

THE CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW NUMBER XX-2022

**Being a By-Law to Regulate Traffic and Parking on Roads under the Jurisdiction
of the Corporation of the Town of Shelburne**

WHEREAS Section 11 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, ("Municipal Act") authorizes municipalities to enact By-laws respecting matters within the sphere of jurisdiction of highways, including traffic on highways, in conjunction with the Highway Traffic Act;

AND WHEREAS Section 11 (1) of the Municipal Act, authorizes a municipality to pass By-laws prohibiting or regulating parking on highways and on properties other than Highways;

AND WHEREAS Sections 100 through 101 of the Municipal Act, authorizes a municipality to pass By-laws for prohibiting unauthorized parking on private or municipal property;

AND WHEREAS Section 102 of the Municipal Act authorizes a municipality to pass Bylaws requiring the owners or operators of parking lots or other parking facilities to which the public has access, to provide designated parking spaces for the sole use of vehicles operated by or carrying a disabled person;

AND WHEREAS Section 429 (1) of the Municipal Act provides that fines may be charged for breaches of By-laws passed pursuant to the powers set out therein and further provides for the removal, impounding or restraining or immobilizing of any vehicle parked on a Highway or on municipal property in contravention of a By-law or of the Highway Traffic Act;

AND WHEREAS the Council of the Corporation of the Town of Shelburne desires to regulate traffic and govern and control the parking of vehicles in the Town of Shelburne;

Now Therefore the Council of the Corporation of the Town of Shelburne hereby enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be referred to as the "Traffic & Parking By-law"

2. DEFINITIONS AND INTERPRETATION

2.1 In this By-law:

2.1.1 "Accessible parking permit" means an accessible parking permit issued under Section 26 of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended and Regulation 581 made thereunder.

2.1.2 "Authorized sign" means any sign, or marking on a roadway, or curb or sidewalk or other device placed or erected on a highway under the authority of this by-law or the Highway Traffic Act and approved by the Ministry of Transportation for the purpose of regulating, warning, or guiding vehicular and pedestrian traffic.

2.1.3 "Boulevard" includes that portion of the highway located between the edge of the roadway and the property line of the highway, and without limiting the foregoing, may include the un-traveled portion of any highway, and ditches.

2.1.4 "By-law" means this by-law and any Schedule to this By-law as they may be amended from time to time.

2.1.5 "Clerk" means the Clerk for the Town, or their designate.

2.1.6 "Commercial Vehicle" means any vehicle or motor vehicle designated or operated for the transportation of property or persons and includes an ambulance, a hearse, a casket wagon, a fire apparatus, a tractor used for hauling purposes on a highway; a bus or school bus which exceeds 3.5 m in height or 7 m in length and for the purposes of this bylaw and in accordance with Ontario Regulation 419/15 shall also include a tow truck.

2.1.7 "Community safety zone" means a section of roadway where pedestrian and driver safety are deemed to be of increased concern. areas such as school zones, parks, senior citizens residences and collision prone areas are good examples of locations suited for designation as community safety zones. they are identified through specific signage identified in the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended.

2.1.8 "Corporation" means the Corporation of the Town of Shelburne.

2.1.9 "Council" means the elected Council of the Town of Shelburne.

2.1.10 "Crosswalk" means that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on the opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the travelled portion of the highway or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing signs including a Traffic Control Device or Traffic Control Signal in accordance with the Highway Traffic Act.

2.1.11 "Curb" means the edge of a traveled portion of the highway and includes a raised curb.

2.1.12 "Designated Accessible Parking Space" means a parking space designated under this by-law for the exclusive use of a vehicle displaying a permit issued by Service Ontario in accordance with the requirements of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended and the regulations made thereunder and this by-law.

2.1.13 "Driveway" means that portion of a property used to provide vehicular access from a highway to an off-street parking space or parking area.

2.1.14 "Electric vehicle" means a battery electric vehicle that runs only on a battery and an electric drive train, or a plug-in hybrid electric vehicle that runs on a battery and an electric drive train and uses an internal combustion engine.

2.1.15 "Electric vehicle charging station" means a publicly or privately owned parking space that provides access to equipment that supplies a source of electricity for charging electric vehicles.

2.1.16 "Heavy vehicle" means a motor vehicle with or without load which alone or together weighs 3,000 kilograms or more, or, loaded weighs 5,000 kilograms or more and shall include any road-building machine, regardless of its weight.

