

TOWN OF FORT FRANCES

BY-LAW NO. 21/14

(Being a by-law for the regulation of traffic on the highways and regulating the use of highways by pedestrians or vehicles within the Municipality. The *Municipal Act, 2001*, S.O. 2001, c. 25 and the *Highway Traffic Act*, R.S.O. 1990, c.H.8.)

WHEREAS the Corporation of the Town of Fort Frances is authorized to regulate traffic on the highways and to regulate the use of highways by pedestrians or vehicles within the Municipality,

NOW THEREFORE the Municipal Council of the Corporation of the Town of Fort Frances **HEREBY ENACTS** as following:

1. **SECTION ONE – REPEALING PREVIOUS BY-LAWS**

- 1.1 That By-Law No. 10/03 as amended is repealed upon this by-law coming into effect.

2. **SECTION TWO - DEFINITIONS**

- 2.1 In this by-law:

- 2.1.1. “Boulevard” – means that portion of a street or highway that has been leveled or planted with grass or otherwise improved to indicate that it is not to be used for vehicular traffic and which is not designed nor intended for, or used by, the general public for the passage or parking of vehicles and which lies outside the lateral lines of a roadway as defined herein: where curbs are installed, such curbs shall be the lateral lines of the street or highway.
- 2.1.2. “By-Law Enforcement Officer” – means a by-law enforcement officer appointed by Council for the Corporation of the Town of Fort Frances;
- 2.1.3. “Community Safety Zone” – means a highway or part of a highway that is identified by “Community Safety Zone” signs as prescribed in regulations under the *Highway Traffic Act*, and where public safety is of special concern and fines have been increased for certain traffic violations;
- 2.1.4. “Clerk”, “Town Clerk” – means Clerk of the Corporation of the Town of Fort Frances as appointed by Council;
- 2.1.5. “Corner” – means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic.
- 2.1.6. “Corporation”, “Fort Frances”, “Town”, “Town of Fort Frances” – means the Corporation of the Town of Fort Frances;
- 2.1.7. “Council” – means Council for the Corporation of the Town of Fort Frances;
- 2.1.8. “Crosswalk” – means that part of a highway at an intersection that is included within the connection 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 and/or lines or other markings on the surface.

- 2.1.9. “Curb” – shall include the edge of the traveled portion of a street;
- 2.1.10. “Driver” – means a person who drives a vehicle on a highway;
- 2.1.11. “Emergency Vehicle” – means:
- 1) a fire department vehicle while proceeding to a fire or responding to, but not returning from, a fire alarm or other emergency call,
 - 2) a vehicle while used by a person in the lawful performance of his duties as a Peace Officer,
 - 3) an ambulance while responding to an emergency call or being used to transport a patient or injured person in an emergency situation, or
 - 4) a cardiac arrest emergency vehicle operated by or under the authority of a hospital;
- 2.1.12. “Fire Route” – means any road, lane, driveway, alley, parking area, ramp or parcel of land, whether it is owned or occupied by the Town of Fort Frances, or any local board thereof or whether it is a private roadway, that has been designated as a fire route by placing or erection along both sides thereof of fire route signs;
- 2.1.13. “Fire Route Sign” – means a permanently installed legible sign, of minimum dimensions 25 cm. by 40 cm., erected at intervals of not more than 30.5 m. along the fire route and displaying at least the following information:
- 1) the words “fire route”; and
 - 2) the symbol for “no parking” consisting of the letter “P” within a circle crossed by a diagonal line;
- 2.1.14. “Gross Weight” – means the combined weight of a vehicle and load;
- 2.1.15. “Highway” – see “Street or Highway”
- 2.1.16. “Individual Parking Space” – means a portion of the surface of the street of sufficient length and width measured from the sidewalk or curb to accommodate a vehicle as may be designated by signs or markings;
- 2.1.17. “Intersection” - means the area embraced within the projection or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other;
- 2.1.18. “Lane” – means the entire width of the roadway surface between the property lines at the rear or side of places of business or residential properties;
- 2.1.19. “Mayor” – means the mayor of the Corporation of the Town of Fort Frances;
- 2.1.20. “Metered Parking Ticket Dispensing Machine” – means a device which when an amount is deposited into it dispenses a ticket bearing an imprint of the time and date for which said ticket is valid for the purposes of parking a vehicle in a parking meter zone metered by a metered parking ticket dispensing machine;

