



THE CORPORATION OF THE MUNICIPALITY OF RED LAKE

BY-LAW No. 81-2016

BEING A BY-LAW REGULATING TRAFFIC AND PARKING ON MUNICIPAL HIGHWAYS

WHEREAS pursuant to the Municipal Act, S.O. 2001, c.25, s. 27 (1) as amended, and the Highway Traffic Act, R.S.O. 1990, c.H.8, s. 195 (4) as amended, council may pass by-laws to regulate traffic and parking on municipal highways;

NOW THEREFORE the Council of The Corporation of the Municipality of Red Lake hereby **ENACTS AS FOLLOWS:**

1. DEFINITIONS

- 1.1 "Airport" means the Red Lake Airport, located in Cochenour, Ontario.
- 1.2 "Boulevard" means all parts of the highway, save and except any roadway, shoulder, driveway, or sidewalk.
- 1.3 "By-Law Enforcement Officer" means an officer appointed by the Municipality or designate for enforcing or carrying out the provisions of this By-Law.
- 1.4 "Corner" with reference to a highway intersection, means the point of intersection of the prolongation of the lateral curb lines, or in the absence of curbs, the prolongation of the edges of the roadways.
- 1.5 "Chief Administrative Officer" means the Chief Administrative Officer or designate of the Municipality of Red Lake.
- 1.6 "Crosswalk" means that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the roadway or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface.
- 1.7 "Designated Parking Space" means a parking space designated under this By-Law for the exclusive use of a vehicle displaying a permit in accordance with the requirements of the Highway Traffic Act and the regulations made under this By-Law.
- 1.8 "Disabled Parking Permit" means a permit issued by the Ministry of Transportation for a person with a disability or a permit, number plate or other marker or device issued by another jurisdiction and recognized under the Highway Traffic Act.
- 1.9 "Driveway" means the improved land on a highway which provides vehicular access from the roadway to a laneway or parking area on adjacent land.
- 1.10 "Highway" includes 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.

1. DEFINITIONS - Continued

- 1.11 “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.
- 1.12 “Kings Highway” means a highway so designated under the Public Transportation and Highway Improvement Act.
- 1.13 “Ministry” means the Ministry of Transportation of Ontario.
- 1.14 “Motor Vehicle” includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power; but does not include 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.
- 1.15 “Municipality” means The Corporation of the Municipality of Red Lake.
- 1.16 “Official Sign” means a sign approved by the Ministry of Transportation.
- 1.17 “Operations Supervisor” means the Operations Supervisor or delegate of the Municipality of Red Lake.
- 1.18 “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.
- 1.19 “Pedestrian” means a person on foot, in a wheeled chair, baby carriage, or a child's play vehicle propelled by muscular power.
- 1.20 “Parking Permit” means a permit granted by the Municipality to a person to park a vehicle for an unrestricted time in a permit restricted parking zone under this By-Law.
- 1.21 “Perpendicular Parking” means vehicles shall stand at an angle of about ninety degrees (90°) to the curb and with the wheel touching or within 0.30 metres (0.3m) of the curb.
- 1.22 “Police Force” means (the Red Lake Detachment of) the Ontario Provincial Police.
- 1.23 “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 of the roadways collectively.
- 1.24 “Shoulder” means that portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved to support a stopped vehicle.
- 1.25 “Sidewalk” means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

1. DEFINITIONS - Continued

- 1.26 "Signs, Signals, Markings" shall include every sign, light signal or device consistent with this By-Law or the Highway Traffic Act, placed or erected by the authority of the Municipality for the purpose of regulating, warning or guiding traffic.
- 1.27 "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.
- 1.28 "Stop" or "Stopping", when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Constable or other Police Officer or of a traffic control sign or signal.
- 1.29 "Traffic" includes pedestrians, ridden, led or herded animals, vehicles, motorized snow vehicles and other conveyances, either singly or together, while using any portion of a highway for the purposes of travel.
- 1.30 "Traffic Control Device" means any sign, signal or other roadway, curb or sidewalk marking, or any other device erected or placed under the authority of this By-Law for the purpose of regulating, warning or guiding traffic.
- 1.31 "Traffic Signal" means any device operated manually, electronically or mechanically for the regulation or control of traffic.
- 1.32 "Vehicle" includes a motor vehicle, motorized snow vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power.

