



THE CORPORATION OF THE TOWNSHIP OF NORWICH

**CONSOLIDATED BY-LAWS
BY-LAW NO. 66-2016
BY-LAW NO. 3-2017**

BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON HIGHWAYS, PRIVATE PROPERTY AND MUNICIPAL PROPERTY WITHIN THE TOWNSHIP OF NORWICH

WHEREAS pursuant to the *Municipal Act, 2001* and the *Highway Traffic Act, R.S.O 1990*, by-laws may be passed by the councils of municipalities to regulate traffic and parking on highways, private property and municipal property;

NOW THEREFORE, the Council of the Corporation of the Township of Norwich enacts the following:

Short Title

This By-law may be referred to as the “Traffic By-law”

TABLE OF CONTENTS

1.	Definitions	2
2.	General Provisions	4
3.	General Stopping and Parking Regulations.....	5
4.	Accessible Permit Only Parking Spaces.....	7
5.	Parking on Municipal Property	8
6.	Parking on Private Property	8
7.	Heavy Traffic.....	8
8.	School Bus Loading Zones	8
9.	Application for Exemption.....	8
10.	Overnight Parking	9
11.	Emergency Fire Regulations	9
12.	Administration and Enforcement	10
13.	Penalties	10
14.	Severability	10
15.	Repeal of By-laws	10

Section 1 - Definitions

- 1.1 "Accessible Permit Only Parking Space" shall mean a parking space with a minimum width of 3.6 m., designated solely for the use of the person with a disability which includes a sign of the internationally recognized symbol.
- 1.2 "Authorized Sign" shall mean any sign, other than an official sign, placed upon a highway under the authority of this By-law for the purpose of guiding and directing traffic.
- 1.3 "Boulevard" shall mean all parts of the highway except any roadway or travelled portion of the highway.
- 1.4 "Chief Fire Official" shall mean the Chief Fire Official of the Township of Norwich or designate.
- 1.5 "Commercial Motor Vehicle" shall mean any vehicle designated or operated for the transportation of property or a bus which vehicle or bus exceeds 2.6 m in width or 7 m in length.
- 1.6 "Council" shall mean the Council of the Corporation of the Township of Norwich.
- 1.7 "Manager of Public Works" shall mean the Manager of Public Works of the Township of Norwich or designate.
- 1.8 "Driveway" shall mean a private passageway for a motor vehicle, having at least one end thereof connected to a road, and providing the principal means of vehicular access to a lot.
- 1.9 "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.
- 1.10 "Dwelling unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.
- 1.11 "Firefighter" shall mean a firefighter as defined in subsection 1(1) of *the Fire Protection and Prevention Act, 1997, S.O. 1997 c.4.*
- 1.12 "Fire Route" shall mean any private roadway marked as a fire route by fire route signs.
- 1.13 "Fire Route Sign" shall mean a sign displaying the information "No Parking" or a symbol in lieu thereof as specified in the Highway Traffic Act and Regulations passed thereunder, and the words "Fire Route".
- 1.14 "Heavy Vehicle" shall mean a vehicle, object or contrivance for moving loads, having a gross weight, including the vehicle, object or contrivance and load, in excess of 4.5 tonnes.
- 1.15 "Highway" shall include a common and public Highway, Street, Avenue, Parkway, Driveway, Square, Place, Bridge, Viaduct or Trestle, any part of which is intended

for or used by the general public for passage of vehicles and includes the area between the lateral property lines thereof.