- 2.1.21. “Municipal Parking Lot” – means a Lot or part of a Lot owned by the Town of Fort Frances and designated by this By-Law as an area for the purpose of off-street parking of vehicles;
- 2.1.22. “One-Way Street” – means a street upon which vehicular traffic is limited to movement in one direction;
- 2.1.23. “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;
- 2.1.24. “Parking Meter” – means a device which shall indicate thereon the length of time during which a vehicle may be parked in a particular place into which may be deposited an amount for a specified quantity of legal parking time and which shall also display a signal when the aforesaid interval of time shall have lapsed;
- 2.1.25. “Parking Meter Zone” – means a street or part of a street or a Municipal Parking Lot as an area where parking meters or a metered parking ticket dispensing machine shall be installed;
- 2.1.26. “Parking Permit” - means a permit, which when affixed to the interior surface of the lower right corner of the windshield of the vehicle, facing outward, will allow for such vehicle to be parked in any legal parking space metered or non-metered beyond the prescribed time limits, within the Town of Fort Frances;
- 2.1.27. “Pedestrian” – means a person on foot, in a wheelchair, baby carriage, or on a child’s play vehicle propelled by muscular power;
- 2.1.28. “Pedestrian Crossover” – means any portion of a roadway, designated by this by-law, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by signs on the highway and by lines or other markings on the surface of the roadway as prescribed by the regulations;
- 2.1.29. “Person” – shall include every person, firm, co-partnership, association or corporation;
- 2.1.30. “Peace Officer” – includes a Mayor, Police Officer, Constable, By-Law Enforcement Officer or any Officer or person employed or contracted for enforcing or carrying out the provisions of this by-law;
- 2.1.31. “Police Services” – means the Ontario Provincial Police or any policing agency that is under contract with the Corporation of the Town of Fort Frances to provide police services to the Town;
- 2.1.32. “Private Roadway” – means any private road, lane, ramp, or other means of vehicular access to or egress from a building or structure and may include part of a parking lot;
- 2.1.33. “Regulations” – means the Ontario Regulations as passed and revised from time to time by the Province of Ontario;
- 2.1.34. “Roadway” – means that part of a 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 roadways collectively;
- 2.1.35. “School Crosswalk” – means a crosswalk adjacent to school property;

- 2.1.36. “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 pedestrians;
- 2.1.37. “Sign, Signal, Markings” – shall include every sign, light signal or device not inconsistent with this by-law or the *Highway Traffic Act*, placed or erected by authority of this by-law, for the purpose of regulating warning or guiding traffic;
- 2.1.38. “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;
- 2.1.39. “Stop” - means a complete cessation of movement;
- 2.1.40. “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 peace officer or of a traffic control sign or signal;
- 2.1.41. “Traffic” – includes pedestrians, ridden or herded animals, vehicles and other conveyances either singularly or together while using any street for the purpose of travel;
- 2.1.42. “Street” or “Highway” – means 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 and includes the area between the lateral property lines thereof;
- 2.1.43. “Traffic Control Device” - means any sign, or marking on a roadway, curb or sidewalk; or other device erected or placed under the authority of this by-law for the purpose of guiding or directing traffic;
- 2.1.44. “Traffic Signal” - means any device manually, electrically or mechanically operated for the regulation of traffic;
- 2.1.45. “U-Turn” - means to turn a vehicle within a roadway so as to proceed in the opposite direction;
- 2.1.46. “Vehicle” - means a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric or steam railways running only upon rails.
3. SECTION THREE – OBEDIENCE TO SIGNS & ENFORCEMENT
- 3.1 Every person shall promptly obey all signs given either by a peace officer or by the traffic control device or a traffic signal.
- 3.2 The Police Service and the By-Law Enforcement Officer shall enforce the provisions of this By-Law.
4. SECTION FOUR - PARKING
- 4.1 Methods of Parking:
- 4.1.1 Parallel – no person shall park a vehicle on any street other than a one-way street, unless on the right-hand side of the street, having regard to the direction in which the vehicle has been proceeding and unless the right-front and right-rear wheels or runners of the

vehicle are parallel to and not more than fifteen (15) centimeters from the edge of the roadway, provided that this provision shall not apply where angle parking is specifically authorized by by-law.

- 4.1.2 One-Way Streets – except where specifically provided otherwise in this By-Law, 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 not more than fifteen (15) centimeters 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.
- 4.1.3 Angle-parking – when properly worded signs have been erected and are on display, no person shall park a vehicle on any street, part of a street, in a municipal parking lot or part of a municipal parking lot named in Part 1 or Part 2 of Schedule “A” attached hereto except at an angle of forty-five (45) degrees with reference to the edge of the roadway or municipal parking lot and:
- 1) vehicles parked in any street, part of a street, municipal parking lot or part of a municipal parking lot named in Part 1 of Schedule “A”, shall be parked such that the right front portion of the vehicle shall be nearest the edge of the road or municipal parking lot;
 - 2) vehicles parked in any street, part of a street, municipal parking lot or part of a municipal parking lot named in Part 2 of Schedule “A”, shall be parked such that the left front portion of the vehicle shall be nearest the edge of the road or municipal parking lot.
- 4.1.4 Parking of Large Truck and Trailers:
- 4.1.4.1 No vehicles, or combination of vehicles, having an overall length of 5.5 m. or more shall be angle parked.
- 4.1.4.2 When properly worded signs have been erected and are on display no person shall stop, stand or park a vehicle, or combination of vehicles, with an overall length of more than 6.75 m., in a Parking Meter Zone, or a Restricted Street Parking Zone (i.e. within separate marked spots only), at any time except for the purpose of loading or unloading such vehicle.
- 4.1.4.3 When properly worded signs have been erected and are on display, no person shall park a vehicle, or combination of vehicles, having an overall length of more than 6.75 m., on any street, at any time, for a period greater than one (1) hour.
- 4.1.4.4 No person shall park a trailer, as defined by the *Highway Traffic Act*, on any street or in a municipal parking lot at any time for any purpose unless it is securely attached to a vehicle capable of drawing it upon a highway.
- 4.1.4.5 No vehicle, or combination of vehicles, exceeding one-ton load capacity, or exceeding 6.75 m. in length, shall park on any street in any Residential Zone. Exception is permitted when parked temporarily for the purpose of active delivery, service or maintenance to the adjacent premises.
- 4.2 Parking Prohibited