2.1.17 "Highway" means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is used or intended for use by the public for the passage of vehicles and includes the entire area between its lateral property lines. Without limitation, highway includes unassumed or unopened road allowances.

2.1.18 "Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c. H. 8 as amended, or any successor.

2.1.19 "Inoperable vehicle" means any vehicle, including a trailer, that appears by reason of its appearance, mechanical condition, or lack of current licence plates,

to be inoperative. A vehicle is an inoperable vehicle if it bears licence plates that is not registered with the Ministry of Transportation to the attached vehicle.

2.1.20 "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 that join one another at an angle, whether or not one highway crosses the other.

2.1.21 "Lane" means a narrow street or passageway, between or behind buildings, designed, constructed, and intended to provide access to and service at the rear of places of residence or business and owned by a government authority.

2.1.22 "Motor vehicle" includes an automobile, motorcycle, and motor assisted bicycle unless otherwise indicated in the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car, or other vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended.

2.1.23 "Municipal parking lot" means the whole or any part of a parcel of real property owned by the Municipality and intended to be used for the temporary parking of motor vehicles,

2.1.24 "Municipal property" means the whole or any part of a parcel of real property owned or leased or under the control by the Municipality.

2.1.25 "Officer" means a member of the Ontario Provincial Police and includes a Municipal Law Enforcement Officer, Bylaw Officer, or a Provincial Offences Officer appointed by the Town to enforce municipal bylaws.

2.1.26 "Park/parking" means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of, and while actively engaged in, loading, or unloading merchandise or passengers.

2.1.27 "Pedestrian" means a person on any part of a highway who is not within a vehicle, or a person in a wheelchair, baby carriage.

2.1.28 "Pedestrian crossover" has the same meaning as in the Highway Traffic Act, R.S.O. 1990, c. H.8.

2.1.29 "Permit agreement" shall mean the agreements containing the terms and conditions for parking permits issued by the Corporation of the Town of Shelburne.

2.1.30 "Person" means an individual, firm, partnership, corporation, trust, trustee, or agent, executors, or legal representatives of the person to whom the context can apply according to law.

2.1.31 "Private roadway" means any private road, lane, ramp, or other means of vehicular access to and egress from a building, property, or structure, and it may include a part of an area designated for parking.

2.1.32 "Raised curb" means a curb, the face of which measures not less than thirteen (13) centimetres in height.

2.1.33 "Road traffic control devices" are markers, signs and signal devices used to inform, guide and control vehicular and pedestrian traffic.

2.1.34 "Roadway" means the part of the highway that is improved, designed, or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.

2.1.35 "School crossing" means a crosswalk marked by authorized signs and pavement markings designating it as a school crossing location.

2.1.36 "Sidewalk" means the part of the highway set aside for the use of pedestrians or used by the general public for the passage of pedestrians and includes multiuse trails, footpaths.

2.1.37 "Sign" means any sign, marking on a highway, curb, sidewalk, parking lot or other traffic control device, other than a traffic control signal system, which provides notice of traffic or parking regulations.

2.1.38 "Stop/stopping" 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 police officer or of a traffic control sign or signal.

2.1.39 "Through highway" means a highway or part of a highway designated as such by the minister or by by-law of a municipality, and every such highway shall be marked by a stop sign or yield right of way sign in compliance with the regulations of the ministry.

2.1.40 "Town" means the Corporation of the Town of Shelburne.

2.1.41 "Traffic control signal" means that part of a traffic control device that consists of one set of no less than three coloured lenses, red, amber, and green, mounted on a frame and commonly referred to as a signal head.

2.1.42 "Traffic control devices" means markers, signs and signal devices used to inform, guide and control traffic, including pedestrians, motor vehicle drivers and bicyclists. These devices are usually placed adjacent, over or along the highways, roads, traffic facilities and other public areas that require traffic control.

2.1.43 "U-turn" means the turning of a vehicle within a roadway for the purpose of traveling in the opposite direction.

2.1.44 "Vehicle" includes 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 a motorized snow vehicle or the cars of electric or steam railways running only upon rails.