- 1.16 “Highway Traffic Act” shall mean *the Highway Traffic Act, R.S.O. 1990, c. H.8*, as amended from time to time, any regulations passed in accordance with that Act, and any successor legislation thereto.
- 1.17 “Loading Zone” shall mean the part of a highway set apart for the exclusive purpose of parking a vehicle to load or unload same.
- 1.18 “Motor Vehicle” or “Vehicle” shall include an automobile, motorcycle, motor-assisted bicycle 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 or winter control machine.
- 1.19 “MTO” shall mean the Ministry of Transportation of Ontario.
- 1.20 “Municipality” shall mean the Corporation of the Township of Norwich.
- 1.21 “Municipal Property” shall mean property owned, or under the control or management of the Corporation of the Township of Norwich, or any board thereof, by lease, agreement or otherwise.
- 1.22 “Municipal Law Enforcement Officer” shall mean a person appointed by the Council of the Corporation of the Township of Norwich to enforce Municipal by-laws and shall include the OPP.
- 1.23 “Occupant” shall mean:
 - 1.23.1 the tenant of the property or part thereof whose consent shall extend only to the control of the land of which he is the tenant and any parking spaces allotted to him under his lease or tenancy agreement; and
 - 1.23.2 the spouse of a tenant; and
 - 1.23.3 a person or municipality, or a local board thereof, having an interest in the property under an easement or the right of way granted to or expropriated by the person, municipality or local board whose consent shall extend only to the part of the property that is subject to the easement or right of way; and
 - 1.23.4 a person authorized in writing by an occupant as defined in sub-clause 1.23, 1.23.1 or 1.23.2 to act on the occupant’s behalf for requesting the enforcement of this by-law.
- 1.24 “Official Sign” means a sign erected by the Municipality.
- 1.25 “Owner” when used in relation to real property shall mean;
 - 1.25.1 the registered owner of the property; and
 - 1.25.2 the registered owner of a condominium unit, whose consent shall extend only to the control unit of which he is the owner and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration or description of the property; and
 - 1.25.3 the spouse of a person described in sub-clause 1.25 or 1.25.1; and
 - 1.25.4 where the property is included in a description registered under the Condominium Act, the Board of Directors of the Condominium Corporation; and
 - 1.25.5 a person authorized by the property owner as defined in sub-clause 1.25, 1.25.1, 1.25.2 or 1.25.3 to act on the owner’s behalf for requesting the enforcement of this by-law.

- 1.26. "Parking Lot" shall mean any parking lot or other parking facility, to which the public has access, whether on payment of a fee or otherwise, for the purpose of parking vehicles.
- 1.27. "Parking Space" shall mean that part of the surface of a roadway, municipal property or private property designated by painted lines for the purpose of parking a vehicle.
- 1.28. "Person" as used in this by-law shall be constructed where the context requires to mean and include person, firm, society, association, and corporation.
- 1.29. "Private Property" shall mean property on which one or more signs have been erected by or on behalf of the owner or occupant prohibiting parking or restricting parking.
- 1.30. "Private Roadway" shall mean any private road, laneway, ramp or other means of vehicular access to or egress from a building or structure and it may include part of a parking lot.
- 1.31. "Raised curb" shall mean a vertical or sloping member along the edge of a pavement forming part of a gutter, and clearly defines the pavement edge to vehicle operators, as is designed as a non-mountable or straight curb which is not intended to provide for the passage of vehicles from the traveled portion of the roadway to the shoulder and/or private property.
- 1.32. "School Bus Loading Zone" shall mean the part of a highway designated as such by signs.
- 1.33. "Shoulder" shall mean the part of the highway immediately adjacent to the traveled portion of the roadway and having a surface which has been improved for the use of vehicles.
- 1.34. "Sidewalk" shall mean the part of the highway set aside for the use of pedestrians or used by the general public for the passage of pedestrians.
- 1.35. "Traffic" shall mean and includes, but not limited to, pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any highway for purposes of travel.
- 1.36. "Traffic Control Signal" shall mean any device, manually, electronically or mechanically operated for the regulation or control of traffic.

Section 2 - General Provisions

- 2.1 No person shall place, maintain or display on any highway, any sign, marking or device, which purports to be or is an imitation of or resembles an authorized Official Sign.
- 2.2 No person shall drive a vehicle upon a boulevard, sidewalk or footpath or on a highway except for the purpose of directly crossing the boulevard, sidewalk or footpath of a driveway.
- 2.3 No person shall drive any vehicle over any raised curb on any highway.

- 2.4 The Manager of Public Works is authorized to place or erect and to maintain such signs as are required to give effect to the provisions of this By-law.
- 2.5 The Manager of Public Works is authorized to issue permits for the movement on Highways under the jurisdiction of the Municipality of Heavy or Oversized vehicles, loads, objects or structures which are in excess of the dimensional limits set out in Section 109 of *the Highway Traffic Act* or the weight limits set out in Part VIII of *the Highway Traffic Act*.
- 2.6 The Manager of Public Works is authorized to place or erect and maintain any Official Sign in his sole discretion as required for the safety of Traffic on Highways.
- 2.7 No person shall alter, deface, remove, or destroy any sign erected by the Municipality or any pavement lines or other marks for guiding the parking of vehicle or the regulations of traffic, or change the position of any such sign, line or other mark unless he has been duly authorized to do so.
- 2.8 No person shall abandon any vehicle, including any vehicle that is incapable of being propelled or driven by any kind of power, on a highway or roadway.

Section 3 - General Stopping and Parking Regulations

Right Side of Road Parking

- 3.1 No person shall park any vehicle on any highway except as follows:
 - 3.1.1 where there is a curb, on the right side of the roadway, having regard to the direction such vehicle was proceeding, with the right front and right rear wheels parallel to and not more than 15 centimetres out from such curb; or
 - 3.1.2 where there is no curb, with the right front and right rear wheels parallel to and as near to the right hand limit of the highway as is practicable without parking or stopping on or over a sidewalk, footpath or boulevard.