- 4.2.1 Specified Places – No person shall park a vehicle including a bicycle but excepting an emergency vehicle, in any of the following places, or portions of same, including blocking any part of:
 - 4.2.1.1 On a sidewalk;
 - 4.2.1.1.1 Any bicycle found parked on a sidewalk is subject to the same seizure and penalty provision as set out in section 8.9.3 for contravention of Bicycle Parking Zones;
 - 4.2.1.2 In front of a public or private driveway;
 - 4.2.1.3 Within an intersection;
 - 4.2.1.4 Within 3 m. of a fire hydrant;
 - 4.2.1.5 On a crosswalk;
 - 4.2.1.6 Within 8 m. of the intersection of the street lines of the streets forming any intersection;
 - 4.2.1.7 On any bridge or overpass, or in any subway or the approaches thereto;
 - 4.2.1.8 On any street in such a manner as to obstruct traffic;
 - 4.2.1.9 In such a position as will prevent the convenient removal of any other vehicle previously parked or standing;
 - 4.2.1.10 In front of the entrance to a hotel;
 - 4.2.1.11 On any lane in such a manner as to obstruct traffic upon such lane or in such manner as to obstruct access to or egress from any property adjacent to such lane;
 - 4.2.1.12 In front of any entrance to a hospital;
 - 4.2.1.13 In front of the entrance to a theatre, auditorium, or other building while large assemblages are being held in such theatre, auditorium or other building;
 - 4.2.1.14 Except where specifically provided otherwise in this by-law, on any roadway for a period exceeding 24 hours;
 - 4.2.1.15 On any boulevard;
 - 4.2.1.16 On or within 6 m. of a Pedestrian Crossover;
 - 4.2.1.17 On any public boat launching ramp;
 - 4.2.1.17.1 Any vehicle and/or trailer parked or left unattended on a public boat launching ramp may, in addition to any penalty for contravention of this Traffic Control By-Law, be removed and/or impounded by the Town at its owner's expense.
- 4.2.2 In Specified Places where proper signs are displayed:
 - 4.2.2.1 When properly worded signs have been erected and are on display, no person shall park a vehicle in any of the places set out in Schedule "B" attached hereto;
 - 4.2.2.2 No person shall paint or otherwise mark any curb, street, or any portion thereof, in any manner so as to indicate or designate that any street or portion of street is a parking or no parking area,

provided however that these provisions shall not apply to employees of the Town of Fort Frances carrying out the painting or otherwise necessary to indicate or designate parking or no parking areas as prescribed by this By-Law;

4.2.2.3 When properly worded signs have been erected and are on display, no person shall stop, stand or park a vehicle between the side limits of the land on which a fire hall is located, or within 8 m. on either side thereof on the opposite side of such street;

4.2.2.4 When properly worded signs have been erected and are on display, no person shall park a vehicle in any of the places set out in Schedule "C" (Handicapped Parking Only) attached to and forming part of this by-law, except those vehicles in which are displayed a disabled person parking permit as issued by the Ontario Ministry of Transportation or such equivalent permit issued by other governments.

4.2.2.5 When properly worded fire route signs have been erected and are on display, no person shall park a vehicle or leave a vehicle in a fire route as set out in Schedule "B-1" attached hereto.

4.3 Unlawful Parking

4.3.1 No person shall stand or park a vehicle upon any street for the purpose of:

4.3.1.1 Displaying it for sale;

4.3.1.2 Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency;

4.3.2 No person shall park any vehicle on a street for the express purpose of advertising, nor use a loud speaker on or from any vehicle on the street, except for charitable or community purposes, and when authorized by the Town of Fort Frances.

4.4 Parking Restrictions on Specified Streets;

4.4.1 When properly worded signs have been erected and are on display, no person shall park a vehicle on any of the streets or part or sides of the streets set out in Column 1 of Schedule "D" attached hereto, during the period set out in column 5 of said Schedule "D". The parking restrictions on items 2, 3, 4, 5, 6, 7, 8, 9 and 10 shall be observed and in effect from January 1st to April 1st and November 1st to December 31st in each year;

4.4.1.1 When properly worded signs have been erected and are on display, no person shall park a vehicle on any streets, parts of streets, side or sides of streets set out in Column 1 of said Schedule "D-1" for a period of time exceeding that set out in Column 5 of said Schedule "D-1".

4.4.1.2 Any vehicle parked on a street or municipal parking lot listed in Schedule "E" attached hereto shall be parked within such painted lines or other markings that are in place to identify designated parking spaces. Lines shall be painted on the street or municipal parking lot; and/or marks shall be placed on the curb, about or alongside of each designated parking space. It shall be unlawful and an offence to park a vehicle in such a way that the vehicle shall not be within the area so designated by such lines or markings, including metered or non-metered parking spots.
That when properly worded signs have been erected and are on

display no vehicle shall be parked in any such designated parking spaces on streets or parts of street identified on Schedule “E”, all items except items 15 and 21 for a period in excess of two (2) hours provided that such restriction shall not apply on Sundays or Public Holidays, including any holiday proclaimed as such by the Mayor of the Town of Fort Frances, nor shall the same apply between the hour of 6 o’clock in the evening and 9 o’clock in the forenoon of the next following day.

