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Consolidated By-Law

THE CORPORATION OF THE *CITY OF THOROLD*

BY-LAW NO. 150-2012

BEING A BY-LAW TO REGULATE *PARKING AND TRAFFIC* WITHIN THE *CITY OF THOROLD*

WHEREAS Section 11 of the Municipal Act, R.S.O. 2001 Chapter 25, authorizes the council of a *municipality* to pass by-laws respecting *highways*, including *parking* and *traffic* on *highways*;

AND WHEREAS municipalities may pass by-laws under provisions of the *Highway Traffic Act*, R.S.O. 1990, c. H. 8;

AND WHEREAS the *Council* of The Corporation of the *City of Thorold* approved the recommendations of Report PBS2012-90 at a *Council* meeting held on November 6, 2012.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE *CITY OF THOROLD* ENACTS AS FOLLOWS:

SECTION 1 SHORT TITLE

1.1 This By-Law shall be known as the "*Parking and Traffic By-law*".

1.2 DEFINITIONS

1.2.1 In this By-Law:

- (1) "*authorized sign*" means any sign or *roadway* curb or *sidewalk* marking or other device placed or erected on a *highway* under the authority of this by-law or the *Highway Traffic Act* for the purpose of regulating, warning or guiding *traffic* or for the purpose of regulating *traffic*;
- (2) "*bicycle*" has the same meaning as in the *Highway Traffic Act*;
- (3) "*bicycle lane*" means any lane so designated by by-law for the sole use of a *bicycle*;
- (4) "*boulevard*" means all parts of the *highway* save and except any *roadway*, *shoulder*, *driveway* or *sidewalk*, and:
 - a) "*outer boulevard*" means such portions of the *highway* lying between the *sidewalk* and the *roadway* or the *shoulder* where such exists;
 - b) "*inner boulevard*" means such portion of the *highway* lying between the lateral boundary and the *sidewalk* and where there is no *sidewalk* it means that portion of the *highway* lying between the lateral boundary and the *roadway* of the *shoulder* where such exists;
- (5) "*bus*" has the same meaning as in the *Highway Traffic Act*;

- (6) “*bus stop*” means a portion of a *highway* designated by signage as an area at which *buses* will *stop* to receive or discharge passengers;
- (7) “*Chief of Police*” means the Chief of The *Niagara Regional Police Service*;
- (8) “*City of Thorold*” or “*City*” means the Corporation of the *City of Thorold*;
- (9) “*city permit*” means a permit, other than a Municipal Building permit, that has been issued by the *City of Thorold* pursuant to this by-law;
- (10) “*commercial motor vehicle*” has the same meaning as in the *Highway Traffic Act*;
- (11) “*community Safety Zone*” means a *highway* or a portion of a *highway* designated as such under this by-law and signed pursuant to the regulations of the *Highway Traffic Act*;
- (12) “*corner*” with reference to a *highway intersection* means the point or *intersection* of the prolongation of the lateral curb lines, or in the absence of curbs, the prolongation of the edges of the *roadways*;
- (13) “*crosswalk*” has the same meaning as in the *Highway Traffic Act*;
- (14) “*cul-de-sac*” means a *highway* which is closed at one end where a turning circle or basin is constructed to allow a *vehicle* to turn around and egress at the open end;
- (15) “*designated school crossing*” means a *crosswalk* which is established and specifically designated by signs to facilitate the crossing of a *highway* by school children under supervision of a school crossing guard;
- (16) “*Director of Operations*” means the *Director of Operations* for the Corporation of the *City of Thorold*, or a person designated by the *Director of Operations*;
- (17) “*driveway*” means the improved land on a *highway* which provides vehicular access from the *roadway* to a *laneway* or *parking* area on adjacent lands;
- (18) “*emergency vehicle*” has the same meaning as in the *Highway Traffic Act*;
- (19) “*farm tractor*” has the same meaning as in the *Highway Traffic Act*;
- (20) “*fire department vehicle*” means a *vehicle* actually used on Fire Department *business* and includes any private passenger *vehicle* or other *vehicle* operated by a fire fighter for the purpose of attending to his or her duties;
- (21) “*gross weight*” has the same meaning as in the *Highway Traffic Act*;
- (22) “*heavy vehicle*” means any *commercial motor vehicle* having an unloaded *vehicle* weight in excess of four thousand five hundred (4,500) kilograms (9,925 lbs.) but does not include ambulances, fire apparatus, *vehicles* owned by or operated for the *City of Thorold*, *Regional Municipality of Niagara* or the *Ministry of Transportation*;
- (23) “*H.T.A.*” or “*Highway Traffic Act*” means *Highway Traffic Act* 1990, c. H. 8, as amended;
- (24) “*highway*” has the same meaning as in the *Highway Traffic Act*;
- (25) “*holiday*” includes New Year’s Day, Family Day, Good Friday, Victoria Day, Canada Day, the day proclaimed as a Civic holiday, Labour Day, Thanksgiving, Remembrance Day, Christmas and Boxing Day;
- (26) “*intersection*” has the same meaning as in the *Highway Traffic Act*;