Left Side of Road Parking

- 3.2 Where parking is permitted on the left hand side of the traveled portion of a highway designated for one way traffic, no person shall park any vehicle on the left side of the highway except as follows:
 - 3.2.1 where there is a curb, on the left side of the roadway, having regard to the direction such vehicle was proceeding, with the left front and left rear wheels parallel to and not more than 15 centimetres out from such curb; or
 - 3.2.2 where there is no curb, with the left front and left rear wheels parallel to and as near to the left hand limit of the highway as is practicable without parking or stopping on or over a sidewalk, footpath or boulevard.

Parking Within Space

- 3.3 No person shall park or stop any vehicle:
 - 3.3.1 except wholly within a parking space;
 - 3.3.2 so as to occupy more than one parking space; or
 - 3.3.3 in such a manner as to prevent other persons from utilizing adjacent parking spaces or obstruct the flow of traffic.

Stopping Offences

- 3.4 No person on any highway shall stop any vehicle:
 - 3.4.1 on or over a sidewalk, boulevard or footpath;
 - 3.4.2 within an intersection or crosswalk;
 - 3.4.3 in such a manner as to interfere with the movement of traffic or the clearing of snow from the highway;
 - 3.4.4 in such a manner as to interfere with highway cleaning operations;
 - 3.4.5 on the roadway, alongside of any stopped or parked vehicle;
 - 3.4.6 upon any bridge or elevated structure or within any tunnel or underpass;
 - 3.4.7 on any median strip separating two roadways or adjacent to either side or ends of such median strip;
 - 3.4.8 alongside or across the highway from any excavation or obstruction in the roadway whereby the free flow of traffic would be impeded;
 - 3.4.9 within 10 metres of a crosswalk.

- 3.5 Where official or authorized signs to that effect are displayed, no person shall on any highways stop any vehicle:
 - 3.5.1 within 30 metres of a pedestrian crossover;
 - 3.5.2 other than a school purpose vehicle in a school bus loading zone;
 - 3.5.3 other than a bus in a designated bus stop;
 - 3.5.4 anytime between the hours and days set out in the official signs on one or both sides of a highway or portion of a highway which is immediately adjacent to a school;
 - 3.5.5 at any place or location designated for emergency vehicles only.

Parking Offences

- 3.6 No person shall on any highway park any vehicle:
 - 3.6.1 in front or within 1 metre of a driveway or private roadway or so as to obstruct vehicles in use of a driveway or private roadway;
 - 3.6.2 within 3 metres of a point on the curb or edge of the roadway adjacent to any fire hydrant;
 - 3.6.3 within 10 metres of an intersecting roadway;
 - 3.6.4 for the purpose of displaying the vehicle for sale;
 - 3.6.5 for the purpose of washing, greasing or repairing the vehicle;
 - 3.6.6 within a distance of 4 metres of the tracks of any railway other than a street railway;
 - 3.6.7 within 15 metres of the nearest rail of a level railway crossing;
 - 3.6.8 in such a position as will prevent the removal of any other vehicle previously parked;
 - 3.6.9 on or over any boulevard;
 - 3.6.10 on the traveled portion of a roadway other than a cul-de-sac where the roadway is 6 metres or less;

- 3.7 Where official signs to that effect are displayed no person shall on any highway park any vehicle:
 - 3.7.1 anytime on one or both sides of a highway or portion of a highway which is immediately adjacent to a park or playground;
 - 3.7.2 within the turning basin of a cul-de-sac;
 - 3.7.3 within 15 metres of the end of a roadway on a dead end highway;

- 3.8 No person shall park on any highway where official signs indicating no parking are displayed.

- 3.9 No person shall park or store a commercial motor vehicle in a Residential Zone, as defined under the Municipality's Zoning By-law, unless such person is the owner or occupant of the premises, and where the said commercial motor vehicle gross

vehicle weight (unloaded) exceeds 4600 kilograms (10,140 lbs.) as registered with the appropriate regulating authority and provided that no more than one commercial motor vehicle is parked or stored on the premises.

- 3.10 No person shall park or store a tractor-trailer or any part thereof in a Residential, Village or Central Commercial Zone, as defined under the Municipality's Zoning By-law. The provisions of this Section shall not apply to commercial motor vehicle or tractor-trailer which temporarily attends a residential or commercial premises for the purpose of delivery and/or service provided to the occupants of such residential or commercial premises.
- 3.11 Notwithstanding Section 3.9 and 3.10, no person shall park more than one (1) school bus or one (1) tractor-trailer on a lot in a Residential Existing or Rural Residential Zone located outside a settlement area, as defined under the Municipality's Zoning By-law.