That when properly worded signs have been erected and are on display no vehicle shall be parked in any such designated parking spaces in municipal parking lots or part of municipal parking lots, street or part of streets identified on Schedule “E” item 21 for a period in excess of four (4) hours.

- 4.4.2 When properly worded signs have been erected and are on display no person shall park a vehicle in any School Bus Loading Zone set out in Schedule “F” attached hereto between the hours of 8:00 a.m. and 5:00 p.m. on any day when such school is in session.
- 4.5 Calendar Parking
 - 4.5.1 When properly worded signs have been erected and are on display, no person shall park a vehicle on the highways or portion of highways set out in Schedule “G” attached hereto, except as follows:
 - 4.5.1.1 On that side of the highway bearing even numbered street addresses on the even numbered days of the month;
 - 4.5.1.2 On that side of the highway bearing odd numbered street addresses on the odd numbered days of the month;
 - 4.5.2 For the purpose of this section a day shall be deemed to be a twenty-four (24) hour period commencing at nine (9) o’clock in the forenoon and after such time the day shall be deemed odd or even depending upon the calendar designation of such day or commencement of the said twenty-four (24) hour period;
 - 4.5.3 The Mayor shall have the authority, when an emergency arises, to temporarily suspend the operation of the said calendar parking provisions, and temporary signs indicating such suspension shall be erected on the affected streets and avenues.
 - 4.5.4 When properly worded signs have been erected, Calendar Parking provisions shall not apply as set out in Schedule “G-1”, (Calendar Parking – Modified) attached to and forming part of this By-Law.
- 4.6 Stopping Restrictions on Specified Streets:
 - 4.6.1 When properly worded signs have been erected and are on display, no person shall stop a vehicle on any part of the streets as set out in Schedule “I” attached to and forming part of this By-Law.
- 4.7 Non-Metered Municipal Parking Lots:
 - 4.7.1 When properly worded signs have been erected and are on display, no vehicle shall be left in municipal parking lots which are set out in Schedule “I” attached to and forming part of this By-Law, between the hours of 4:00 a.m. and 6:00 a.m. each day. Any vehicle found parked or left contrary to this prohibition may, in addition to the penalty for contravention of this Traffic Control By-Law, be removed and/or impounded at its owner’s expense.

- 4.7.2 When properly worded signs have been erected and are on display the parking of single vehicles only is permitted in the municipal parking lot/part of municipal parking lot identified in Schedule “A”, Part 1, item 2
- 4.8 Civic Centre Parking Lots:
- No person shall park an unauthorized vehicle in the Civic Centre Parking Lots identified in Schedule “I-2” attached to and forming part of this by-law. Any vehicle found parked or left contrary to this section may, in addition to the penalty for contravention of this Traffic Control By-Law, be removed and/or impounded at its owner’s expense. For the purpose of this section, an unauthorized vehicle is a vehicle not on a list that is certified by the Town Clerk as vehicles authorized to park in Civic Centre Parking Lot A or Civic Centre Parking Lot B.
- 4.9 Private Parking Spaces (Rented):
- When properly worded signs have been erected and are on display, no person shall park an unauthorized vehicle in the parking spaces which are set out in Schedule “I-1” attached to and forming part of this By-Law. Any vehicle found parked or left contrary to this section may, in addition to the penalty for contravention of this Traffic Control By-Law, be removed and/or impounded at its owner’s expense.
- For the purpose of this section, an unauthorized vehicle is a vehicle not on a list that is certified by the Town Clerk as vehicles authorized to park in the parking spaces which are set out in Schedule “I-1”.
- The annual fee for each parking space set out in Schedule “I-1” shall be as set out in the current schedule of fees to the Town’s Fees By-Law, payable on or before January 1st of each year.
- 4.10 Parking by Parking Permit:
- 4.10.1 A parking permit may be issued to an applicant for commercial purposes only for the sole use of parking vehicles identified in the permit and the applications. Any other use of the parking permit constitutes misuse and may result in the invalidation of the permit, revoking of the permit without refund and the imposition of fines for contravention of the parking provisions that would apply in the absence of the permit.
- 4.10.2 No permit shall be in effect beyond December 31st in the year for which it is issued.
- 4.10.3 An application for a parking permit shall be in the form of Schedule “BB” attached to and forming part of this By-Law.
- 4.10.4 The fee for the issuance of a parking permit shall be as set out in the current schedule of fees to the Town’s Fees By-Law.
- 4.11 Parking Prohibition During Snow Plowing/Removal:
- 4.11.1 When properly worded temporary signs have been erected and are on display on any highway, advising of snow plowing or removal operations, no person shall park a vehicle on said highway in contravention of the signs so displayed.
- 4.12 Portage Avenue Municipal Parking Lot:

- 4.12.1 The provisions of this section are in addition to other specific provisions in this By-Law which apply generally to regulate and control the use of and parking within the Portage Avenue Municipal Parking Lot.
- 4.12.2 The designated parking spaces in the Portage Avenue Municipal Parking Lot are as set out in Schedule “U-1” attached to and forming part of this By-Law.
- 4.12.3 Council may from time to time, by resolution, determine that one or more designated parking spaces, excluding those designated parking spaces included in Schedule “C” (Handicapped Parking Only), shall be classified as reserved parking spaces. Use of reserved parking spaces shall be restricted to those persons included on a list maintained by the By-Law Enforcement Officer or otherwise who have entered into an agreement with the Town for exclusive use of one or more of the reserved parking spaces.
- 4.12.4 When properly worded signs are erected and are on display, no person other than those users identified in Subsection 4.12.3 shall park a vehicle in a designated parking space identified as a reserved parking space.
- 4.12.5 Rates to be paid for rental of reserved parking spaces shall be as set out in the current schedule of fees attached to the Town’s Fees By-Law.
- 4.12.6 Council may from time to time, by by-law, adopt and/or modify a form of agreement setting out the terms by which persons may rent reserved parking spaces for periods up to and including twelve months on approval authority of the Town Clerk.
- 4.12.7 Council may from time to time approve, by by-law, separate agreements for the rental of reserved parking spaces with terms in excess of twelve months and at rental rates as set out in said agreements which may be different from those rates provided in 4.12.5 above.
5. SECTION FIVE-Operation of Vehicles
- 5.1 Rate of Speed:
- 5.1.1 No person shall drive a motor vehicle on the highways or portions of highways designated in Column 1, 2 and 3 of Schedule “J” attached hereto at a greater rate of speed than is prescribed in Column 4 of said Schedule “J”;
- 5.1.2 No person shall drive a motor vehicle on the highways or portion of highways in the Town of Fort Frances at a greater speed than 50 km. per hour, except as may be otherwise provided for within this By-Law.
- 5.2 Turns:
- 5.2.1 Every driver of a vehicle before starting, stopping, turning or changing its course shall take the necessary precautions to make such movement in safety without interfering with other traffic;
- 5.2.2 No driver of a vehicle shall make a U-Turn upon any street unless it can be made in safety and without interfering with other traffic;
- 5.2.3 When a properly worded sign to that effect is displayed, no vehicle in any intersection or portion of road set out in Column 1 of Schedule “K” attached hereto, proceeding in the direction or

emerging from a property set out in Column 2 of the said Schedule “K” shall be turned in the direction set out in Column 3 of the said Schedule “K” during the times or days set out in Column 4 of the said Schedule “K”;

5.2.4 When a properly worded sign to that effect is displayed, no vehicle shall be permitted to turn right when a red signal-light is shown by a signal-light traffic control system at an intersection as set out in Schedule “L” attached to and forming part of this By-Law;

5.2.5 When a properly worded sign to that effect is displayed, no vehicle shall turn or proceed other than in the direction indicated as set out in Schedule “K” or Schedule “M” (Turns) attached to and forming part of this By-Law;

5.3 Driving on Sidewalk, Curb or Boulevard:

5.3.1 No person shall drive a vehicle within any sidewalk area, or on a curb or boulevard except at a permanent or temporary driveway installed in conformance with Town policy. No person shall drive a bicycle within any sidewalk area or on a curb.

5.4 Obstructing Traffic:

5.4.1 No person shall drive any vehicle upon or along any highways so as to obstruct traffic.

5.5 Entering Highway:

5.5.1 The driver of a vehicle emerging from a driveway, lane, lot or building shall stop the vehicle immediately prior to driving onto the sidewalk and shall not enter the roadway until it can be done safely.

5.6 Yield Signs:

5.6.1 The erection of yield right-of-way signs at the intersections set out in Schedule “N” attached hereto is hereby provided for.

5.7 Passing on Right:

5.7.1 The streets or highways described in Schedule “Y” shall be marked in the centre portion with a broken or solid yellow line or combination thereof, and on each side of the said centre line with a solid white line so as to provide for one lane of vehicular traffic in each direction adjacent to the said centre line of the street or highway and provide for a parking or a non-traveled lane, as the case may be, adjacent to the curb or edge of the street or highway;

5.7.2 Where properly worded signs have been erected and are on display, no person shall overtake and pass another vehicle proceeding in the same direction on the right of the vehicle being overtaken except where such vehicle being overtaken is or is in the process of making a left hand turn from the street or highway, where the making of such a left turn impedes the movement of vehicular traffic upon the traveled portion of the street or highway;

5.8 Keep to Right:

5.8.1 Where properly worded signs have been erected and are on display, vehicles shall keep to the right side of the roadways set out in Schedule “O” attached hereto.