3. GENERAL PROVISIONS

- 3.1 This By-law applies to all highways, within the geographical boundaries of the municipality, including unassumed, and all municipal property and private property in so far as it applies to parking regulations.
- 3.2 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 saving time is in effect, in which periods it shall be daylight saving time.
- 3.3 No person shall place, maintain, or display on any highway, any sign, marking or device, which purports to be or is an imitation of or resembles an official sign.
- 3.4 The provisions of this By-law shall not apply to any vehicles owned by the Town, ambulances, police, fire department vehicles, vehicles owned by other public authorities which are actively engaged in the course of their work and any other vehicle while actively engaged in performing work for the Town.
- 3.5 The schedules referred to in this by-law form an integral part of this by-law and each entry in a column of a schedule shall be read in conjunction with the entry or entries across from it.

- 3.6 If a court of competent jurisdiction declares any provision, or any part of a provision of this By-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied, and enforced in accordance with its terms to the extent possible according to law.
- 3.7 The municipal highway and county/provincial highway names referenced in the schedules shall be taken as the official names of the highways for the purposes of this By-law.
- 3.8 All dimensions in this By-law are metres (m) or centimetres (cm) unless otherwise indicated.
- 3.9 All references to Zones in this By-law shall mean the Zones established and identified in the Town's Zoning By-law.
- 3.10 All measurements of distance relevant to an "intersection" shall, where possible, be taken to or from a point where the prolongation or connection of the edge of pavement meet on the side of the highway relevant to the said measurement.
- 3.11 No person shall erect, place, maintain or display upon or in view of any highway, any signal, marking or device which purports to be or, is an imitation of, or resembles an authorized sign or traffic control signal, or which conceals from view or interferes with the effectiveness of an authorized sign or traffic control signal.

4. AUTHORITY

- 4.1 The Legislative Services/Clerks Department is responsible for the administration of this By-law, excluding the installation and maintenance of signs that have been authorized by the Director of Development and Operations, or their designate.
- 4.2 The Director of Development and Operations, or their designate, is authorized to place or erect, modify and to maintain such signs as are required to give effect to the provisions of this By-law.
- 4.3 The Director of Development and Operations, or their designate, is authorized to issue permits for the movement on highways under the jurisdiction of the Town for heavy vehicles, loads, objects, or structures which are in excess of the dimensional limits set out in Section 109 of the Highway Traffic Act or the weight limits set out in Part VIII of the Highway Traffic Act.
- 4.4 The Director of Development and Operations, Manager of Operations, Facilities, and Parks, or their designates, shall be authorized to close local highways and roadways under the jurisdiction of the Town for social, recreational, community or athletic purposes, parades, or a combination of such purposes, upon passing of a resolution by Council for specific events.
- 4.5 The Director of Development and Operations or their designate, a Police Officer who is on active duty, or the Ontario Fire Marshall, or their designate, or the Fire Chief, or their designate shall be authorized to close or temporary restrict the parking or stopping of any motor vehicle on local highways and roadways, under the jurisdiction of the Town in the event of a significant weather event, or in the event of an emergency.

5. ENFORCEMENT

- 5.1 The provisions of this By-law shall be enforced by a Municipal Law Enforcement Officer, a Provincial Offences Officer, a Police Officer, or any other person designated by the Town.

5.2 The Ontario Provincial Police, Dufferin Detachment, will be responsible for the enforcement of the traffic related provisions of this By-law.

6. GENERAL STOPPING AND PARKING REGULATIONS

6.1 Parking or Stopping Prohibited on Highway - Signs Not Required:

6.1.1 No person shall park or stop a vehicle on any highway or portion thereof that is:

- a) on or over a sidewalk;
- b) on a boulevard;
- c) outside of the limits of a driveway apron;
- d) in such a position to overhang the curb or sidewalk;
- e) in the centre of a cul-de-sac;
- f) within an intersection, crosswalk, or pedestrian crossover;
- g) within 0.3 metres of a private or public driveway on all Town roadways;
- h) inoperable or unplated;
- i) at a bus stop, other than a bus using the bus stop;
- j) within three (3) metres of a point on the curb or edge of the roadway nearest to any fire hydrant;
- k) for the purpose of displaying a vehicle for sale;
- l) for the purpose of washing, greasing, or repairing the vehicle, except for such repairs as have been necessitated by an emergency;
- m) leaking fluid;
- n) in such a position to prevent the removal of any other vehicle;
- o) in such a position to interfere with the movement of traffic;
- p) in such a manner as to interfere or obstruct with a highway cleaning/road maintenance or snow clearing operations;
- q) alongside or across from any excavation or obstruction in the roadway when the free flow of traffic would thereby be impeded;
- r) with the left wheels to the curb;
- s) more than fifteen (15) centimetres from a raised curb;
- t) alongside any other stopped or parked vehicle;

