

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

By-Law 2020-28

Being a by-law to Regulate and Control Parking in the Township of Billings

WHEREAS Section 8 and 11 of the *Municipal Act 2001*, c. 25 as amended confer upon Councils the power to pass a by-law in relation to the Parking of Vehicles on Municipal Highways and on other lands owned by the Municipality; and,

WHEREAS Section 63 and 101 of the *Municipal Act 2001*, c. 25 as amended shall permit such by-law to authorize the impounding of Vehicles improperly parked; and,

WHEREAS Section 425, 427, 428, and 429 of the *Municipal Act 2001*, c. 25 as amended shall authorize the creation of offences and the imposition of liability on the owner of a vehicle left parked, stopped, or standing in contravention of such a by-law, and for the payment of penalties out of court; and,

WHEREAS the Council of the Corporation of the Township of Billings deems it necessary to pass a by-law to regulate and control parking within the Township of Billings.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BILLINGS HEREBY ENACTS AS FOLLOWS:

1.0 DEFINITIONS

In this by-Law the following definitions shall apply:

- 1.1 “Act” means the Highway Traffic Act, R.S.O.1990, c. H.8 and shall include the regulations thereunder;
- 1.2 “Authorized Sign” means any permanent or temporary sign or marking on a roadway, curb or Sidewalk or other device placed or erected on a Highway under the authority of this by-law for the purpose of regulating, warning or guiding traffic;
- 1.3 “Boulevard” means the portion of Highway situated between the roadway and the property lines of the lots abutting the Highway and includes the shoulder but does not include a sidewalk, if any;
- 1.4 “By-law Enforcement Officer” means a person who is appointed by Council to enforce by-laws enacted and passed by Council;
- 1.5 “Commercial Vehicle” means a Vehicle having permanently attached thereto a truck or a delivery body and includes a hearse, casket wagon, fire apparatus, buses and tractors, used for hauling purposes on a Highway;
- 1.6 “Corporation” means the Corporation of the Township of Billings;
- 1.7 “Council” means the Council of the Corporation of the Township of Billings;
- 1.8 “Designated Accessible Parking Space” means a Parking Space:
 - a) located on-street or in a Public Parking Lot owned or under the jurisdiction of the Township; and,
 - b) marked by an Authorized Sign as prescribed by the Act as a Parking Space for the sole use of Vehicles displaying a Permit;
- 1.9 “Fire Route” means any Highway or other means of vehicular access to or from a building and it may include part of a Parking Lot set aside for the use of authorized emergency Vehicles;
- 1.10 “Highway” as defined In the Highway Traffic Act, R.S.O. 1990, c. H:8;
- 1.11 “Intersection” means an area where two or more Roads meet and includes 9 metres from the lateral boundary lines of two or more Roads;
- 1.12 “Operator” means a person who operates a motor Vehicle;