- 5.9 No Entry:
 - 5.9.1 Where properly worded signs have been erected and are on display, vehicles shall not enter roadways as set out in Schedule “P” attached hereto.
- 5.10 Funeral and Other Processions:
 - 5.10.1 No person shall intersect a funeral or other properly authorized procession while it is in motion except under the direction of a peace officer;
 - 5.10.2 The driver of a vehicle in a funeral or other procession shall drive as near to the right-hand edge of the roadway as is practicable and follow the vehicle ahead as closely as it is practicable and safe.
- 5.11 Roller Skate, Etc.:
 - 5.11.1. No person upon roller skates or a skateboard or riding in or by means of a coaster, toy vehicle or similar device, shall go upon the roadway except while crossing a street on a crosswalk.
- 5.12. Entering or Exiting Vehicles:
 - 5.12.1. No person shall enter or exit any vehicle while such vehicle is in motion.
- 5.13. Pedestrians:
 - 5.13.1 Pedestrians shall keep to the right while walking on the sidewalks. Where sidewalks do not exist, pedestrians shall walk on the left side of a street facing oncoming traffic;
 - 5.13.2. Pedestrians shall not step from the sidewalk in crossing a street without looking in both directions and shall cross only on crosswalks or pedestrian crossovers;
 - 5.13.3. Pedestrians shall observe the movement of traffic at street intersections and govern themselves accordingly;
 - 5.13.4. Pedestrians shall observe the signal of a peace officer in charge of directing traffic;
- 5.14. Control of Horses, and Other Animals, etc.:
 - 5.14.1. The rider, driver or person in charge of horses, cattle, sheep, pigs, or other animals, shall at all times observe the rules of the road as contained in this By-Law and the *Highway Traffic Act*.
 - 5.14.2. No person shall drive a herd or drove of animals through or upon any paved street nor through or upon any street whereon a boulevard is constructed unless the animals are led by halter, rope or otherwise by persons having full power and control over same; or unless a sufficient number of persons be in charge of the animals to prevent them from going on the boulevards or injuring the grass or trees.
- 5.15. One-Way Traffic:
 - 5.15.1. Where properly worded signs have been erected and are on display, vehicles shall not drive in the direction prohibited on

designated one-way roadways, as set out in Schedule “Q”: attached hereto.

5.16. Signal-Light Traffic Control System:

5.16.1. No person shall proceed contrary to the signals of a signal-light traffic control system as set out in the *Highway Traffic Act*;

5.16.2. The provision of signal-light traffic control systems at the locations set out Schedule “R” attached hereto is hereby provided for.

5.17. No exit:

5.17.1. Where properly worded signs have been erected and are on display, vehicles shall not exit from properties onto the roadways as set out in Schedule “R-1” attached hereto.

5.17.2. The erection of Special Stop Signs at the intersections set out in Schedule “T” attached hereto is hereby provided for.

6. SECTION SIX – Through Highways

6.1. The streets and parts of streets set out in Schedule “S” attached hereto are designated as “Through Highways” within the meaning assigned by the *Highway Traffic Act*.

7. SECTION SEVEN – Community Safety Zones

7.1 The streets and parts of streets set out in Schedule “CC” attached hereto are designated as “Community Safety Zones” as defined in this by-law.

8. SECTION EIGHT – Parking Meters, Metered Parking Ticket Dispensing Machines, and Parking Meter Zones

8.1. The streets, or portions of streets or Municipal Parking Lots, listed in Schedule “U” attached hereto are established as Parking Meter Zones.

8.2. Parking Time in Metered Zones – Legal parking time in the areas established as Parking Meter Zones shall be as follows:

8.2.1. Legal parking shall be allowed for the deposit of each Canadian coin, or its United States counterpart, and the legal parking time shall be for the period of time as is designated on each meter or, in the case of a metered parking ticket dispensing machine, as is indicated on the dispensed parking ticket.

8.2.1.1. Parking Meters - the amount to be paid for varying quantities of legal parking time shall be as set out in the current schedule of fees attached to the Town’s Fees By-Law;

8.2.1.2. Metered Parking Ticket Dispensing Machine – the amount to be paid for varying quantities of legal parking time shall be as set out in the current schedule of fees attached to the Town’s Fees By-Law.

8.3. Method of Operation:

8.3.1 Parking Meters shall be placed upon the curb alongside of or next to individual parking places to be designated as hereinafter provided.

- 8.3.1.1 Each said parking meter shall be so set as to display a signal showing legal parking upon the deposit therein of an amount provided in the Town's Fees By-Law.

When any vehicle shall be parked in any space alongside of or next to which there is located under this by-law a parking meter, the operator of such vehicle shall, upon entering the said parking space immediately deposit an amount in the parking meter alongside of or next to said parking space to obtain a quantity of legal parking time. Once the legal parking time has expired, the parking meter shall display a sign showing illegal parking. No person shall leave a vehicle parked in a metered parking space if the meter displays illegal parking.

- 8.3.2 A metered parking ticket dispensing machine shall be located on each municipal parking lot that has parking spaces metered by said metering devices. Each metered parking ticket dispensing machine shall be programmed such that upon the deposit therein of an amount as provided in the current schedule of fees attached to the Town's Fees By-Law, a parking ticket shall be dispensed which shall indicate thereon the date and time of entry and the departure time being the end of the period of time for which the ticket is valid. The ticket as dispensed from the machine provides for legal parking for a specified time commencing from the time the ticket is purchased or 8:00 a.m. of the next operating period if the ticket is purchased outside the operating period of 8:00 a.m. to 6:00 p.m. provided all the requirements of this section are satisfied. Upon occupying a parking space metered by a metered parking ticket dispensing machine, the operator of such vehicle shall immediately proceed to the respective metered parking ticket dispensing machine and deposit the coin(s) necessary to purchase the desired legal parking time. The ticket, as dispensed by the machine, is perforated. The larger portion with the bold print shall be displayed on the top of the dash and be visible for inspection through the windshield of the vehicle, the parking of which the ticket validates. The operator of a vehicle being parked in a parking space in said municipal parking lot covered by this section may elect to not purchase legal parking time from the metered parking ticket dispensing machine as required above and, if such election is made, then his/her vehicle shall, from the time it was parked be eligible for two (2) consecutive hours of legal parking time free of charge while parking in that space.