- (27) “*island*” means a portion of a *highway* so constructed as to separate or direct vehicular *traffic* onto specific portions of the *roadway*; or provided for the use or protection of *pedestrians*;
- (28) “*laneway*” means improved land adjacent to the *highway* which provides access from the *highway* to a *parking* area on the adjacent land;
- (29) “*loading zone*” means the portion of a *roadway* designated by signage, set apart for the exclusive purpose of *parking* a *commercial motor vehicle* to load or unload the same;
- (30) “*median strip*” has the same meaning as in the *Highway Traffic Act*;
- (31) “*ministry*” means the *Ministry* of Transportation of Ontario;
- (32) “*motor assisted bicycle*” has the same meaning as in the *Highway Traffic Act*;
- (33) “*motorcycle*” has the same meaning as in the *Highway Traffic Act*;
- (34) “*motor vehicle*” has the same meaning as in the *Highway Traffic Act*;
- (35) “*municipal property*” means any open area or portion of a structure other than a street or *highway*, intended for the temporary *parking* of *vehicles* and on which there is designated *parking spaces*;
- (36) “*municipal parking lot*” shall mean land or structures which have been set apart, designated or established by the city for the *parking* of *motor vehicles*;
- (37) “*municipality*” means the Corporation of the *City of Thorold*
- (38) “*officer*” means a police *officer*, municipal law enforcement *officer* or any other person authorized to enforce the *Highway Traffic Act*;
- (39) “*official sign*” means a sign approved by the *Ministry*;
- (40) “*one-way*” means a *roadway* or part of a *roadway* upon which vehicular *traffic* is limited to movement in one direction;
- (41) “*oversized vehicle*” means any *motor vehicle* having a registered *gross weight* in excess of four thousand five hundred (4,500) kilograms (9,925 lbs.) including tractors used for hauling purposes, *buses*, motorized and mobile homes and *trailers*;
- (42) “*park*” or “*parking*” has the same meaning as in the *Highway Traffic Act*;
- (43) “*parking meter*” means a device that shall indicate thereon the length of time during which a *vehicle* may be *parked* which shall have as part thereof a receptacle for receiving and storing coins, a slot or place in which coins may be deposited, a timing mechanism to indicate the passage of the interval of time during which the *parking* is permissible and which shall also display a signal when said interval of time shall have elapsed;
- (44) “*parking permit*” means a permit issued by the *City of Thorold*, which indicates the permit number, expiry date and allows the holder of the permit to *park* at the designated *parking* lot or designated *roadway*;
- (45) “*parking ticket dispenser*” means a device which shall have a receptacle for receiving and storing coins, a slot or place in which coins may be deposited, an indicator which shows the amount of deposit and the time paid for, a ticket button that when pressed will dispense a *parking* ticket which shall indicate thereon the location, amount paid and valid time purchased;

- (46) “*parking space*” means a portion of the surface of the traveled portion of the *highway* or of the *shoulder* forming part of a *highway*, designated by suitable markings, to be used for *parking vehicles*;
- (47) “*pedestrian*” means a person on foot, or in a *wheelchair*, baby carriage, or on a child’s play *vehicle* propelled by muscular power;
- (48) “*pedestrian barrier*” means a rail, fence or a device installed on a *sidewalk* or at any location within a *highway* where a *pedestrian* is prevented from crossing the *roadway* or entering a barricaded area:
- (49) “*Police Service*” means the *Niagara Regional Police Service*;
- (50) “*public vehicle*” has the same meaning as in the *Highway Traffic Act*;
- (51) “*Regional Municipality*” or “*Region*” means the Corporations of the *Regional Municipality of Niagara*;
- (51.1) “*repark*” means *parking the same vehicle, a subsequent time, after two hours from initially parking on the same day.*¹
- (52) “*roadway*” has the same meaning as in the *Highway Traffic Act*;
- (53) “*school bus*” has the same meaning as in the *Highway Traffic Act*;
- (54) “*school days*” means any Monday to Friday inclusive, between 7 am and 5 pm when school is in session;
- (55) “*shoulder*” means that portion of the *highway* lying adjacent to the *roadway* where there is no barrier or curb, and which is improved or maintained to support a *stopped vehicle*;
- (56) “*side, approach*” means that side closest to lawfully approaching vehicular *traffic*;
- (57) “*side, remote*” means that side most distant from lawfully approaching vehicular *traffic*;
- (58) “*sidewalk*” means a foot path or any portion of a *highway* set aside or improved for the use of *pedestrians*;
- (59) “*social event*” shall include, but not limited to, parades, street parties and other social, recreational, community, commercial or athletic activities;
- (60) “*stop*” or “*stopping*” has the same meaning as in the *Highway Traffic Act*;
- (61) “*through highway*” has the same meaning as in the *Highway Traffic Act*;
- (62) “*traffic*” includes *pedestrians*, ridden, led or herded animals, *vehicles*, motorized snow *vehicles* and other conveyances, either singly or together while using portion of a *highway* for the purposes of travel or movement of goods;
- (63) “*traffic control device*” means any sign, *traffic 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*;
- (64) “*traffic signal*” means any device operated manually, electrically or mechanically for the regulation of *traffic*;

¹ Amended through by-law 85-2019 on July 2, 2019.

- (65) “*trailer*” has the same meaning as in the *Highway Traffic Act*;
- (66) “*unauthorized motor vehicle*” is a *vehicle* that does not have affixed thereto current identification issued and displayed in accordance with the provisions of this by-law;
- (67) “*U-turn*” means to turn a *vehicle* within a *roadway* in order to proceed in the opposite direction from the direction the *vehicle* was previously traveling;
- (68) “*vehicle*” has the same meaning as in the *Highway Traffic Act*;
- (69) “*apron*” means the improved land on a driveway between the roadway and sidewalk which provides access from the roadway to the driveway;²
- (70) “*front lawn*” means that area of a lot bounded by the front lot line; the side lot lines; and a horizontal line coinciding with the exterior wall of a building facing the front lot line, produced to intersect the side lot lines.³

SECTION 2 INTERPRETATION

- 2.1 For the purpose of this by-law, unless the context requires otherwise:
 - (1) words imparting the singular number shall include the plural and words imparting the masculine gender shall include the feminine and vice versa;
 - (2) where a form of words or expression are prescribed in this By- Law, deviations therefrom not affecting the substance or calculated to mislead do not vitiate them.
- 2.2 Where words and phrases used in this by-law are defined in the *Highway Traffic Act*, but not defined in this by-law, the definitions in the *Highway Traffic Act* shall apply to such words and phrases.
- 2.3 Where there is any conflict between the provisions of this by-law and the provisions of the *Highway Traffic Act*, the provisions of the *Highway Traffic Act* shall prevail.
- 2.4 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
Blvd.	Boulevard
Cir.	Circle
Ct.	Court
Cres.	Crescent
Dr.	Drive
Hwy.	Highway
Ln.	Laneway
Pkwy.	Parkway
Pl.	Place
Regn.	Regional
Rd.	Road
St.	Street
Sq.	Square
No.	Number
cm	centimeter
km	kilometer

² Amended through by-law 30-2018 on April 3, 2018.

