

TOWNSHIP OF WOOLWICH

BY-LAW NUMBER 33-89

A BY-LAW FOR ESTABLISHING MUNICIPAL PARKING LOTS AND FOR REGULATING PARKING THEREON

WHEREAS the Municipal Act, R.S.O. 1980, C. 302, provides that a municipality may pass by-laws to prohibit parking on municipal lands, or on private lands, and may regulate parking thereon;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

1. DEFINITIONS

Where used herein, the following words and phrases shall be deemed to have the following meanings:

- i) "Park" shall mean the standing of a vehicle, whether the vehicle is occupied or not, except when standing temporarily for the purpose of, and while actually engaged in, the loading or unloading of goods or passengers.
- ii) "Police Officer" means a member of the Police Force or a person authorized by the Chief of Police of the Regional Municipality of Waterloo to enforce the provisions of this by-law.
- iii) "By-law Enforcement Officer" means a person authorized by by-law of the Township of Woolwich to enforce the provisions of this by-law.
- iv) "Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, roadbuilding machine and any vehicle drawn, propelled, or driven by any kind of power, including muscular power.
- v) "Parking Permit" means a clearly displayed decal or a specially designed card as authorized by the Township Treasurer or his/her designate.

2. ESTABLISHING MUNICIPAL PARKING LOTS

The Township of Woolwich shall establish municipal parking lots on land owned by the Township or on private land which is leased by the Township. The Township shall, by by-law, designate municipal parking lots and shall erect signs showing the name of each municipal parking lot and the by-laws which govern its operation. All municipal parking lots shall be listed in Schedule 'A' to this by-law.

3. REGULATIONS IN MUNICIPAL PARKING LOTS

Parking in municipal parking lots shall be subject to the following provisions when properly worded signs have been erected or are on display:

- i) Notwithstanding Section 3 (ix) no person shall park a vehicle on any municipal parking lot between 2:00 a.m. and 6:00 a.m. at any time unless permit parking is in effect. (Amended by By-law 89-99)
- ii) No vehicle having a gross vehicle weight of more than 3 tonnes shall be parked on any municipal parking lot, except that buses may be parked in designated areas which have been appropriately signed by the Township.
- iii) No person shall park a vehicle on any part of a municipal parking lot except within a parking stall as marked on the pavement.
- iv) No person shall park a vehicle so as to occupy more than one parking stall with one vehicle.
- v) No person shall race or speed a vehicle on any municipal parking lot in excess of 20 km/h.
- vi) No person shall park or stop a bus for the purpose of loading and unloading passengers on a municipal parking lot except in an area designated for the purpose by the erection of appropriate signs.
- vii) No person shall drive a vehicle on a municipal parking lot so as to propel it in a direction opposite to the direction for movement which is indicated by signs or pavement markings.
- viii) No person shall park a vehicle in excess of the time or duration permitted by the signs erected on the municipal parking lots.
- ix) No person shall park a vehicle in an area which is designated for permit parking unless they display a currently valid permit issued by the Township to do so and providing that the said permit is posted within the vehicle in such a manner that it is visible to the enforcement official.
- x) No person shall park a motor vehicle in any area designated by signs to be reserved for horse-drawn vehicles.
- xi) No person shall park a horse-drawn vehicle in an area other than that which is designated for the purpose by signs.

4. PENALTIES

Every person who contravenes any provision of this by-law is guilty of an offence and is liable, upon conviction, to a fine not exceeding Two Thousand Dollars (\$2,000.00), exclusive of costs, for each offence, recoverable under the Provincial Offences Act.

5. EARLY VOLUNTARY PAYMENT OF PENALTIES

- i) Notwithstanding any other provisions of this by-law, any person may, upon presentation of a parking infraction notice issued by a Police Officer or By-law Enforcement Office alleging commission of any of the offences under this by-law as set out in Schedule 'B', pay out of court within seven (7) days of the issuance of the said parking infraction notice the penalty set out opposite such offence as indicated in Schedule 'B' to this by-law. Upon such payment no further proceedings shall be taken under this by-law in respect to the said alleged offence.
- ii) If a voluntary payment is not made in accordance with the procedure provided in Subsection 5 (i) of this Section, the procedures of the Provincial Offence Act, or any successors thereof, shall apply.

6. REMOVAL OF VEHICLE

In addition to the provisions of this by-law, where a By-law Enforcement Officer or a Police Officer finds a vehicle in contravention of the parking provisions of this by-law, he may cause such vehicle to be moved, or taken to, and be placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, shall be a lien upon the said vehicle, which may be enforced in the manner provided in Section 52 of the MECHANICS' LIEN ACT.

7. REPEAL OF BY-LAWS

By-law Number 81-86 of the Corporation of the Township of Woolwich and all by-laws amending the same are hereby repealed as of the effective date set out below in Section 8.

8. EFFECTIVE DATE

This by-law will come into force and take effect on September 1, 1989.

9. VALIDITY

Should any part, section or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole, or a part thereof, other than the part which was declared to be invalid.

PASSED this 25th day of April, 1989.

Bob Waters
Mayor

Kris Fletcher
Clerk

SCHEDULE 'A'

To By-law Number 33-89

Mill Street Parking Lot

Church Street Parking Lot

Driving Shed Parking Lot

Municipal Building Parking Lot

Set Fine Schedule
Part 2 Provincial Offences Act
By-law No. 33-89: Parking Lot By-law

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Park between 2:00 a.m. and 6:00 a.m. as prohibited	Section 3 (i)	\$15
2	Park vehicle weighing greater than 3 tonnes	Section 3 (ii)	\$15
3	Park in other than parking space	Section 3 (iii)	\$15
4	Park not wholly within parking stall	Section 3 (iv)	\$18
5	Park in restricted permit parking	Section 3 (ix)	\$18
6	Motor vehicle park in area designated for horse-drawn vehicles	Section 3 (x)	\$15
7	Horse-drawn vehicle park in area designated for motor vehicles	Section 3 (xi)	\$15
NOTE: The penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P. 33			

TOWNSHIP OF WOOLWICH

BY-LAW NUMBER 89-99

A BY-LAW TO AMEND BY-LAW NUMBER 33-89
BEING A BY-LAW FOR ESTABLISHING MUNICIPAL
PARKING LOTS AND FOR REGULATING PARKING THEREON
(Water Street Municipal Lot)