- 8.4 Method of Parking in Metered Zones:

- 8.4.1 Except where angle parking is indicated any vehicle parked in any parking meter zone shall be parked with the bumper of such vehicle alongside of such parking space in parallel parking spaces. Lines shall be placed or marks on the curb or on the street about or alongside of each parking meter to designate the parking space for which said meter is to be used and each vehicle parking alongside of or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and an offence to park said vehicle in such a way that the same shall not be within the area so designated by such lines or markings.
- 8.4.2 Where angle parking is indicated, a vehicle shall be parked in accordance with the lines or markings indicated and the provisions of Section 4.1.3. of this by-law shall apply.
- 8.4.3 No person shall park a vehicle on any street or part of a street designated as a Parking Meter Zone except in compliance with the provisions of this By-Law.

- 8.5 Coin or Metallic Substitute:
- 8.5.1 No person shall deposit or cause to be deposited in any parking meter anything other than legal Canadian, or its United States counterpart, coin tender.
- 8.6 Wilful Damage:
- 8.6.1 No person shall deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter or metered parking ticket dispensing machine installed under the terms of this By-Law.
- 8.7 Provisions Not to Apply on Sundays or Public Holidays:
- 8.7.1 The provisions requiring the purchasing of parking meter time shall not apply on Sundays or public holidays, including any holiday proclaimed as such by the Mayor, nor shall the same apply between the hours of five o'clock in the evening and nine o'clock in the forenoon of the next following day and in the case of parking metered by a metered parking ticket dispensing machine, nor shall the same apply between the hours of six o'clock in the evening and eight o'clock in the forenoon of the next following day and at any time on Saturdays.
- 8.7.2 When properly worded signs have been erected and are on display, no person shall park a vehicle between the hours of 2:00 a.m. and 4:00 a.m. local time in the Municipal Parking Lot identified on Schedule "U" (Parking Meter Zones) "Parking meter Zones metered by a Metered Parking Ticket Dispensing Machine: - No.1.
- The owner of any vehicle parked or left unattended contrary to the provisions of section 8.7.2. may, in addition to other penalties as prescribed elsewhere in this By-Law, have said vehicle removed or impounded by the Town of Fort Frances at the owner's expense.
- 8.8 Unrestricted Parking:
- 8.8.1 Vehicles parked in a Parking Meter Zone during hours when the restrictions under Parking Meters are not effective shall be subject to the general provisions of this By-Law.
- 8.9 Bicycle Parking Zones:
- 8.9.1 When signs have been erected signifying a Bicycle Parking Zone and a bicycle rack for the holding and parking of bicycles is provided within the parking meter zone, no person shall park during the period set out in section 8.9.2, any other vehicle in such designated bicycle parking zone as set out in Schedule "V" attached to and forming part of this By-Law.
- 8.9.2 Bicycle Parking Zones shall be in effect for the period from April 1st to October 31st in each year.
- 8.9.3 Bicycles shall be properly parked in the bicycle racks. Bicycles improperly parked may be seized and impounded.
- 8.9.4 Recovery of a bicycle shall be subject to proper identification of the bicycle; payment to the Treasurer of the Town of a fee as set out in the current schedule of fees as authorized by the Fees By-Law, if applicable.

- 8.9.5 Bicycles not recovered by the owner within thirty (30) days of seizure and impoundment may be sold by the Town or its agents by public auction.
9. SECTION NINE – Pedestrian Crossover, Crosswalk and School Crosswalk
- 9.1 No person shall drive a vehicle over or upon any pedestrian crossover while a pedestrian is thereon or is about to enter thereon.
- 9.2 The portion of roadways set out in Column 1 of Schedule “W” to this By-Law, at the locations named in Column 2 of Schedule “W” are designated as pedestrian crossovers.
- 9.2.1 The portion of roadways set out in Column 1 of Schedule “W-1” to this By-Law, at the locations named in Column 2 of Schedule “W-1” are designated as school crosswalks.
- 9.3 The penalties provided in of the *Highway Traffic Act* shall apply to offences against this Section.
10. SECTION TEN – Taxi-Stands
- 10.1. Subject to the subsequent provisions of this By-Law, no owner or driver of a taxi shall park his vehicle on any street except while picking up or delivering fares.
- 10.2. No person shall stop, stand or park a vehicle, other than a taxi licensed for operation in the Town of Fort Frances in any taxi stand which has been officially designated and marked by appropriate signs.
- 10.3. Discharging Passengers from Taxi-Cabs:
- 10.3.1. All operators of taxi-cabs shall permit the passengers to leave from the curbside of the car only and shall take every precaution to see that all passengers are clear of the taxi-cab before said operator shall drive away.
- 10.4. The portions of streets set out in Schedule “X” attached hereto are hereby designated as taxi stands for use by taxis licensed for operation in the Town of Fort Frances.
11. SECTION ELEVEN – Loading Zones
- 11.1. The portions of the streets set out in Schedule “AA” attached hereto are hereby designated as loading zones.
- 11.2. When properly worded signs have been erected and are on display, no person shall park or stand a vehicle in a loading zone on any day, other than a Sunday or a public holiday, between the hours of 8:00 o’clock in the forenoon and 6:00 o’clock in the afternoon, except for the purpose of and while actually engaged in loading or unloading goods, wares and merchandise on to or from such vehicles; but notwithstanding the provisions hereof, it shall be lawful for the operator of a taxi-cab to pick up or discharge passenger in a loading zone.
- When properly worded signs have been erected and are on display, no person shall park or stand a vehicle in the loading zone identified in Schedule “AA”, item 2, except for the purpose of and

while actually engaged in loading or unloading items or passengers, at any time for a period in excess of fifteen (15) minutes.