- 1.13 "Owner" means a person who is registered as the owner of a motor Vehicle;
- 1.14 "Park", "Parked" or "Parking" means the standing of a Vehicle, whether occupied or not, except when Parked temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;
- 1.15 "Parking Infraction Notice" means a notice authorized by the Provincial Offences Act;
- 1.16 "Parking Space" means a portion of the surface of a Street or Parking Lot designated by markings, the use of which is intended for a Vehicle to remain or to leave a Vehicle for a period of time;
- 1.17 "Person with a Disability" means an individual that meets the requirements of such as set out in the Accessibility for Ontarians with Disabilities Act S.O. 2005, Chapter 11;
- 1.18 "Permit" means an accessible Parking Permit issued by the province pursuant to the Act or other device issued for the same purpose by another jurisdiction and recognized in law by that jurisdiction and not being expired;
- 1.19 "Police Officer" means a member of the Ontario Provincial Police force or other special interest officers;
- 1.20 "Private Roadway" means any private roadway, private driveway, lane, ramp or other means of egress from a property, building or structure and it may include part of a Parking Lot;
- 1.21 "Public Parking Lot" means any open public area or portion of a structure other than a street or Highway, intended for temporary Parking of Vehicles and on which there are designated Parking Spaces, whether their use involves the payment of a fee or otherwise, under jurisdiction of the Township;
- 1.22 "Road" means the part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder;
- 1.23 "Sidewalk" means a path or strip of land paved or otherwise on a Highway physically set apart, or designed, made available or intended for pedestrian use;
- 1.24 "Standing" means the stopping of a Vehicle to engage in the unloading of passengers;
- 1.25 "Stop" or "Stopped" means the halting of a Vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic, or to comply with the directions of a Police Officer or a traffic control sign or signal;
- 1.26 "Street" means a Highway as defined in the Act;
- 1.27 "Township" means the Corporation of the Township of Billings;
- 1.28 "Vehicle" includes any automobile, motorcycle, motor assisted bicycle, trailer, traction engine, farm tractor, road building machines and Vehicle drawn, propelled or driven by any kind of power including muscular power and motorized snow vehicles but does not include a motor vehicle running only upon rails;
- 1.29 "Unauthorized Vehicle" means:
- a) a Vehicle that is not displaying an accessible Parking Permit in accordance with the requirements of this by-law or the Act;
 - b) a Vehicle that is displaying an accessible Parking Permit but is not being used to pick up or transport the holder of the Permit;
 - c) in the case of a corporation to which an accessible Parking Permit that has been issued and is not being used to pick up or transport a person with a disability.

2.0 APPLICATION AND GENERAL REQUIREMENTS

- 2.1 This bylaw shall be referred to as the Parking By-law.
- 2.2 This By-law applies to all highways under the jurisdiction of the Township of Billings.
- 2.3 The provisions of this by-law shall not apply to ambulances, police and fire vehicles, and motor vehicles actually engaged in works undertaken for the Township.
- 2.4 The provisions 5.1.(a) and 5.1.(d) of this Bylaw shall not apply to any person/business who has applied for and purchased a Township Parking Permit. (see Schedule "C").
- 2.5 No person shall place, maintain or display upon or in view of any highway, any sign, 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 device.
- 2.6 The Public Works Superintendent or designate is authorized to place or erect and to maintain such authorized signs and traffic control signals as are required to give effect to the provisions of the safety or convenience of the public.

3.0 PARKING PROHIBITED IN SPECIFIED PLACES-SIGNS NOT REQUIRED

- 3.1 No person shall park a vehicle in the following places:
 - a) Outside of a designated parking area;
 - b) Park a vehicle facing in a direction opposite to that of the traffic on the side of the road on which the vehicle is parked;
 - c) At an angle indicated by parking space markings. (90 degrees or 45 degrees);
 - d) On a sidewalk or boulevard;
 - e) On or within a crosswalk;
 - f) In front of a public or private driveway;
 - g) Within an intersection;
 - h) Within 20 feet of a fire hydrant
 - i) In a position that will prevent the convenient exit of any other vehicle previously parked or stopped; or,
 - j) In a way that traffic will be obstructed.

4.0 STOPPING PROHIBITED IN SPECIFIED PLACES-SIGNS NOT REQUIRED

- 4.1 No person shall stop any vehicle in the following places:
 - a) On a highway;
 - b) Over a footpath or a sidewalk;
 - c) On the roadway side of any stopped vehicle;
 - d) On any bridge;
 - e) Alongside or across a highway from any excavation or obstruction that will impede the flow of traffic;
 - f) In a parking space designated for accessible parking unless a permit is properly displayed.

5.0 PARKING PROHIBITED IN SPECIFIED PLACES-SIGNS REQUIRED

- 5.1 Where an authorized sign is on display, no person shall park a vehicle in any of the following places:
 - a) In any area indicated by a no parking sign;
 - b) In a fire route;
 - c) In any signed designated accessible parking space;

- d) In an area indicated by a sign stating no overnight parking between 12:00am and 6:00am;
- e) In an area longer than the period of specified time that is posted.