6.1.2 No person shall park or stop a heavy vehicle on any highway or portion thereof in any residential zone.

6.1.3 No person shall park or stop a commercial vehicle on any highway or portion thereof in any residential zone.

6.1.4 Section 6.1.2 and 6.1.3 does not apply to prohibit the parking or standing of any such vehicle upon a highway in any residential zone while the operator thereof is actually engaged in the delivery of goods or services to any premises within any such zones, or to prohibit the parking or standing of any bus or school purpose vehicle upon any highway in any residential zone while the operator thereof is actually engaged in the embarking or disembarking of passengers in any such zone.

6.2 PARKING OR STOPPING PROHIBITED ON HIGHWAY – SIGNS REQUIRED

6.2.1 No person shall park or stop where authorized signs are erected and are on display on the side or sides of the highways set out in Schedule 'B' attached to and forming part of this bylaw.

6.2.2 Where authorized signs are on display indicating that parking or stopping is prohibited, no person shall park or stop any vehicle on any highway or any portion thereof:

- a) in a lane;
- b) within the turning basin at the end of a cul-de-sac;

- c) within fifteen (15) metres of an intersecting highway;
- d) within thirty (30) metres of an intersection controlled by traffic control signals;
- e) within eight (8) metres of any fire hall on the side of the highway on which the fire hall is located or within thirty (30) metres of such fire hall on the opposite side of the highway.

6.2.3 Where designated portions of a highway have been closed for a special event, no person shall park or stand a vehicle or portion thereof on any portion of the highway that is designated as closed.

6.2.4 No person shall park or stop a vehicle in excess of three (3) hours between 6:01 am to 6:00 pm any highway located within the downtown area as illustrated in Schedule '?'.

6.2.5 Where signs are displayed at each entrance of the municipality, no person shall park or stop a vehicle or allow a vehicle to park, or stop, on any roadway or highway or any portion thereof in excess of five (5) hours between 6:01 am to 6:00 pm within a residential zone.

6.2.6 Where signs are displayed at each entrance of the municipality, no person shall park or stop a vehicle or allow a vehicle to park, or stop, on any roadway or highway or any portion thereof between the hours of 2:00 am and 6:00 am. of any day.

6.3 ACCESSIBLE PARKING

- 6.3.1 No person shall park, stop, or stand a vehicle in a designated parking space, or be entitled to the benefit of an exemption under this By-law, unless the vehicle is displaying a valid accessible parking permit and the vehicle is being operated by or is conveying the person with a disability to whom the accessible parking permit has been issued.
- 6.3.2 No person shall park, stop, or stand a vehicle in a designated parking space unless the valid accessible parking permit is properly displayed with the identification number and expiration date clearly visible.
- 6.3.4 No person who owns or operates a parking lot or parking facility to which the public has access, shall prevent the use of designated parking spaces by disabled persons, by using the designated parking space for the storage of any item, including but not limited to, snow or debris.
- 6.3.5 No person who owns or operates a parking lot or parking facility to which the public has access, shall prevent access by disabled persons to sidewalk areas and other facilities.
- 6.3.6 Every owner of private property shall ensure that a designated parking space for the exclusive use of vehicles displaying an accessible parking permit in accordance with the requirements of the Highway Traffic Act and this By-law shall have the dimensions and characteristics, and be located as follows:
 - a) Located with sufficient clearance around the vehicle, in terms of other vehicles or obstructions, such as light standards, waste receptacles, etc. to permit free access by wheelchair, and
 - b) Identified by an official sign required by the Highway Traffic Act regulations. This sign shall be mounted with the base of the sign a minimum of 1.7 metres (5.6 feet) above ground level, and at a maximum of 2.0 metres (6.6 feet) above ground level.
- 6.3.7 No person shall,
 - a) have in his or her possession an accessible parking permit that is fictitious, altered or fraudulently obtained;

- b) display an accessible parking permit otherwise than in accordance with the regulations;
- c) fail or refuse to surrender an accessible parking permit in accordance with this Part or the regulations;
- d) use an accessible parking permit on land owned and occupied by the Crown otherwise than in accordance with the regulations;
- e) give, lend, sell, or offer for sale an accessible parking permit or permit the use of it by another person otherwise than in accordance with the regulations; or
- f) make, permit the making of, give, lend, sell, or offer for sale a fictitious or altered accessible parking permit.