³ Amended through by-law 30-2018 on April 3, 2018.

km/h	kilometer per hour
m	meter
N	North
S	South
W	West
E	East
a.m.	Ante Meridian
p.m.	Post Meridian

- 2.5 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 or *roadway* opposite such object, structure, land or *corner*, unless the context otherwise requires.
- 2.6 The various restrictions of this by-law are cumulative and not mutually self-exclusive.
- 2.7 Whenever in this by-law a time of day or hour is referred to, the same shall be construed in accordance with Standard Time or Daylight Savings Time, as may be in current official use in the *Region*.

SECTION 3 STOPPING AND PARKING

3.1 Two-way Roadway

- 3.1.1 Unless otherwise permitted in this by-law, no person shall *stop* or *park* any *vehicle* on any *highway*, except:
- (1) on the right hand side of the *highway*, having regard to the direction in which such *vehicle* had been proceeding, and
 - (2) parallel to the right curb or where there is no curb, as close as practical to the right edge of the *shoulder* or edge of *highway*, and
 - (3) not more than thirty centimeters (30cm) from the right curb.

3.2 One-way Roadway

- 3.2.1 Where *stopping* or *parking* is permitted on a *highway* designated for *one-way traffic*, no person shall *stop* or *park* any *vehicle* on any *highway*, except on either the left or right side of the road;
- (1) having regard to the direction in which such *vehicle* has been proceeding, and
 - (2) parallel to the curb or where there is no curb, as close as practical to the edge of the *shoulder* or edge of *highway*, and
 - (3) not more than thirty centimeters (30cm) from the curb.

3.3 Signed or Marked Areas

- 3.3.1 No person shall permit a *vehicle* to remain *stopped* or *parked* on any portion of any *highway* designated by signs or markings on the *highway* for *stopping* or *parking* except when the said *vehicle* is entirely within the space or area so designated.

3.4 Double Parking Prohibited

- 3.4.1 No person shall *stop* or *park* a *vehicle* or permit a *vehicle* to remain *stopped* or *parked* on any *highway* on the road side of any *stopped* or *parked* *vehicle*.

3.5 Shoulder and Boulevard Restriction

3.5.1 Unless otherwise provided in this by-law, no person shall *stop* or *park* a *vehicle* or permit a *vehicle* to remain *stopped* or *parked* on any *shoulder* and *inner/outer boulevard* contrary to the prohibition or restriction applicable to the adjacent *roadway* as herein provided by this by-law.

3.6 Oversized vehicles, Commercial motor vehicles and Trailers

3.6.1 No person shall *park* an *oversized vehicle*, a *commercial motor vehicle* or a *trailer* on any Residential Street at any time, except for the purposes of delivery or while such *vehicles* are being used in conjunction with construction, maintenance or repair which necessitates the *parking* of the *vehicle* on the *roadway*.

3.7 Stopping Prohibited – Specific Places, Without Signs

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

- (1) on or partly on or over a *sidewalk*;
- (2) within an *intersection* or *crosswalk*;
- (3) adjacent to or across the *roadway* from any obstruction in the *roadway* when such action would impede the free flow of *traffic*;
- (4) upon any bridge or elevated structure and within any tunnel or underpass, or within thirty meters (30m) of either end of such structure, except where *stopping* in these locations is otherwise permitted by this by-law; or
- (5) on any *median strip* or adjacent to either side or the ends of any *median strip* separating two *roadways*, except when *stopping* in these locations is otherwise permitted by this by-law.

3.8 Stopping Prohibited – Specific Places, With Signs

3.8.1 When *official signs* are on display, no person shall *stop* a *vehicle* or permit a *vehicle* to remain *stopped* on a *highway*:

- (1) within thirty meters (30m) of the approach side of a *crosswalk* at a school crossing designated by *official signs* or of a *pedestrian* crossover, or within ten meters (10m) of the remote side of a school *crosswalk* or a *pedestrian* crossover;
- (2) within thirty meters (30m) of the approach side of the nearest rail of any level crossing of a railway, or within sixteen meters (16m) of the remote side of the nearest rail of any such level crossing;
- (3) on either side or both sides of the portion of *highway* adjacent to a school property between the hours of 7:00 am and 5:00 pm Monday to Friday;
- (4) within fifteen meters (15m) of an *intersection*;
- (5) within sixty meters (60m) of an *intersection* controlled by a *traffic signal*;
- (6) on either side or both sides of the portion of a *highway* adjacent to a playground or parkland.

3.9 Parking Prohibited – Specified Places, Without Signs

3.9.1 No person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* on any *highway*:

- (1) within ten meters (10m) of an *intersection*;
- (2) within three (3m) of a fire hydrant;
- (3) on an *inner* or *outer boulevard*;
- (4) on a driveway too close to roadway
- (5) on either side of a *roadway* so as to obstruct a *vehicle* in the use of any *laneway* or *driveway*;
- (6) in such a position that will prevent the convenient removal of any other *vehicle* previously *stopped* or *parked*;
- (7) for the purpose of displaying such *vehicle* for sale or lease;
- (8) for the purpose of servicing or repairing such *vehicle* except for repairs as have been necessitated by an emergency;
- (9) for a longer period than 12 hours at any one time;
- (10) in such a manner as to interfere with the movement of *traffic*, street cleaning measures or the clearing of snow from the *highway*;
- (11) without proper numbered plates;
- (12) on the apron;⁴
- (13) on the front lawn;⁵
- (14) for a period of time in which the City of Thorold has declared an on-street parking ban in accordance with Section 4.8.⁶

With the exception of snow events (being when municipal snow plows have been deployed) only and further that the vehicle must move back onto street parking once the snow plow has cleared the roadway.