2. GENERAL

2.1 Abbreviation

In the schedules to this By-Law, the following abbreviations, definitions and symbols stand for the words respectively set forth opposite thereto as follows:

Ave.	-	Avenue
St.	-	Street
Rd.	-	Road
No.	-	Number
A.M.	-	Ante Meridian
P.M.	-	Post Meridian
M.	-	Metre

2.2 Distances

Where a distance is used in this By-Law as from, to or within a specified distance of an object, structure, land, intersection or part of a highway, such distance shall be measured along the curb or edge of the roadway, from a point in such curb or edge of roadway opposite such object, structure, land, or intersection, unless the context otherwise requires.

2.3 Standard Time and Daylight Saving Time

Whenever, in this By-Law, a time of day hour is referred to, the same shall be construed in accordance with Standard Time or Daylight Saving Time, as may be in current official use in the Municipality of Red Lake.

2.4 Curb Markings

Yellow paint applied to a curb is hereby declared to be an authorized sign indicating that parking is prohibited where the curb is so marked.

3. GENERAL REGULATIONS

Subject to the provisions of this By-Law, no person shall park or stop any vehicle or permit a vehicle to remain parked or stopped on any roadway or shoulder except as follows:

3.1 Parallel Parking

3.1.1 Where there is a barrier curb, on the right hand side of the roadway having regard to the direction in which the vehicle was travelling, with its right front and rear wheels parallel to and not more than 0.30 meters (0.3m) away from the curb; or

3.1.2 Where there is a shoulder, on the right side of the roadway, having regard to the direction in which the vehicle was travelling, with the right front and rear wheels parallel to and as near as is practicable to the right edge of the shoulder.

3.2 Perpendicular Parking

3.2.1 Subsection 3.1 does not apply where perpendicular parking is permitted under this By-Law.

3.2.2 Perpendicular parking is permitted on the highways, at the sides, and between the limits set forth respectively in Schedule "C" to this By-Law.

4. STOPPING PROHIBITED

No person shall park or stop any vehicle or permit any vehicle to remain stopped on any highway:

4.1 on or partly on or over a sidewalk or footpath;

4.2 within an intersection or crosswalk;

4.3 adjacent to or across the roadway from any obstruction in the roadway, when such action would impede the free flow of traffic;

4.4 on the roadway side of any stopped or parked vehicle;

4.5 on any boulevard; or

4.6 in such a manner as to interfere with the movement of traffic.

5. STANDING AND PARKING PROHIBITED - SCHEDULE "A"

- 5.1 When authorized signs are on display, no person shall park or stand a vehicle or permit a vehicle to remain parked or standing on a highway at the side, between the limits, and during the times or days set out respectively in Schedule "A" to this By-Law.

6. PARKING PROHIBITED

No person shall park a vehicle in any of the following places:

- 6.1 within three meters (3m) of an intersection;
- 6.2 within three meters (3m) of a fire hydrant;
- 6.3 on a boulevard;
- 6.4 on or so as to overhang a sidewalk or footpath in a manner that obstructs that sidewalk or footpath, or obstructs access to travel on it;
- 6.5 in front of or within two meters (2m) of a laneway or driveway or curb cut thereto;
- 6.6 so as to obstruct a vehicle in the use of any lane way or any public or private driveway;
- 6.7 in such a position that will prevent the convenient removal of any other vehicle previously parked or standing;
- 6.8 on any highway in such manner as to obstruct traffic;
- 6.9 in such a manner as to interfere with the movement of traffic;
- 6.10 on a roadway where the roadway is six meters (6m) or less in width;
- 6.11 in such a manner as to interfere with any highway flushing, cleaning operations or the removal of snow;
- 6.12 in such manner as to interfere with any sidewalk cleaning, repair, snow plowing or snow removal;
- 6.13 so as to interfere with the formation of a funeral procession;
- 6.14 within fifteen meters (15m) of an intersection controlled by a traffic signal;
- 6.15 within an intersection or crosswalk;
- 6.16 on land owned or occupied by the Municipality, without written consent of the Municipality, for a period longer than 24 hours;
- 6.17 on property owned by the Municipality where parking by the public is not authorized;
- 6.18 an area posted as a fire route;
- 6.19 in front of or within eight metres (8m) of a property on which there is a fire hall;

6. PARKING PROHIBITED - Continued

- 6.20 in front of or within three metres (3m) of the main entrance to, or any emergency exit from, any public house, hotel, motel, hospital, nursing home, church, auditorium or other building or enclosed space in which persons may be expected to congregate in large numbers;
- 6.21 within fifteen metres (15m) of the end of the roadway on a dead end highway; or
- 6.22 any undesignated area when authorized signs are on display.

