

**TOWNSHIP OF WOOLWICH**

**BY-LAW NUMBER 71-2012**

**A BY-LAW FOR ESTABLISHING THE PARKING  
OF MOTOR VEHICLES ON PRIVATE PROPERTY  
OR IN MUNICIPAL LOTS**

WHEREAS Section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorizes municipalities to regulate parking on highways as well as parking, except on highways;

AND WHEREAS Sections 100 and 100.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorize municipalities to regulate or prohibit parking or leaving of motor vehicles without the owner's consent on land not owned or occupied by the municipality;

AND WHEREAS Sections 170(15) of the *Highway Traffic Act*, R.S.O 1990, c.H.8, as amended and Section 101(1) of the *Municipal Act, 2001* S.O 2001, c.25, as amended, authorizes the removal and storage of any motor vehicle left in contravention of a municipal by-law;

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

1. Where used herein, the following words and phrases shall be deemed to have the following meanings:
  - a) "Motor Vehicle" includes an automobile, a motorcycle, a motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power.
  - b) "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 loading or unloading merchandise or passengers.
  - c) "Parking Lot" means an area or structure or a portion of an area of structure intended for the parking of motor vehicles off the street or highway which may include a private lot or a municipal lot which name appears in Schedule "B" of this By-law.

d) "Private Property" means land not owned or occupied by the Township.

e) "Parking Permit" means a clearly displayed decal or a specially designed card as authorized by the Township of Woolwich Municipal Clerk or a permit issued by the owner of a private parking lot.

f) "Specially Appointed By-law Enforcement Officer" means an individual appointed by Council to enforce the provisions of this by-law, except Section 6, at specific locations throughout the Township and whose name appears in Schedule "A" of this By-law.

g) "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 police officer or of a traffic control sign or signal.

h) "Officer" means a Police Officer, Municipal Law Enforcement Officer and, in respect to specified properties, a Private Enforcement Officer whose name appears in Schedule "A" to this by-law.

i) "Township" means the Township of Woolwich.

2. No person shall park or leave a motor vehicle on private property without authority from the owner or occupant of such property.

3. Regulations in parking lots:

Parking in a parking lot shall be subject to the following provisions:

a) No person shall park a motor vehicle on any parking lot between 2:30 a.m. and 6:00 a.m. at any time.

b) No vehicle having a gross motor vehicle weight of more than 3 tonnes shall be parked on any parking lot, except that buses may be parked in designated areas which have been appropriately signed.

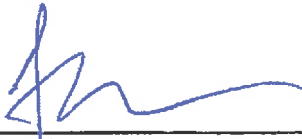
c) No person shall park a motor vehicle on any part of a parking lot except within a parking stall as marked on the pavement.

- d) No person shall park a motor vehicle in such a manner as to encroach on a contiguous parking space unless the vehicle cannot be accommodated in one parking space.
  - e) No person shall park or stop a bus for the purpose of loading and unloading passengers on a parking lot except in an area designated for the purposes which have been appropriately signed.
  - f) No person shall drive a motor vehicle on a parking lot so as to propel the vehicle in a direction opposite to the direction for movement which is indicated by signs or pavement markings.
  - g) No person shall race or speed a motor vehicle on any parking lot in excess of 20 km/hour.
  - h) No person shall park a motor vehicle in an area which is designated for permit parking unless they display a currently valid permit to do so and providing that the said permit is posted within the motor vehicle in such a manner that is visible to the enforcement official.
  - i) No person shall park a motor vehicle in any area designated by signs to be reserved for horse-drawn vehicles.
  - j) No person shall park a horse-drawn vehicle in an area other than that which is designated for the purpose by signs.
  - k) No person shall park a motor vehicle on any parking lot in contravention of signs posted by the Corporation of the Township of Woolwich or the owner of a private parking lot.
4. Where any portion of a motor vehicle is parked in contravention of this by-law the entire motor vehicle shall be deemed to be parked in contravention of this by-law.
5. Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33.