3.10 Parking Prohibited – Specific Places, With Signs

3.10.1 When *official signs* are on display, no person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* on any *highway*:

- (1) in front of or within eight meters (8m) of the property limits on which a fire hall is located or on the opposite of said *highway*, within 30 meters (30m) of the prolonged lot limits of the said property;
- (2) within twenty-two meters (22m) of an *intersection*;
- (3) within sixty meters (60m) of an *intersection* controlled by a *traffic signal*;
- (4) in front of or within three meters (3m) of the main entrance, or any emergency exit from any public house, hotel, motel, hospital, nursing home, theatre, auditorium or other building or enclosed space in which persons may be expected to congregate in large numbers;

⁴ Amended through by-law 30-2018 on April 3, 2018.

⁵ Amended through by-law 30-2018 on April 3, 2018.

⁶ Amended through by-law 61-2023 on May 2, 2023.

- (5) within three meters (3m) of a *laneway* or *driveway* or a curb cut or depressed curb thereto;
- (6) having a *roadway* width of eight meters (8m) or less;
- (7) within thirty meters (30m) of the approach side and within fifteen meters (15m) of the remote side of a *crosswalk* controlled by a *traffic signal* and not located at an *intersection*;
- (8) so as to interfere with the formation of a funeral procession;
- (9) within fifteen (15m) of the termination of a dead end *roadway*;
- (10) where the *Chief of Police* or Director of Operations or designate, is of the opinion that for some temporary period, the safety of the public, the proper movement of *traffic*, the proper and safe performance of some vital function of the *City of Thorold* or the closure of a highway to accommodate the having of a community event requires the prohibition or limitation of *parking*;
- (11) on either side or both sides of the portion of a *highway* adjacent to a school property between the hours of 7:00 am and 5:00 pm Monday to Friday;
- (12) on either side or both sides of the portion of a *highway* adjacent to a playground or *parkland*; or
- (13) on the inside curve (elbow curve) of a *roadway*, within fifteen meters (15m) of the tangent.

3.11 Stopping Prohibited – Schedule “A”

- 3.11.1 When *official signs* are on display, no person shall *stop* a *vehicle* or permit a *vehicle* to remain *stopped* on a *highway*, at the side, between the limits, and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule “A” of this by-law.

3.12 Parking Prohibited – Schedule “B”

- 3.12.1 When *official signs* are on display, no person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* on a *highway*, at the side, between the limits, and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule “B” of this by-law.

3.13 School Bus Loading Zones – Schedule “C”

- 3.13.1 With the exception of a *school bus*, when *official signs* are on display, no person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* on a *highway*, at the side, between the limits, and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule “C” of this by-law.

3.14 Limited Parking – Schedule “D”

- 3.14.1 When *official signs* are on display, no person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* on a *highway*, at the side, between limits, for a longer period of time and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule “D” of this by-law.
- 3.14.2 When *official signs* are on display, no person shall *re-park* a *vehicle* or permit a *vehicle* to *re-park* on a *highway* within the area as described in Schedule “D” of this by-law.⁷

3.15 Trailer and Commercial Vehicle Parking Prohibition – Schedule “E”

⁷ Amended through by-law 85-2019 on July 2, 2019.

3.15.1 When *official signs* are on display, no person shall *park* a *trailer* or *commercial motor vehicle*, or permit a *trailer* or *commercial motor vehicle* to remain *parked* on a *highway* at the side, between the limits, and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule “E” of this by-law.

3.16 Loading Zones – Schedule “F”

3.16.1 When *official signs* are on display, no person shall *stop* a *vehicle* or permit a *vehicle* to remain *stopped* on a *highway*, between the limits, at the side and during the times and days set out respectively in column 1, 2, 3 and 4 of Schedule “F” of this by-law, except a *commercial motor vehicle parked* temporarily for the purpose of and while actually engaged in loading or unloading freight or merchandise, and such *parking* shall not exceed a period of thirty (30) minutes)

3.17 Fire Vehicle Zone – Schedule “G”

3.17.1 When *authorized signs* are on display, no person shall *park* any *vehicle* other than a *fire department vehicle* at any time within any zone set out in Schedule “H” of this by-law.

SECTION 4 PARKING METERS, PARKING TICKET DISPENSERS AND MUNICIPAL LOTS

4.1 General Regulations

4.1.1 Where *parking meters* or *parking ticket dispensers* have been installed under the authority of this by-law, no person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* in a *parking space* unless:

- (1) where parallel *parking* is permitted, the front wheels of such *vehicle* are adjacent to the single *parking meter* provided for such *parking meter* space;
- (2) where parallel *parking* is permitted and two meters are mounted on the same standard, the rear wheels of the remote *vehicle* shall be adjacent to or as close as is practicable to such *parking meters* and the front wheels of the approach *vehicle* shall be adjacent to or as close as is practicable to such *parking meters*;

4.1.2 No person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* in such a manner that it is not wholly within the area designated as a *parking space* unless the *vehicle* is of such length as to render it impossible to *park* it in one *parking space*, in which case the adjoining *parking space* or spaces may, in addition, be used if the required coins deposits are made in the *parking meters* or *parking ticket dispensers* provided for all such *parking spaces* so used;

4.1.3 No person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* in a *parking space*:

- (1) if the *parking meter* or *parking ticket dispenser* has been covered by a *parking meter/dispenser cover* or *parking prohibition sign*;
- (2) if an “Out of Order” display is indicated;
- (3) in such a manner as to interfere with the clearing of snow or *parking lot* maintenance;
- (4) in such a manner as to obstruct a *vehicle* in the use of any *laneway* or *driveway*;

4.2 Parking Metered Space Subject to other Provisions

4.2.1 The *stopping* and *parking* of *motor vehicles* in metered spaces shall be subject to all prohibitions, restrictions, limitations and provisions of this by-law, other *City of Thorold Parking* by-laws and the *Highway Traffic Act*.