7. SNOW REMOVAL

- 7.1 No person shall park or permit any vehicle to be parked on any highway between the hours of 12:00 midnight and 7:00 am daily from November 1st to April 30th inclusive of the following year.
- 7.2 Cochenour Town Site shall be exempt from Section 7.1 of this By-Law.

8. PARKING PROHIBITED - SPECIAL CIRCUMSTANCES

- 8.1 If, for some temporary period, the safety of the public, the proper movement of traffic, or the proper and safe performance of some vital function to the Municipality requires the prohibition or limitation of parking on a highway in excess of that provided herein, such prohibition or limitation of parking on such highway during such times and days as is proper and necessary, in the discretion of the Municipality, shall be permitted and authorized signs shall be erected or other public notice shall be given to indicate such prohibition or limitation.
- 8.2 When authorized signs are on display or public notice has otherwise been given under Subsection 8.1, no person shall park a vehicle or permit a vehicle to remain parked on the highway at any time during which such parking is so restricted, and a vehicle already parked when such signs are erected, or notice given, shall be removed forthwith.

9. FORTY-EIGHT HOUR LIMIT ON PARKING

- 9.1 Subject to all of the provisions of this By-Law relating to the parking of vehicles, no person shall park a vehicle on any highway for any consecutive period exceeding forty-eight (48) hours.

10. LIMITED PARKING - SCHEDULE "B"

- 10.1 When authorized signs are on display, no person shall park a vehicle or permit a vehicle to remain parked on a highway, at the side, and between the limits, and during the times or days, set out respectively in Schedule "B" to this By-Law.

11. PERMIT RESTRICTED PARKING ZONE

- 11.1 When authorized signs are on display, no person shall park a vehicle or permit a vehicle to remain parked without having a valid "Parking Permit" issued by the Municipality in respect to the parking lot commonly known as "The Municipal Parking Lot" in part of Block "P"; Plan M355.

12. RED LAKE AIRPORT PARKING

- 12.1 No person shall park a vehicle or permit a vehicle to remain parked for a period of longer than 30 minutes in any posted loading zone.
- 12.2 No person shall park a vehicle or permit a vehicle to remain parked overnight without a proper validation ticket.
- 12.3 When authorized signs are on display, no person shall park a vehicle, or permit a vehicle to remain parked in an undesignated area.
- 12.4 No person shall park in designated parking areas without a validation permit.

13. PARKS & MUNICIPAL PROPERTIES

- 13.1 No person shall park any vehicle in the travelled portion of any roadway in any Public Park or Municipal Property, except for the purpose of allowing persons to enter or to descend from such vehicle.
- 13.2 No person shall park any vehicle in any Public Park or Municipal Property, except in places designated for that purpose, and/or written permission is granted by the Municipality permitting that person to park at the Public Park or Municipal Property.
- 13.3 No person shall park any vehicle between 11:00 p.m. and 5:00 a.m. in any Public Park or Municipal Property, unless written approval from the Municipality is obtained.

14. DESIGNATED PARKING FOR PERSONS WITH A DISABILITY

- 14.1 A designated parking space for use by persons with a disability shall be distinctly indicated in accordance with the requirements of the Highway Traffic Act and/or Ontarians with Disabilities Act and regulations made there under.

14.2 No Person Shall:

Park or stop a vehicle in a space designated for use by persons with a disability, unless a currently valid permit has been issued to the person driving the vehicle, or to a person being picked up or transported in the vehicle, and such permit is displayed on or in the vehicle in accordance with the requirements of the Highway Traffic Act, and the regulations made under this By-Law.

15. VEHICLES CROSSING SIDEWALKS, BOULEVARDS AND CURBS

15.1 Vehicles on Sidewalks Prohibited

No person shall drive a vehicle upon a sidewalk or footpath along a highway, except to cross to a permanent or temporary driveway authorized by the Municipality.

15.2 Curb and Sidewalk Depressions

No person shall drive a vehicle over a raised curb or sidewalk, except at a place where there is a ramp, mountable curb, or depressed curb.

15.3 Vehicles on Boulevards Prohibited

No person shall drive any vehicle on any boulevard, except for the purpose of directly crossing a boulevard at a driveway or other designated vehicular crossing.

16. EXEMPTIONS - MUNICIPAL VEHICLES

16.1 The provisions of Section 14 of this By-Law, does not apply to vehicles operated by or on behalf of the Municipality while engaged in the performance of cleaning, clearing, maintenance, repair, construction or other work on any highway.

16.2 Sections 3 through to Section 15 of this By-Law shall not, in the case of emergency, apply to ambulances, police, fire department or other Municipal vehicles.