- 11.3. When properly worded signs have been erected and are on display, no person shall park or stand a vehicle in a loading zone during any period during which parking is prohibited by the other provisions of this by-law.
- 11.4. The fee for a loading zone set out in Schedule “AA” is as provided in the current schedule of fees attached to the Town’s Fees By-Law. Fees are payable on or before January 1st of each year.
- 11.5. The portions of streets set out in Schedule “AA-1” attached hereto are designated as church loading zones.
- 11.6. When properly worded signs have been erected and are on display, no person, without consent from the respective church as identified in Schedule “AA-1”, shall park or stand a vehicle in a church loading zone.
- 11.7. The fee for church loading zones that are set out in Schedule “AA-1” is as provided in the current schedule of fees attached to the Town’s Fees By-Law. Fees are payable on or before January 1st of each year.

12. SECTION TWELVE – Load Weights and Snow Removal and Deposit:

- 12.1. Weight of Load During Spring of the Year – The provisions of The Highway Traffic Act, shall extend to and apply to highways within the Town of Fort Frances during the period of half-load restrictions applied by the Ministry of Transportation (Ontario) in the District surrounding the Town of Fort Frances.
- 12.2. Vehicles interfering with the Traffic and Snow Removal – No person shall park or stand a vehicle on a highway in such a manner as to interfere with the movement of traffic or the clearing of snow from the highway.
- 12.3. Deposit Snow on Highway – No person shall deposit snow or ice on a roadway without permission in writing so to do from the Town.

13. SECTION THIRTEEN – Penalties

- 13.1. Where a vehicle is parked in contravention of the parking provisions of this by-law, a peace officer so finding the vehicle shall attach to the vehicle a parking ticket, in the form of a serially numbered notice stating:
 - 13.1.1. The license plate number and a concise description of the vehicle;
 - 13.1.2. That the vehicle is unlawfully parked;
 - 13.1.3. The date, time and place of the alleged offence.
- 13.2. The ticket may be voluntarily paid at the offices of the Treasurer of the Town of Fort Frances within seven days, exclusive of Saturdays, Sundays, or holidays, after the day when the ticket is issued or voluntary payment may be made by mail service or Fine-O-Meter box;

- 13.3. The Town of Fort Frances assumes no responsibility for receipt of any such voluntary payments other than those for which it has issued a receipt
- 13.4. In the event of failure to make such voluntary payment a Notice of Impending Conviction will be issued to the owner of the vehicle.
- 13.5. The ticket shall be paid at the offices of the Treasurer of the Town of Fort Frances within seven days, exclusive of Saturdays, Sundays or holidays, after the date when the ticket is issued. A receipt, if requested, shall be given to the person making the payment.
 - 13.5.1. The following amounts shall be accepted as payment of a penalty in full satisfaction in respect to the alleged offences respectively:
 - 13.5.1.1. For each meter parking violation, twenty dollars (\$20.00)
 - 13.5.1.2. For each parking violation by a non-handicapped licensed vehicle in a Handicapped Parking Only spot, three hundred dollars (\$300.00).
 - 13.5.1.3. For all other parking violations, twenty dollars (\$20.00).
- 13.6. If voluntary payment is not made in accordance with the procedure provided in this section, the provisions of subsection 13.7 hereof shall apply.
- 13.7. Except as herein otherwise provided, any person who contravenes the provision of this By-Law is liable to a fine not exceeding \$300.00, exclusive of costs. This subsection shall not apply to the following sections: 5.1, 5.2, 5.9, 6., 7., 9 and 12. of this By-Law.
- 13.8. Any vehicle found parked or left contrary to this By-Law, may, in addition to the penalty for contravention, be moved or taken to and 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*, R.S.O. 1990, c.R.25.
- 14. SECTION FOURTEEN – Ontario Traffic Act and Provincial Offences Act to Govern
 - 14.1. The provisions of this by-law shall be subject to the provisions of The *Highway Traffic Act* and the *Provincial Offences Act*.
- 15. SECTION FIFTEEN – Exception of Municipal Authorities:
 - 15.1. For the purposes of maintenance and emergency or provisions of public services, the parking provisions of this by-law and amendments thereto shall not apply to the equipment and vehicles owned by or to any equipment or vehicles under contract or hire with the Town of Fort Frances. Such equipment and vehicles where parking is necessary for purposes of maintenance and emergency or provisions of public services shall park so that there is a minimum of inconvenience to traffic and shall observe reasonable safety precautions.
 - 15.2. The person in charge of the Planning and Development Division or By-Law Enforcement Officer are hereby granted authority to cancel parking tickets which, in their discretion, have been issued under circumstances justifying cancellation.
- 16. SECTION SIXTEEN – This By-Law Effective:

- 16.1. This By-Law shall come into force and effect upon its final passing thereof.

READ THREE TIMES and finally passed in open Council this 9th day of June 2014.

R. Avis, Mayor

L. Slomke, Clerk