4.3 Use of Parking Meter or Parking Ticket Dispenser

4.3.1 No person shall deposit or cause to be deposited in any *parking meter* or *parking ticket dispenser*:

- (1) any slug, device or other substitute for a lawful coin of the Dominion of Canada or of the United States of America; or
- (2) any coin except a five cent coin commonly referred to as a “nickel”, a ten cent coin commonly referred to as a “dime”, a twenty-five cent coin commonly referred to as a “quarter”, a dollar coin commonly referred to as a “loonie” or a two dollar coin commonly referred to as a “toonie” and any other coin of the Dominion of Canada or the United States of America.

4.4 Parking Meter Zones – Schedule “H”

4.4.1 The *highways* or portions of the *highways* described in Schedule “H” of the by-law are hereby designated as *parking meter* zones:

- (1) When *parking meters* or *parking ticket dispensers* have been erected on a *highway*, at the side, and between the limits set out respectively in column 1, 2, and 3 of Schedule “H” of this by-law, no person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* for a longer period of time and during the times and days set out respectively in column 4 of the said schedule.
- (2) No person shall park any vehicle or permit a vehicle to remain parked, unless the fee set out in column 5 of Schedule “H” is deposited in the meter or parking ticket dispenser controlling such parking space, and the said meter or parking ticket dispenser is in operation;
- (3) A vehicle parked in a parking space on a highway controlled by a parking ticket dispenser, displaying an expired ticket or no ticket at all, is unlawfully parked over time and is prima facie evidence that such vehicle is unlawfully parked.

4.5 Municipal Parking Lots – Schedule “I”

4.5.1 Where signs have been erected and are on display no person shall *park* or leave a *vehicle* in a *parking* lot for a period of time longer than the times and days indicated on such signs in the *parking* lots described in Schedule “I”;

4.5.2 Where a *parking ticket dispenser* has been erected in a *parking* lot indicated in Schedule “I” of this by-law, no person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* for a period of time longer than the times and days indicated on the ticket issued;

4.5.3 No person shall *park* a *vehicle* or permit a *vehicle* to remain *parked* in such *parking* lot unless the fee set out in said Schedule “I” is deposited in the *parking ticket dispenser* controlling such *parking* lot, which will issue a valid *parking* ticket for the period of time purchased up to the maximum legal *parking* limit;

4.5.4 Persons using a parking lot equipped with a parking ticket dispenser shall input their vehicle plate number into the parking ticket dispenser, so as to monitor time used in the parking lot;⁸

4.5.5 A *vehicle* parked in a *parking* lot controlled by a *parking ticket dispenser*, displaying an expired ticket or no ticket at all, is unlawfully *parked* over time and is prima facie evidence that such *vehicle* is unlawfully *parked*;

4.5.6 Where signs have been erected and are on display, a person may leave a motor vehicle within that area of the parking lot, if that vehicle is the holder of a valid permit issued by the City of

⁸ Amended through by-law 29-2018 on March 20, 2018.

Thorold and/or its parking agent. A permit under the authority of this section shall permit parking within a designated area for a period of time longer than the times and days otherwise allowed and comply with Section 3 of this by-law.⁹

4.6 Vehicle at Expired Parking Meter

4.6.1 The fact that a *parking meter* governing a *parking space* indicates that a *vehicle* is unlawfully *parked* is prima facie evidence that such *vehicle* is unlawfully *parked*.

4.7 Parking Meter and Parking Ticket Dispenser Exemptions

4.7.1 Notwithstanding anything hereinbefore contained, drivers of the following classes of *vehicles* shall not be required to deposit coins in the *parking meter* provided for a space occupied by such *vehicles*:

- (1) *Fire department vehicles* of the area *municipality*;
- (2) *Niagara Regional Police Service vehicles*;
- (3) Ambulances;
- (4) Hearses;
- (5) Vehicles owned by the Region of Niagara or the City of Thorold;
- (6) Vehicles of Public Utilities while such vehicles are being used in connection with construction, maintenance or repair;

4.8 On-Street Parking Ban¹⁰

The Director of Public Works and Community Services or official designate has the authority to temporarily restrict on-street parking for a period of time as determined necessary to accommodate the clearing of snow and/or ice from the highway.

PART 5 TRAFFIC REGULATIONS

5.1 Through Highway – Schedule “J”

5.1.1 The *highways* between the limits set out in columns 2 and 3 of Schedule “J” of this by-law, are, except as provided in Subsection 5.1.2 hereby designated as *through highways*;

5.1.2 The designation in Subsection 5.1.1 of a *highway* or part of a *highway* as a *through highway* shall not include any *intersection* thereon where the *highway* intersected a *King’s Highway* or a *Regional Road*, where *traffic signals* are installed or where the *roadway* passes over land owned by the Crown or the *Region*;

5.1.3 Heavy *traffic* means the use of a *highway* by a *vehicle*, object or contrivance for moving loads, having *gross weight*, including the *vehicle*, object or contrivance and load, in excess of a minimum of 5 tonnes except for servicing the premises.

5.2 Stop Signs at Intersections – Schedule “K”

5.2.1 The *City of Thorold* shall install *stop signs* on the *highways*, at the *intersections* set out in columns 1 and 2 of Schedule “K” of this by-law, facing *traffic* proceeding in the direction set out in column 3 of the said schedule.

⁹ Amended through by-law 29-2018 on March 20, 2018.

¹⁰ Amended through by-law 10-2023 on January 17, 2023.

5.3 Yield Signs at Intersections – Schedule “L”

5.3.1 The *City of Thorold* shall install yield signs on the *highway*, at the *intersections* set out in columns 1 and 2 of Schedule “L” of this by-law, facing *traffic* proceeding in the direction set out in column 3 of the said schedule.