6.4 ELECTRIC VEHICLE PARKING

- 6.4.1 No person shall park or stop an electric vehicle in a designated electric vehicle parking space without being actively connected to an electric vehicle charging station.
- 6.4.2 No person shall park or stop a vehicle in a designated electric vehicle parking space unless the vehicle is an electric vehicle, and the vehicle is attached to the station's charging equipment.
- 6.4.3 Every parking space reserved for the exclusive use of an electric vehicle shall display signage in accordance with the requirements of the Highway Traffic Act and this By-law shall have the dimensions and characteristics, and be located as follows:
 - a) Identified by an official sign required by the Highway Traffic Act regulations. This sign shall be mounted with the base of the sign a minimum of 1.7 metres (5.6 feet) above ground level, and at a maximum of 2.0 metres (6.6 feet) above ground level.

6.5 MUNICIPAL PARKING LOTS/MUNICIPAL PROPERTY

- 6.5.1 No person shall park, or stop any vehicle on municipal property as set out in Schedule ?: and
 - a) without the consent of the municipality;
 - b) obstruct the movement of other vehicles;
 - c) between 11:00 pm and 7:30 am, except where authorized by permit;
 - d) on a municipal property except in a designated parking zone;
 - e) wholly within a marked parking space;
 - f) that is inoperable;
 - g) that is a heavy or commercial vehicle;
 - h) that is inoperable or unplied; or
 - i) a trailer unless affixed to a vehicle.
- 6.5.2 No person shall store a vehicle, motor vehicle or trailer, whether attached to a motor vehicle or not, or any parts of thereof on any municipal property without written authorization from the municipality.
- 6.5.3 Subject to availability, the Town may issue permits authorizing parking for a specified time period in a municipal parking lot designated in Schedule ? or to persons who meet the eligibility criteria, make application, and pay the applicable rate, as set out in the User Fees and Charges By-Law as amended, or of a successor to that By-Law.
- 6.5.4 Every permit issued under section 6.5.3 shall be valid only for a specific municipal parking lot and shall be subject to the terms and conditions established by the Town for the use of that permit.

- 6.5.5 Temporary parking regulations may be established by the Town for any street, municipal parking lot or other municipal property to permit essential work to be carried out, or to deal with an emergency or with special circumstances.
- 6.5.6 Temporary parking regulations established in accordance with section 6.5.5 take effect when signage has been installed in appropriate locations which provide public notice and cease to be in effect when the signage is removed.
- 6.5.7. Temporary parking regulations established in accordance with section 6.5.5 take precedence over the provisions of this by-law in the event of a conflict.

7. GENERAL TRAFFIC REGULATIONS

- 7.1 Where U-turns are not prohibited, such turns shall be made only where it can be made in safety and without interfering with other traffic.
- 7.2 No person shall drive a motor vehicle on a sidewalk or footpath except for the purpose of directly crossing the sidewalk or footpath at a driveway.
- 7.3 No person shall drive a motor vehicle on any highway over any raised curb except at a place where there is a driveway opening or private roadway.

8. COMMUNITY SAFETY ZONE

- 8.1 Where authorized signs to that effect are displayed in accordance with the regulations made under the Highway Traffic Act, the highways or portions thereof set out in Schedule E are hereby designated as community safety zones.

9. HEAVY TRAFFIC PROHIBITED

- 9.1 Where authorized signs to that effect are displayed, heavy vehicles are prohibited on all Town roads except the Highway or part thereof set out in Schedule 'F'.
- 9.2 The provisions of subsection 19.1 of this section shall not apply to the use of said highways or parts of highways for deliveries to or removals from any premises abutting thereon which cannot be reached except by way of a highway or a portion of highway referred to in the said section or to prohibit the use of such vehicles for such purpose, provided that in making such delivery or collection, the said highway or portion of highway is travelled only insofar as is avoidable in getting to and from such premise.
- 9.3 The provisions of this section shall not apply to heavy or commercial vehicles trucks, or machinery or driveway paving or sealing equipment where the owner of the property, or their authorized agent have obtained a permit or written authorization from the Municipality.
- 9.4 For further clarity, the owner of the property where the work is being conducted, or the owner of the company conducted the work must apply for, be approved for, and have submitted all supporting documents and have made payments for a permit to occupy a roadway or a highway. The issuance of a permit does not exempt any vehicle from any other parking or stopping provision of this bylaw.

