendments thereto.
- b) All Sections of this by-law shall be deemed to be separate and independent and the invalidity of any section or provision hereof shall not affect the remaining sections.
- c) Where parking is restricted to a specified time period under this By-law, the movement of a vehicle does not constitute the cessation of the parking of the vehicle unless said vehicle is moved, in its entirety, from the parking space or area that it had occupied.
- d) Schedules "A" and "B" are hereby deemed to form part of this By-law.

14. EFFECTIVE DATE

- a) The provisions of this By-law as they relate to the (former) Town of Thornbury regulated by By-law No. 13-1991, as amended, come into force at 12:01 a.m. on April 1, 2003.
- b) The provisions of this By-law as they relate to those portions of the Town of The Blue Mountains not affected by Section 14. a) of this By-law come into force the day on which this By-law is enacted.

15. REPEAL OF FORMER BY-LAWS

- a) By-law Nos. 92-49, 97-66, 98-43, 98-78, 99-13, 99-29 and 99-78 of the (former) Township of Collingwood are hereby repealed.
- b) By-law Nos. 2001-8, 2002-48, 2002-64, 2002-84 and 2002-94 of the Town of The Blue Mountains are hereby repealed.
- c) By-law No. 13-1991 of the (former) Town of Thornbury, and any amendments thereto, are hereby repealed effective March 31, 2003 at 11:59 p.m.

16. ENFORCEMENT

- a) Every person who contravenes any provision of this By-law is guilty of an offence and shall be liable to a penalty as provided in the *Provincial Offences Act*.
- b) Where a vehicle has been left parked, stopped or standing in contravention of this By-law, the owner of the vehicle, even though the owner was not the driver of the vehicle at the time of the contravention of this By-law, is guilty of an offence and is liable to the fine prescribed for the offence unless, at the time of the offence, the vehicle was in the possession of some person other than the owner without the owner's consent

Read a first and second time this 27 day of January, 2003.

Read a third time and passed this 27 day of January, 2003.

Signed

Ross Arthur, Mayor

Signed

Stephen Keast, Clerk

SCHEDULE "A"

When authorized signs have been erected, the highways as set out in Schedule "A" shall be deemed no parking, no standing and no stopping areas.

HIGHWAY NAME	PORTION SO DESIGNATED	PROHIBITED TIMES OF USE
Alice Street	On the north side between Victoria Street and Lansdowne Street	Anytime
Ann Heggveit Drive	Both sides – full length	Anytime
Arlberg Crescent	Both sides - full length	Anytime
Bay Street East	Both sides from Mcauley Street North to Elgin Street	Anytime
Birchview Trail	Both Sides - full length	Anytime
Brooker Boulevard	Both Sides - full length	Anytime
Campbell Crescent	Both Sides - full length	Anytime
Camperdown Road	South from the southernmost point of the intersection with Camperdown Court to the end of the travelled portion of Camperdown Road	Anytime
Camperdown Road	North from Highway 26 to Teskey Drive on both sides the entire length thereof <i>By-law 2007-74</i>	Anytime
Craigleith Road	Both Sides - full length	Anytime
Craigmore Crescent	Both Sides - full length	Anytime
Delphi Lane, Plan 16M-37 (<i>By-law 2013-15</i>)	Entire length, both sides	Anytime
Drake's Path	Both Sides - full length	Anytime
Fairway Court (<i>2003-47</i>)	Both Sides - full length	Anytime
Farm Gate Drive	Both Sides - full length	Anytime
Harbour Street	South side between Bruce Street North and Elma Street North	Anytime
Happy Valley Road	Both Sides - full length	Anytime
Helen Street	Both Sides - full length	Anytime
Heritage Drive	Both Sides - full length	Anytime
Hester Street	East side from Bridge Street to a point 26 metres south thereof	Anytime
Jozo Weider Boulevard	Both Sides - full length	Anytime
Kandahar Lane	Both Sides - full length	Anytime
Kelly's Way	Both Sides - full length	Anytime
Lakeshore Drive	South Side - full length	Anytime
Laurie's Court	Both Sides - full length	Anytime
Liisa's Lane	Both Sides - full length	Anytime
Louisa Street East	North side from the westerly property line of #14 Louisa Street East and a point 5 metres west thereof	Anytime
Mountain Drive	Both Sides - full length	Anytime
Napier Street East	Both sides - from Bruce Street South to a point 59.44 metres easterly thereof.	Anytime
Napier Street East	Both sides - from a point 59.44 metres easterly from Bruce Street South to a point 63.3 metres easterly therefrom	Between the hours of 8:00 am and 5:00 pm, Monday to Friday
Peaks Road (<i>2003-47</i>)	Both Sides - full length	Anytime