17. ERECTION OF SIGNS, TRAFFIC SIGNALS, ETC.

17.1 The Chief Administrative Officer, the Operations Supervisor, By-Law Enforcement Officer, and Police Force are hereby authorized to cause the erection and maintenance of such signs, traffic signals, markings, barricades, traffic control devices, and other structures, plan and equipment as required to give effect to this By-Law, and as are required to regulate, direct, warn or guide pedestrian and vehicular traffic for the safety and convenience of the public.

18. CONFLICTING PRIVATE SIGNS

Except as may be required for the purposes of Sections 17 of this By-Law:

18.1 No person shall place, maintain or display upon or make visible from any highway, any sign, signal, marking or device which:

18.1.1 conceals a traffic control device, traffic signal from view;

18.1.2 interferes with the effectiveness of a traffic control device, traffic signal;

18.1.3 purports to be, in an imitation of, or resembles any official or authorized sign, traffic signal or traffic control device; or

18.1.4 conflicts with any section of this By-Law.

19. DEFACING SIGNS AND TRAFFIC SIGNALS

19.1 No person shall move, deface, remove or in any manner, interfere with any sign, traffic signal, marking or other traffic control device placed, erected or maintained by the Municipality or Police Force, pursuant to the provisions of this By-Law.

20. OFFENCES AND PENALTIES

20.1 Any fine imposed or offence created by this By-Law is subject to and shall be governed by the provisions of The Provincial Offences Act R.S.O. 1990, c. P.33, and amendments thereto.

20.2 Any person who contravenes any of the provisions of the sections or sub-sections of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act.

20.3 If the owner of a vehicle was not the driver of the vehicle at the time of the contravention of the by-law, the owner is guilty of an offence and is liable to a fine unless, at the time of the offence, the vehicle was in the possession of some person other than the owner without the owner's consent.

21. TOWING - ILLEGALLY PARKED VEHICLES

21.1 Where a vehicle is found parked in contravention of any of the parking provisions of this or any other By-Law of The Corporation of the Municipality of Red Lake, the Municipality or member of the Police Force may cause the vehicle to be moved or taken to, and placed or stored in a suitable place, and all costs and charges for removing, carrying and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by the Repair and Storage Lien Act R.S.O. 1990, Chapter R.45.

21.2 If a vehicle is stored on any lands owned or maintained by the Municipality of Red Lake the cost of such storage shall be twenty dollars per calendar day.

22. ISSUANCE AND PAYMENT PROCEDURES

22.1 Where a vehicle is found parked, standing or stopped in contravention of the provisions of this By-Law, a Police Officer, By-Law Enforcement Officer or other person duly appointed to enforce this By-Law, so finding the vehicle, may attach to the vehicle, a parking ticket in the form of a serially numbered notice stating:

22.1.1 the permit number and/or a concise description of the vehicle;

22.1.2 that the vehicle is unlawfully parked, stopped or standing, as the case may be;

22.1.3 the date, time and place of the alleged offence;

22.1.4 the address of the Municipal Office.

22.2 When a parking ticket is issued, it shall be completed in duplicate, and the Police Officer, By-Law Enforcement Officer or other person duly appointed to enforce this By-Law, shall attach one copy to the vehicle and deliver the other copy to the Municipality of Red Lake.

22. ISSUANCE AND PAYMENT PROCEDURES - Continued

- 22.3 An early payment period of 7 days from the date of infraction shall be allowed; and a voluntary payment of set fines within 15 days of date of infraction shall be allowed, except where a ticket is issued for violation of parking in a designated parking space for disabled persons, where there shall be only the set fine.
- 22.4 The seven and fifteen day periods after a ticket has been issued shall include all statutory holidays and weekend days.
- 22.5 The owner or operator of a ticketed vehicle may attend in person at the Municipal Office for payment or mail the ticket by prepaid mail, together with the applicable sum, to the Municipal Office, as designated on the ticket.
- 22.6 The failure to issue a parking ticket to, attach a parking ticket to, or place a parking ticket upon a vehicle found in contravention of this By-Law, shall not prejudice any prosecution for an offence hereunder.

23. ENFORCEMENT

- 24.1 This By-Law shall be enforced by the By-Law Enforcement Officer or such persons designated by the Municipality.
- 24.2 The OPP will enforce this By-Law upon the mutual consent of the Red Lake OPP Detachment Commander and Municipality or as directed in an agreement for the provision of policing services between the Municipality and the Province of Ontario under the Police Services Act.

24. APPLICATION OF BY-LAW

- 31.1 This By-Law applies to all highways and parts of highways under the jurisdiction of the Municipality.