5.4 One-way Highways – Schedule “M”

5.4.1 When *official signs* are on display, the *highways* between the limits set out in columns 1 and 2 of Schedule “M” of this by-law, are hereby designated as *one-way roadways* for the passage of *vehicles* only in the direction set out in column 3 of the said schedule.

PART 6 SPEED REGULATIONS

6.1 Speed Limits on Bridges – Schedule “N”

6.1.1 When any such structure on a *highway* set out in columns 1 and 2 of Schedule “N” of this by-law, is marked in compliance with regulations under the *Highway Traffic Act*, the maximum rate of speed on such structure shall be the rate of speed set out in column 3 of the said schedule.

6.2 Speed Limits on Highways – Schedule “O”

6.2.1 Subject to Subsection 6.1 when any *highway* or part of a *highway* between the limits set out in columns 1 and 2 of Schedule “O” of this by-law is marked in compliance with the regulations under the *Highway Traffic Act*, the maximum rate of speed on such *highway* or part of *highway* shall be the rate of speed set out in column 3 of the said schedule.

6.3 Reduced Speed Limits – Designated Construction Zones

6.3.1 Under Bill 169 of the Transportation Statute Law Amendment Act, the *Director of Operations* or official designate have the authority to lower the speed limit in a designated construction zone, as deemed appropriate. The reduced speed limit becomes effective once the required signs are posted as per Regulation 615 of the *Highway Traffic Act*.

6.4 Speed Limits in School Zones – Schedule “P”

6.4.1 Subject to Subsection 6.1 and 6.2, when *official signs* and/or flashing amber beacons are on display in compliance with the *Highway Traffic Act*, the maximum rate of speed on the *highway* or part of a *highway* between the limits set out in columns 1, 2 and 3 of Schedule “P”, shall be 40 km/hr during the days and hours set out in columns 4 and 5 of the said schedule.

6.4.2 Subject to Subsection 6.4.1 and where required on any school day to accommodate variations from normal school hours or a school emergency, the flashing beacons may be actuated and the speed limit reduced to 40 km/hr for any period, between 8:00 am and 5:00 pm, and not provided under Subsection 6.4.1.

PART 7 LOAD RESTRICTIONS

7.1 Reduced Load on Highways During March and April – Schedule “Q”

7.1.1 When *official signs* are on display, the reduced load restriction provisions of the *Highway Traffic Act* are declared to be in force with respect to the *highways* and between the limits set out in columns 1 and 2 of Schedule “Q” of this by-law, during the period from the 1st day of March to the 30th day of April inclusive in each and every year.

7.2 Reduced Load on Highways During Entire Year – Schedule “R”

7.2.1 When *official signs* are on display, the reduced load restriction provisions of the *Highway Traffic Act* are declared to be in force with respect to the *highways* and between the limits set out respectively in columns 1 and 2 of Schedule “R” of this by-law, during the time period from the 1st day of January to the 31st day of December inclusive in each and every year.

7.3 Heavy Vehicle Prohibited on Highways – Schedule “S”

7.3.1 When *official signs* are on display, no person shall drive or operate *heavy vehicles* on the *highway* or part of a *highway* between the limits set out in columns 1 and 2 of Schedule “S” of this By-law, during the times and days set out in column 3 of the said schedule, unless the *vehicle* is making a delivery to or collections from a bona fide destination which cannot be reached via a *highway* upon which *heavy vehicles* are not prohibited in this by-law. In this instance, the operator of a *heavy vehicle* must take the most direct route to such destination from a *highway* or part of a *highway* upon which *heavy vehicles* are not prohibited by this by-law.

7.4 Oversize and Overweight Load Permits

7.4.1 The *Director of Operations* or official designate is hereby authorized to grant or refuse permits for the moving of *heavy vehicles*, loads, objects or structures in excess of the otherwise lawful limits, pursuant to the *Highway Traffic Act*.

PART 8 ROAD CLOSURES

8.1 Road Closure Approval

8.1.1 The *Director of Operations* or official designate has the authority to temporarily close a *highway* for a period of up to three (3) days subject to the requirements of Part 12 Section 12.1 *City permits*, on *highways* under the jurisdiction of the *City of Thorold* as per the Ontario Municipal Act, 2001, S.O. 2001, Chapter 25.

PART 9 COMMUNITY SAFETY ZONES

9.1 Community Safety Zones – Schedule “T”

9.1.1 The *highway* portions of *highways* set out in column 1 of Schedule “T” of this by-law, between the limits set out in columns 2 and 3 of the said schedule, during the times and days set out in column 4 of said schedule, are designated as *Community Safety Zones*.

9.1.2 Every person who is convicted of an offence pursuant to the *Highway Traffic Act* is subject to an increased fine as provided by the Act.

PART 10 TRAFFIC REGULATIONS – DRIVING AND RELATED RULES

10.1 Emerging from Driveway, Laneway or Lot

10.1.1 The driver or operator of a *vehicle* emerging from a *driveway*, *laneway* or lot onto a *highway* shall bring the *vehicle* to a full *stop* immediately before driving onto a *sidewalk* and upon proceeding shall yield the right-of-way to *pedestrians* upon the *sidewalk*.

10.2 Barricaded Highways

10.2.1 No person shall drive, operate or *park* a *vehicle*, or permit a *vehicle* to remain *parked* on any part of any *highway* barricaded and marked by signs showing that its use is prohibited or restricted.

10.3 Vehicles Crossing Sidewalks, Boulevards and Curbs

10.3.1 In this section *bicycles* shall include any such *vehicle* having a wheel in excess of 50 cm. No person shall drive a *vehicle* upon a *sidewalk* on a *highway*, except for the purpose of crossing the *sidewalk* provided that this subsection shall not apply to children's play *vehicles*, *bicycles* propelled by muscular power and having a wheel or wheels less than 50 cm. in diameter.