6.0 DESIGNATED PARKING SPACES

- 6.1 Every designated accessible parking space shall be identified by a sign, which in a form and content prescribed by the Act.
- 6.2 Every vehicle using a designated accessible parking space shall display a valid accessible parking permit and that the permit is designated to the vehicle displaying the permit.
- 6.3 Vehicles that display a valid permit or number plate that bears the international symbol of access for persons with a disability that is issued by an authority having the jurisdiction is entitled to the same privileges as a vehicle displaying an accessible parking permit issued under the Act.
- 6.4 Any signed designated accessible parking spaces shall be subject to enforcement on public parking lot or highway owned or under the jurisdiction of the Township.

7.0 TOWNSHIP STREETS AND ROADWAYS

- 7.1 Parking on Township streets and roadways is permitted where there is not any authorized parking signage indicating that parking is not permitted, and as long it is not during the period from October 1 to April 30 as per By-law 2019-06.

8.0 TOWNSHIP PARKING LOTS

- 8.1 No person shall park in a Township parking lot (identified in Schedule 'B') outside the hours of 6:00 a.m. and 11:00 p.m.

9.0 OVERNIGHT CAMPING

- 9.1 Overnight camping is prohibited in any Township parking lot area (identified in Schedule B) or along any boulevard, roadway or street within the Township).

10.0 PENALTIES

- 10.1 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.
- 10.2 Every person who is guilty of an offence under this by-law, if permitted under the Provincial Offences Act, may pay a set fine as approved by the appropriate Justice of Ontario Court, in accordance with Schedule 'A'.
- 10.3 No person shall obstruct or hinder or attempt to obstruct or hinder an Officer who is exercising a power or duty under this Bylaw.
- 10.4 The owner of a vehicle may be charged with and convicted of an offence under this by-law for which the driver of the vehicle is subject to be charged and on conviction the owner is liable to the penalty prescribed or provided for the offence, 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.

10.5 The provisions of this by-law shall not apply in respect of municipally owned or emergency vehicles while the occupants of such vehicles are engaged in the performance of their work.

11.0 IMPOUNDING VEHICLES

11.1 Where a By-law Enforcement Officer under the authority of Section 170 (15) of the Highway Traffic Act R.S.O. 1980, Chapter 198 c.8 finds a vehicle on a highway in contravention of this section of the regulations, he or she may move the vehicle or require the driver or operator or other person in charge of the vehicle to move it or may upon discovery of a vehicle in contravention of this by-law may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, are a lien upon the vehicle, which may be enforced in the manner, provided by Section 4(4) of the Repair and Storage Liens Act, R.S.O. 1990, Chapter R.25.

12.0 ENFORCEMENT

12.1 Enforcement of this by-law shall be carried out by the Township By-law Enforcement Officer or the Ontario Provincial Police.

13.0 SHORT TITLE

13.1 This by-law shall be known as the "Parking By-law "and shall come into effect upon passage.

14.0 REPEAL

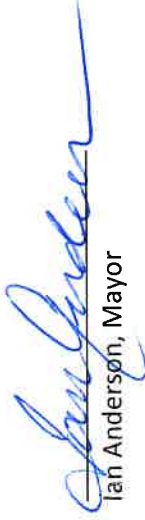
14.1 This Bylaw repeals all previous parking bylaws including, Bylaw 92-02, amended Bylaw 96-03 and Bylaw 2019-40.

15.0 ENACTMENT

15.1 This by-law shall take effect on the date the Order for set fines is approved by the Ontario Court of Justice.

15.2 This bylaw shall be deemed to have retroactive effect and apply to all tickets issued for parking infractions issued since the day of enactment of by-law 2019-40 until such time and Schedule 'A' to bylaw 2020-28 has received provincial approval.

Read a first, second, third time and enacted this 20th day of July 2020.