Petun Drive	Southernmost and westernmost sides along the entire length thereof	Anytime
Pioneer Lane	Both Sides - full length	Anytime
Plater Street	Both Sides - full length	Anytime
Poplar Street	North side between Cottage Avenue and the Beaver River	Anytime
Russell Street	A No Stopping Zone will extend 35m in both directions from the centreline Pedestrian Crossover located north of the Mary Street Intersection (By-law 2008-59)	Monday to Friday
Scenic Caves Road	Both sides from the intersection of Scenic Caves Road and Mountain Drive and the intersection of Scenic Caves Road and Swiss Meadows Boulevard	Anytime
Teskey Drive	North side east from Camperdown Road along the entire length thereof <i>By-law 2007-74</i>	Anytime
Tyrolean Lane	Both sides - full length	Anytime
Victoria Street South	West side between Louisa Street West and Alice Street West	Anytime
Wensley Drive (2003-47)	South Side - from the intersection of Peaks Road to the easterly property line of Grey Condominium No. 1. North Side - from the intersection of Peaks Road to the westerly lot line of Lot 1, Registered Plan 903.	Anytime
Wintergreen Place (2003-47)	Both Sides - full length	Anytime
Wyandot Court	Southernmost and westernmost sides along the entire length thereof	Anytime
Eastern half of the Deviation Road in the 11 th Concession	Both sides from the north side of the 6 th and 7 th Road Allowance to the northernmost limits of Lot 8	Anytime
Deviation Road in the 11 th Concession	Both sides from the southernmost limits of Lot 9 north and east to the 10 th Concession	Anytime
Road Allowance between Lots 21 & 22	Both sides west from the westernmost boundary of the road allowance between Concession 5 and 6 to a point 30 metres distant	Anytime
Road Allowance between Lots 21 & 22	Southernmost side - road allowance between Lots 21 & 22 and Deviation Road extending therefrom in Concession 5 east from the westernmost boundary of the road allowance between Concessions 5 & 6 to a point 200 metres distant	Anytime
Road Allowance between Lots 5 & 6	Both sides north from the northernmost boundary of the road allowance between Lots 21 & 22 through the whole of Lots 22 & 23	Anytime
6 th Sideroad	Both sides in the 11 th Concession from the easternmost limit of the 11 th Concession westerly to a point one kilometre distant	Anytime
10 th Line	Westernmost side from the north side of the 6 th Sideroad to the northernmost limits of Lot 9	Between the hours of 7:00 pm and 7:00 am

SCHEDULE "B"

Where authorized signs have been erected, the highways as set out in Schedule "B" shall be deemed to be time limited parking and no person shall park a vehicle on the highway for more than the time limit indicated.

HIGHWAY NAME	PORTION SO DESIGNATED	TIME LIMIT	TIME OF DAY TO WHICH PARKING LIMIT IS APPLICABLE
Bruce Street North	Both sides between Arthur Street/Bridge Street East and Huron Street	2 hours	9:00 am and 6:00 pm
Louisa Street East	Both sides between Hester Street and Bruce Street South	2 hours	9:00 am and 6:00 pm
Louisa Street West	Both sides from Bruce Street South to a point 75 metres west thereof	2 hours	9:00 am and 6:00 pm

SCHEDULE "C"

1. Definitions:

For the purposes of this Schedule the following Definitions shall apply;

- a) **Park or Parking:** when prohibited, means the placing, standing or stopping of a vehicle, whether occupied or not, and shall include vehicles parking temporarily for the purpose of and while actually engaged in the loading or unloading of merchandise or passengers.
- b) **Stand or Standing:** when prohibited, means the halting of a vehicle, whether occupied or not, and shall include vehicles standing temporarily for the purpose of and while actually engaged in the loading or unloading of merchandise or passengers.
- c) **Stop or Stopping:** when prohibited, means the stopping 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, and shall include vehicles stopping temporarily for the purpose of and while actually engaged in the loading or unloading of merchandise or passengers.

2. Parking, Standing and Stopping of Vehicles Prohibited:

HIGHWAY NAME	PORTION SO DESIGNATED	PROHIBITED TIMES OF USE
Jozo Weider Boulevard	Both sides between the intersection with Gord Canning Drive and the intersection with Wintergreen Place	Anytime
Fairway Court	Both sides between the intersection with Jozo Weider Boulevard to a point 75 metres distant on Fairway Court	Anytime

(By-law 2014-4)