10.3.2 No person shall drive a *bicycle* or *vehicle* upon a *sidewalk* except for the purpose of crossing the *sidewalk*, or any *motor vehicle* over a raised curb, *wheelchair* ramp at a *crosswalk* or *sidewalk* except at a place where there is a *driveway* ramp, mountable curb or depressed curb intended for vehicular access.

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

10.4 Boarding or Alighting from Moving Vehicle

10.4.1 No person shall board or alight from any *vehicle* while such *vehicle* is in motion.

10.5 Bicycle Lanes

10.5.1 No person shall *stop* or *park* a *vehicle* or permit a *vehicle* to remain *stopped* or *parked* on or partly over a *bicycle lane*.

PART 11 TRAFFIC REGULATIONS – PEDESTRIAN CONDUCT

11.1 Pedestrian Barriers

11.1.1 No *pedestrians* shall proceed over or under a *pedestrian barrier*, or within a barricaded area, installed on a *sidewalk* or at any other location within a *highway*.

11.2 Playing on Roadway Prohibited

11.2.1 No person shall play or take part in any game of sport upon a *roadway*.

11.2.2 No person shall upon roller skates or riding in or by any means of any coaster or similar device shall go upon a *roadway* except for the purpose of crossing the *roadway*, and when crossing such person shall have the rights and be subject to the obligation of a *pedestrian*.

PART 12 CITY PERMITS

12.1 Occupancy of Highway

12.1.1 No person shall conduct a *social event* which is likely to require the temporary closing, obstruction or encumbering of part or all of such *highway* unless and until a *city permit* has been obtained for such purpose from the *City of Thorold*, until signs, barricades and other safety measures have been provided, and, if necessary, until alternative *traffic* routes have been established in accordance with the provisions of Section 12.2.

12.2 Applications

- 12.2.1 All applications for a *city permit* required under Section 12.1 shall be made on the forms provided by the *City of Thorold* and shall be accompanied by such other supportive materials as may be required by the *City of Thorold*, and by a non-refundable administrative fee as set out in **Schedule “U”** to this by-law.
- 12.2.2 The applicant shall notify the *Niagara Regional* Police outlining the specifics of any *social event*.
- 12.2.3 The applicant shall be responsible for appropriate levels of *traffic* control in consultation with *Niagara Regional* Police and the *City of Thorold* Operations Division.
- 12.2.4 The applicant shall obtain approval of the *Regional Municipality of Niagara* for the use of any *Regional Road*.
- 12.2.5 The applicant shall provide certified proof of liability insurance coverage ranging from \$1 million to \$7 million. Such coverage shall name the Corporation of the *City of Thorold* as an additional insured and hold the *City of Thorold* harmless from any liability arising out of the use of city roads. The minimum limit of coverage shall be determined as follows:
- (1) \$1 million – Processions Using *Sidewalks* Only;
 - (2) \$2 million – Major Parades, Dances, Street Festivities, Athletic Races, Marches, Walkathons, Filming and *Sidewalk* Sales.
- 12.2.6 Higher, lower limits or exemptions of liability as outlined in Section 12.2.5 may be established by Council when deemed necessary.
- 12.2.7 Proof of Liability of Insurance shall be presented to the City Clerk at least five (5) days prior to the date of the event to validate any conditional approval by Council.
- 12.2.8 Any activity where liquor is intended to be served, and provided the appropriate approvals are secured, will require additional proof of liability insurance for liquor related activities.
- 12.2.9 If the event to be undertaken necessitates a temporary *highway* closure, the applicant for the *city permit* shall take such steps as are reasonable to advise and accommodate all persons who will be affected by the temporary closure of the *highway*.
- 12.2.10 If the event to be undertaken necessitates a temporary *highway* closure, an application to the *City of Thorold* for a permit required under this section shall be made thirty (30) working days before the date of the event.

12.3 General Provisions

- 12.3.1 When a *city permit* has been issued, the permit holder shall, during the course or the event:
- (1) maintain a reasonable safe alternate route for vehicular and *pedestrian traffic*;
 - (2) provide and maintain reasonable local access routes for all property owners or occupants whose access will be affected by the proposed event;
 - (3) erect and maintain all barricades, signs, covers, lights, flagmen and other safety warning devices that may be provided by the *City of Thorold* to protect the vehicular and *pedestrian traffic*.
- 12.3.2 Where a permit holder fails to comply with any of the provisions of this section, the *City of Thorold* may perform the works necessary to effect compliance and all costs incurred thereby shall be borne by the permit holder.
- 12.3.3 No permit holder shall remove, relocate, conceal from view or interfere with any *traffic* signs, safety barricades, guide rails, post and wire delineation in the course of carrying out the event.

If a permit holder requires temporary removal or relocation of any of the above, he shall request the *City of Thorold* to carry out such work and all costs thereby incurred shall be borne by the permit holder.

- 12.3.4 All events under a *city permit* issued under this section shall be carried out in a manner which is satisfactory to the *City of Thorold*.
- 12.3.5 When a hazardous condition arises during the course of the event undertaken by a permit holder, the permit holder shall immediately notify the *City of Thorold* and any affected utility company of the condition.
- 12.3.6 When a hazardous condition arises during the course of the event undertaken by the permit holder, the *City of Thorold* may order the road closed, the event halted or other appropriate remedial action to be taken.
- 12.3.7 Upon completion of the event the permit holder shall restore the *highway* affected by the event to the condition acceptable to the *City of Thorold*.
- 12.3.8 Notwithstanding the provisions of Section 12.3.7 the restoration of the *highway* may be carried out by the city and the permit holder shall reimburse the city for the costs for the restoration.
- 12.3.9 The permit holder shall be responsible for all damages to all existing services when such damages arise out of the event undertaken by the permit holder.
- 12.3.10 Every person who uses a *highway* or portion of a *highway* which has been closed to *traffic* under this section does so at his own risk and the *municipality* is not liable for any damages sustained by reason of the person using the *highway* or portion thereof so closed to *traffic*.
- 12.3.11 The *City of Thorold* may *stop* any event being performed on or under any *highway* without a *city permit* issued under Section 12.2.
- 12.3.12 No person shall without lawful authority use a *highway* or portion thereof closed to *traffic* and protected pursuant to Section 12.2.
- 12.3.13 No person shall remove or deface any barricade, device, detour sign or notice placed on any *highway* or portion thereof under Section 12.2.