Ian Anderson, Mayor


Kathy McDonald CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

By-law 2020-28

Schedule 'A'

Part I Provincial Offences Act

BY-LAW 2020-28: Being a by-law to Regulate and Control Parking in the Township of Billings

Item	Column 1 Sort Form Wording	Column 2 Provision Creating /Defining Offence	Column 3 Set Fine
1	Overnight camping in a township parking lot or boulevard.	9.1	\$250.00

NOTE: The general penalty provision for the offences listed above is section 10.0 of By-law 2020-28, a certified copy of which has been filed.

THE CORPORATION OF THE TOWNSHIP OF BILINGS

By-law 2020-28

Schedule 'A'

Part II Provincial Offences Act

BY-LAW 2020-28: Being a by-law to Regulate and Control Parking in the Township of Billings

Item	Column 1 Sort Form Wording	Column 2 Provision Creating /Defining Offence	Column 3 Set Fine
1	Parked Outside Designated Space	3.1 a)	\$55.00
2	Parked Facing Wrong Way	3.1 b)	\$55.00
3	Fail to Park on an Angle	3.1 c)	\$55.00
4	Parked on a Sidewalk	3.1 d)	\$55.00
	Parked within a crosswalk	3.1 e)	
5	Parked Obstructing a Driveway	3.1 f)	\$55.00
6	Parked in an intersection	3.1 g)	\$55.00
7	Parked within 20 feet of a hydrant	3.1 h)	\$55.00
8	Parked that will prevent safe exit	3.1 i)	\$55.00
9	Parked obstructing traffic	3.1 j)	\$55.00
10	Stopped on a highway	4.1 a)	\$55.00
11	Stopped on a Sidewalk	4.1 b)	\$55.00
12	Stopped on the roadway beside any stopped vehicle	4.1 c)	\$55.00
13	Stopped on a bridge	4.1 d)	\$55.00
14	Stopped creating an obstruction	4.1 e)	\$55.00
15	Stopped in accessible parking space – no permit displayed	4.1 f)	\$55.00
16	Parked where there is a no parking sign.	5.1 a)	\$55.00
17	Parked in a fire route	5.1 b)	\$200.00
18	Parked in accessible parking space	5.1 c)	\$300.00
19	Parked overnight	5.1 d)	\$55.00
20	Parked in excess of time limit	5.1 e)	\$55.00
21	Parking outside permitted hours in township parking lot	8.1	\$55.00
22	Obstruct or hinder an Officer	10.3	\$500.00
23	Attempt to obstruct or hinder	10.3	\$500.00

NOTE: The general penalty provision for the offences listed above is section 10.0 of By-law 2020-28, a certified copy of which has been filed.

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

By-law 2020-28

Schedule 'B'

MUNICIPAL PARKING LOTS

1. 15 Old Mill Road Parking Lot
2. Kagawong Beach Parking Lot
3. Old Fishing Dock (Newburn Dock) Parking Lot
4. Park Centre Parking Lot
5. Kuku Hut Parking Lot
6. Anglican Church Parking Lot
7. Marina Parking Lot
8. Library Parking Lot
9. 26 Main Street Parking Lot
10. Bridal Veil Falls Parking Lot

THE CORPORATION OF THE TOWNSHIP OF BILLINGS


By-law 2020-28

Schedule 'C'



Township of Billings Temporary Parking Application/Permit

Application Date:	Application/Permit No.
Applicant Name:	
Applicant Address:	
Applicant Contact Info: (Phone/Email/Text):	
Location Permit is Valid:	
Issued By: _____	Date _____
Note: 1) The permit is only valid, on a WEEKLY basis between May 1 and October 31 in the year it has been issued. 2) The Permit is only valid for the address listed on the Permit Application 3) The Permit must be displayed and be visible in the front windshield of the vehicle parked at the address listed above.	
Permit Fee: 25:00	

 BILLINGS TOWNSHIP PARKING PERMIT	
DATE OF ISSUE:	
EXPIRY DATE:	
VALID ONLY FOR DATES SHOWN	