6. A police officer, police cadet, municipal law enforcement officer upon discovery of any motor vehicle parked in contravention this by-law, may cause it to be moved or taken to and placed or stored in a suitable place. All costs and charges for the removal, care and storage of the motor vehicle, if any, are a lien upon the motor vehicle, which may be enforced in the manner provided by the *Repair and Storage Liens Act*. 2005, c. 26, Sched. A, s. 28 (2).
7. Where a motor vehicle has been parked in contravention of this by-law, the owner of the motor vehicle, even though the owner was not the driver of the motor vehicle at the time of the contravention of the by-law, is guilty of an offence and is liable to the fine prescribed for the offence.
8. An Officer engaged in enforcing the provisions of this or other municipal by-laws, or laws is exempt from such provisions of this by-law as reasonably necessary for the performance of such enforcement.
9. Council may, by by-law, appoint Specially Appointed By-law Enforcement Officers to enforce the provisions of this by-law, except section 6, at certain locations throughout the Township and may also remove said appointments by-law.
10. Should any 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 in part thereof other than the part which was declared to be invalid.
11. Nothing in this by-law shall be construed to allow parking on private property in contravention of the Township's Zoning By-law or Front Yard Parking By-law even where the owner's consent is obtained.
12. Any reference to By-law #82 or #34-89 on a sign is hereby deemed to be a reference to this by-law.
13. This By-law may be referred to as Municipal and Private Property Parking By-law.
14. By-law number 33-2012, 71-2011, 46-2005, 42-2002, 70-2001, 92-2000, 89-99, 99-90, 128-1989, 34-89, and 82 of The Corporation of the Township of Woolwich, and all by-laws amending the same, are hereby repealed effective on the coming into force of this By-law.

15. This by-law shall come into force and take effect on the final day of passing thereof by the Council of the Corporation of the Township of Woolwich.

PASSED this 5<sup>th</sup> day of November, 2012.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

Schedule A

TOWNSHIP OF WOOLWICH

BY-LAW 64-2013

BEING A BY-LAW TO AMEND BY-LAW 71-2012 BEING A BY-LAW FOR ESTABLISHING THE PARKING OF MOTOR VEHICLES ON PRIVATE PROPERTY OR IN MUNICIPAL LOTS.

THAT the Council of the Corporation of the Township of Woolwich enacts as follows:

1. THAT Schedule "A" of By-law 71-2012 is hereby amended by adding the following thereto:

<b>Specially Appointed Enforcement Officers</b>	<b>Municipal Address of Property</b>
Peka Jozo Branko Mrvalj	31 Flamingo Drive, Elmira 35 Flamingo Drive, Elmira 110 Oriole Parkway, Elmira 15 Snyder Avenue North, Elmira
Liz Thomas Mairi Borsi Tim Harrington	St. Jacobs Farmers Market 878 Weber Street North
Marilyn Rudow	North Waterloo Condominium Corporation 30 Flamingo Drive, Elmira
Jen Crawford	Elmira District High School 4 University Avenue West

2. This by-law shall come into effect on the date of its passing by Council.

PASSED this 3<sup>rd</sup> day of September, 2013

Todd A. Cowan  
Mayor

Christine Broughton  
Clerk

**Schedule "B"**  
**By-law 71-2012**

**Albert Street Parking Lot, St. Jacobs**

**Bolender Park, Elmira**

**Bloomingtondale Community Centre and Park, Bloomingtondale**

**Breslau Community Centre Parking Lot, Breslau**

**Breslau Memorial Park, Breslau**

**Conestogo Community Park, Conestogo**

**Gibson Park Parking Lot and Tennis Court Lot, Elmira**

**Heidelberg Park, Heidelberg**

**Maple Street Parking Lot, Elmira**

**Maryhill Heritage Community Centre and Park, Maryhill**

**Mill Street Parking Lot, Elmira**

**Municipal Office Parking Lot, Elmira**

**Water Street Municipal Parking Lot, St. Jacobs**

**Woolwich Memorial Centre and Lions Hall Parking Lot, Elmira**

**Woolwich Township Arena and Community Centre Parking Lot, St. Jacobs**

**Wyatt Street Parking Lot, Elmira**

## Set Fines

**TOWNSHIP OF WOOLWICH**  
**PART I Provincial Offences Act**  
**By-law #71-2012: Municipal and Private Parking By-law**

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1.	Parked on private property without owners consent	Section 2	\$40.00
2.	Parked between 2:30 a.m. and 6:00 a.m.	Section 3(a)	\$40.00
3.	Parked vehicle weighing greater than 3 tonnes	Section 3(b)	\$40.00
4.	Parked in area other than parking space	Section 3(c)	\$40.00
5.	Parked in more than one space	Section 3(d)	\$40.00
6.	Parked/Stopped bus for loading/unloading passengers	Section 3(e)	\$40.00
7.	Parked in area restricted to parking permits	Section 3(h)	\$40.00
8.	Parked motor vehicle in area designated for horse-drawn vehicles	Section 3(i)	\$40.00
9.	Parked horse-drawn vehicle in area designated for motor vehicles	Section 3(j)	\$40.00
10.	Parked in parking lot where prohibited by signage	Section 3(k)	\$40.00

NOTE: The general penalty provision for the offences listed above is section 5 of By-law XX-2012, a certified copy of which has been filed.