PART 13 ERECTION OF SIGNS

13.1 Authorization

- 13.1.1 The *Director of Operations* or designate, are hereby authorized to apply, erect and maintain such *traffic* control devices and other structure, plant and equipment as required to give effect to this by-law.

13.2 Conflicting Private Signs

- 13.2.1 Subject to the provisions of other by-laws controlling signs, no unauthorized person shall place, maintain or display upon any sign, signal, marking, or device visible from any *highway* which:
 - (1) Conceals a *traffic control device* or *parking meter* from view;
 - (2) Interferes with the effectiveness of a *traffic control device* or *parking meter*; or
 - (3) Purports to be, is an imitation of, or resembles any *official sign* or any regulatory or *traffic control device*.

PART 14 OFFENCES AND PENALTIES

14.1 Subject to the City's Administrative Monetary Penalty System and the Provincial Offences Act

14.1.1 Subject to Subsection 14.5.1, each person who contravenes a provision of this By-Law is guilty of an offence and upon conviction, is liable to the penalties provided for in the *Provincial Offences Act*.

14.2 Offences Punishable by The Highway Traffic Act

14.2.1 Any person who contravenes any section of this by-law for which a penalty is provided by the *Highway Traffic Act* is subject to such penalties.

14.3 Voluntary Penalties Part II Offences – Schedule “V”

14.3.1 Any person who contravenes any of the provisions of the sections or subsections of this by-law set out in column 2 of Schedule “V” of this by-law and wishes to make a payment pursuant to the by-law may pay the amount set out in column 3 of the said schedule, such amount to be payable in lawful money of Canada, and all such penalties are exclusive of costs.

14.4 Voluntary Penalties Part I Offences – Schedule “W”

14.4.1 Any person who contravenes any of the provisions of the sections or subsections of this by-law set out in column 1 of Schedule “W” of this by-law and wishes to make a voluntary payment pursuant to the by-law may pay the amount set out in column 2 of the said schedule, such amount to be payable in lawful money of Canada, and all such penalties are exclusive of costs.

14.5 General Penalty

14.5.1 Subsection 14.5.2 and Schedule "V" and the parts of this By-Law which that Schedule relates are designated as parts of this By-Law to which the City's system established by the City's Administrative Penalty By-Law applies.

14.5.2 Each person who permits a vehicle to be parked, standing or stopped contrary to a part of this By-Law to which the administrative penalty By-Law applies and each owner of that vehicle are, when given a Penalty Notice in accordance with the City's Administrative Penalty By-Law 71-2014, liable to pay to the City an Administrative Penalty in the amount specified in Schedule "V" to this By-Law for each day or part of a day on which the contravention continues.

14.6 VALIDITY

14.6.1 Should a court of competent jurisdiction declare a part or whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-Law, and it is the intention of *Council* that the remainder survive and be applied and enforced unless the Court makes an order to the contrary.

PART 15 EXEMPTIONS

15.1 Municipal Vehicles

15.1.1 The provisions of Parts 3 and 4 of this by-law do not apply to:

- (1) *Vehicles* operated by or on behalf of the Province of Ontario, *Regional Municipality of Niagara* and any area *municipality* or any municipal utility while engaged in the performance of cleaning, clearing, maintenance, repair, construction or other work on any *highway*;

- (2) *Vehicles* operated by or on behalf of the Province of Ontario, *Regional Municipality of Niagara* and any area *municipality* while on official *business*, provided appropriate identification is displayed in the front window of the drivers' side dashboard;
- (3) An authorized *emergency vehicle* while engaged in the performance of its duties.

15.2 Funeral Corteges

- 15.2.1 If the *Chief of Police, Director of Operations* or designate is of the opinion or deems it desirable, he may declare that the Provision of Part 3 of this by-law does not apply for a temporary period to prevent the *parking* of *vehicles* forming part of any funeral cortege, provided that all such *vehicles* are *parked* on only one side of the *highway* at one time.

PART 16 APPLICATON, ADMINSTRATION AND ENFORCEMENT

16.1 Enforcement

- 16.1.1 This by-law shall be enforced by the *Niagara Regional Police Service*, Municipal Law Enforcement *Officer* or any other *Officer* appointed for the purposes of enforcing or carrying out the provisions of this by-law.

16.2 Removal of Vehicles

- 16.2.1 An *Officer* upon discovery of any *vehicle parked* in contravention of this by-law, or any *vehicle* apparently abandoned or any *vehicle* without proper number plates on a *highway*, may cause such *vehicle* 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, if any, are a lien upon such *vehicle*, which may be enforced in the same manner provided in the Repair and Storage Liens Act.

16.3 Application of By-law

- 16.3.1 This by-law applies to all *highways* and parts of *highways* under the jurisdiction of the *City of Thorold*.

16.4 By-law Subject to the Highway Traffic Act

- 16.4.1 The provisions of this by-law are subject to the provisions of the *Highway Traffic Act*.

16.5 Schedules Adopted

- 16.5.1 The schedules referred to in this by-law shall form part of this by-law and each entry in a column of such schedule shall read in conjunction with the entry or entries across there from and not otherwise.

16.6 By-laws Repealed

- 16.6.1 By-Law 03-2004 of The Corporation of the *City of Thorold* and any amendments made thereto are hereby repealed.

16.7 Enactment

- 16.7.1 This By-Law shall come into force and effect upon the date of approval of the set fines set out in Schedules "V" and "W" by the Chief Justice of Ontario.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED BY COUNCIL THIS 6th DAY OF
November, 2012.**

Ted Luciani, Mayor

Susan Daniels, City Clerk