10. PEDESTRIAN CROSSING

- 10.1 At the locations set out in Schedule I, are designated as pedestrian crossings as shall be indicated as such as prescribed by the regulations made under the Highway Traffic Act.

11. RATE OF SPEED

11.1 No person shall drive a vehicle on any highway under the jurisdiction of the Town in excess of a rate of speed greater than 40 km/h unless otherwise posted.

12. SEASONAL LOAD RESTRICTIONS

12.1 Where official signs to that effect are displayed and for the purposes of subsections 122(1), (2) and (3) of the Highway Traffic Act, the reduced load period shall be that period commencing on February 1st of each year and ending on May 1st inclusive, in each and every year, no person shall on any highway or part of a highway affected, operate, or draw any vehicle having a weight which is in contravention of the Highway Traffic Act. Highways set out in Schedule ‘?’ are subject to the seasonal load restrictions.

13. SIGNALIZED INTERSECTIONS

13.1 The erection and operation of traffic control systems in accordance with the Highway Traffic Act, as amended, and the regulations made there under at the locations set out in Schedule ‘?’.

14. STOP CONTROLLED INTERSECTION

14.1 The erection of stop signs is hereby authorized at each of the intersections set out in Schedule ‘?’ attached to and forming part of this bylaw.

15. THROUGH HIGHWAYS

15.1 The highways as set out in Schedule ? are hereby designated as through highways for the purpose of the Highway Traffic Act, as amended.

15.2 The designation of a through highway in Schedule “?” shall not include any intersection thereon where the highway intersected is a King’s highway or a Dufferin County Road.

16. TURNING MOVEMENTS PROHIBITED

16.1 Where official signs are displayed no person operating a vehicle shall turn in the prohibited direction as set out in Schedule ‘?’

17. PENALTIES

17.1 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine for each offence, exclusive of costs, as prescribed by the Provincial Offences Act. R.S.O. 1990, c P. 33

17.2 Any person may, upon presentation of a parking infraction notice issued by a Police Officer, Municipal Law Enforcement Officer or any other person designated by the Town to enforce this By-law, alleging commission of a stopping, parking or standing offence, pay out of court within 15 days, from the date of issue of said parking infraction notice, the set fine set out on the Part II Parking Infraction, and upon such payment no further proceedings shall be taken in respect of the said parking infraction notice.

- 17.3 For the purposes of this By-law, where a licence plate issued pursuant to the Highway Traffic Act is exposed on a vehicle, the holder of the permit corresponding thereto shall be deemed to be the owner of that vehicle and if said vehicle is stopped, parked or standing in contravention of this By-law, the owner shall be guilty of an offence, unless they can prove to the satisfaction of the court, that the number plate was exposed thereon without their consent, express or implied.
- 17.4 A Police Officer, or Municipal Law Enforcement Officer, upon discovery of any vehicle parked or stopped, in contravention of this By-law, may cause said vehicle to be moved or taken to 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.
- 17.5 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty pursuant to this By-law.
- 17.6 If compliance therewith would be impractical, the provisions of the sections and subsections of this By-law shall not apply to ambulances, Police and Fire Department vehicles and any vehicles while actually engaged in works undertaken for or on behalf of the Corporation of the Town of Shelburne, the County of Dufferin, the federal or provincial government, or any utility.

18. REPEALING SECTION

- 18.1 This Bylaw shall come into force and Bylaw # 8-1983 and all of its amendments, shall be repealed on the date that the set fines are approved pursuant to the Provincial Offences Act.
- 18.2 After the date of passing of this bylaw, Bylaw # 8-1983, as amended, shall only apply only to those enforcement proceedings which had been initiated prior to the date this Bylaw is enacted, and then only until such enforcement proceedings have concluded.

19. ENACTED

- 19.1 Read a first, second and third time and finally passed on the 13th day of June 2022

Wade Mills, Mayor

Jennifer Willoughby, Clerk

DRAFT