25. BY-LAW SUBJECT TO HIGHWAY TRAFFIC ACT AND ONTARIANS WITH DISABILITY ACT

- 32.1 The provisions of this By-Law are subject to the provisions of the Highway Traffic Act, the Ontarians with Disabilities Act and any other related regulations.

26. SCHEDULES ADOPTED

- 26.1 The Schedules listed below, and attached to this By-Law, shall form part of this By-Law:

Schedule "A" - Standing & Parking Prohibited

Schedule "B" - Limited Parking

Schedule "C" - Perpendicular Parking

27. VALIDITY

- 27.1 If a court of competent jurisdiction declares any provision or any part of a provision, in the 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 provision in this By-Law authorized by By-Law be applied and enforced in accordance with the terms to the extent possible according to law.

28. SHORT TITLE

28.1 This By-Law may be cited as the Municipality of Red Lake "Parking By-Law".

29. IMPLEMENTATION

29.1 By-Law No's 1046-08 and 80-2015 are hereby repealed on implementation of this By-Law.

29.2 This By-Law shall come into force and effect on the date the Ministry of the Attorney General approves the Set Fines under By-Law No. 81-2016.

READ a FIRST AND SECOND TIME this 17th day of October, 2016.

Phil T. Vinet, Mayor

Christine G. Goulet, Clerk

READ a THIRD TIME and FINALLY PASSED this 17th day of October, 2016.

Phil T. Vinet, Mayor

Christine G. Goulet, Clerk

SCHEDULE "A" OF BY-LAW NO. 81-2016
Standing & Parking Prohibited

McKenzie Island and Madsen

Highway	Side	From	To	Time
All public roads	Both			No parking at any time

Red Lake

Highway	Side	From	To	Time
Howey St.	West	South limit of 179 Howey St.	North limit of 171 Howey St.	No parking at any time.
Howey St.	West	North limit of 52 Howey St.	South limit of 73 Howey St.	No parking at any time.
Howey St.	East	East limit of 174 Howey St.	North limit of 172 Howey St.	No parking at any time.
Howey St.	East	North limit of 104 Howey St.	North limit of 80 Howey St.	No parking at any time
Howey St.	West & East	8.5 m South of North limit of 89 Howey St.	South of Northern limit of 61 Howey St.	No parking at any time.
Goldshore Rd.	North	Intersection of Howey St., and Goldshore Rd.	West limit of Lot 449 (rear library parking lot) with exception of curb indentation in front of library on North side.	No parking at any time.
Discovery Rd.	North	55 Discovery Rd.	49 Discovery Rd.	No parking and/or standing between 8:00am and 4:00pm Monday-Friday September - June

Balmertown

Highway	Side	From	To	Time
Brewis Ave.	Both	Fourth St.	Golden Learning Centre	No parking during scheduled school days Monday-Friday (8:30am-4:30pm)
McNeely Rd.	Both	Highway 125	Mine Rd.	No parking 8:30am-4:30pm
Mine Rd.	Both	McNeely Rd.	Dickenson Rd.	No parking 8:30am-4:30pm
Fifth St.	East	Mine Rd. and Fifth St. intersection	48m South of Mine St. and Fifth St. intersection	No parking at any time.
Fifth St.	West	Mine Rd. and Fifth St. intersection	15 m South of Mine Rd. and Fifth St. intersection	No parking at any time.

Cochenour

Highway	Side	From	To	Time
Mills Ave.	West	3 Mills Ave.	5 Mills Ave.	No parking at any time

SCHEDULE "B" OF BY-LAW NO. 81-2016

Limited Parking

Red Lake

Highway	Side	From	To	Time
Howey St.	West	10 m South of North limit of 171 Howey St.	North limit of 95 Howey St.	2 Hour Parking Daily from 8:00am-5:00pm Monday to Friday.
Howey St.	East	North limit of 172 Howey St.	North limit of 104 Howey St.	2 Hour Parking Daily from 8:00pm-5:00pm Monday to Friday.
Howey St.	West	South limit of 91 Howey St.	North limit of 89 Howey St.	No overnight parking at any time.
Howey St.	East	Perpendicular parking area at Government Dock.		2 Hour Parking Daily from 8:00am-5:00pm Monday to Friday. No overnight parking at any time.

SCHEDULE "C" OF BY-LAW NO. 81-2016

Perpendicular Parking

Balmertown

1. Designated parking area at 1 Fifth Street West side.
2. Designated parking area at 14 McNeely Road.
3. Designated parking area on North side of Lassie Road adjacent to 37 Lassie Rd.

Red Lake

1. Designated parking area at the Government Docks.