Section 4 - Accessible Permit Only Parking Spaces

- 4.1 An accessible parking permit issued to an individual is not valid when displayed on a vehicle and the vehicle is not being used to pick up or transport the holder of the accessible parking permit.
- 4.2 An accessible parking permit issued to a corporation or organization is not valid when displayed on a vehicle and the vehicle is not being used to pick up or transport a person with a disability.
- 4.3 An accessible parking permit shall be displayed on the sun visor or on the dashboard of a vehicle so that the international symbol of access for the disabled, the permit number and the expiry date of the permit are clearly visible from the outside of the vehicle.
- 4.4 No person shall park or stop a vehicle in an accessible permit only parking space unless:
 - 4.4.1 the vehicle is displaying a valid accessible parking permit; and
 - 4.4.2 the vehicle is being operated by or is conveying the person with a disability to whom the accessible parking permit has been issued.
- 4.5 Where official signs as prescribed by the regulations made under the *Highway Traffic Act* are displayed, the roadway locations are designated as Accessible Permit Only Parking Space.
- 4.6 No person shall stop any vehicle in an Accessible Permit Only Parking Space unless the appropriate permit is displayed.

Section 5 - Parking on Municipal Property

- 5.1 Where official or authorized signs to that effect are displayed, no person shall park or leave any vehicle on municipal property.
- 5.2 Where one or more signs have been posted on municipal property, stating conditions on which a motor vehicle may be parked or left or prohibiting the parking or leaving of a motor vehicle on the property contrary to such conditions or prohibitions shall be deemed to have been parked or left without consent.

Section 6 - Parking on Private Property

- 6.1 No person shall park or leave any vehicle on private property without the consent of the owner or occupant of such property.
- 6.2 Where an owner or occupant of a property has posted one or more signs stating conditions on which a motor vehicle may be parked or left on the property, a motor vehicle parked or left on the property contrary to such conditions or prohibition shall be deemed to have been parked or left without consent.
- 6.3 No person shall park a vehicle within the front yard of a property, lot or premises in a residential zone, as defined under the Municipality's Zoning By-law, unless such vehicle that is parked is within a driveway.

Section 7 - Heavy Traffic

- 7.1 No person shall park a heavy vehicle on a highway or part of a highway where an official sign to that effect is displayed.
- 7.2 The provisions of subsection 7.1 of this by-law shall not apply to the use of said highways or parts of highways for deliveries to or removals from any premises abutting thereon which cannot be reached except by way of a highway or portion of highway referred to in the said section or to prohibit the use of such vehicles for such purpose, provided that in making such delivery or collection, the said highway or portion of highway is traveled only insofar as is unavoidable in getting to and from such premises.
- 7.3 Where official signs to that effect are displayed and subject to *section 122 of The Highway Traffic Act*, there shall be a reduced load period in effect from the 1st day of March to the 30th day of April inclusive, in each and every year and no person shall on any highway or part of a highway affected, operate or draw any vehicle having a weight which is in contravention of *The Highway Traffic Act*.
- 7.4 Notwithstanding the provisions of any other section of this By-law, no person shall park any commercial vehicle or heavy vehicle on any highway or part of any highway in the Municipality unless the commercial vehicle or heavy vehicle is actually engaged in the loading and unloading, delivery and receipt of goods, wares, merchandise or passengers to adjacent premises.

Section 8 - School Bus Loading Zones

- 8.1 Where official signs to that effect are displayed, the highways or portions of highways are hereby designated as school bus loading zones.
- 8.2 No person shall on any highway stop any vehicle, other than a school purpose vehicle, in a school bus loading zone.

Section 9 - Application for Exemption

- 9.1 Any person may make an application to the Clerk for an exemption from any of the provisions of this by-law. An application must be made a minimum of sixty (60) days prior to the date of the event for which the exemption is being sought. The Clerk

may circulate such request to other Municipal Departments and/or Agencies and may refuse or grant an exemption. An exemption shall specify the time period during which it is effective, and may contain such terms and conditions as the Clerk sees fit.

Such request should be sent to:

**Clerk
Township of Norwich
285767 Airport Road
Norwich, ON
N0J 1P0**

- 9.2 The application referred to in Section 9.1 shall contain:
 - 9.2.1 the name and address of the applicant;
 - 9.2.2 the names of any Municipal Roads;
 - 9.2.3 a statement of the particular provision or provisions of the by-law from which exemption is sought;
 - 9.2.4 the period of time of which the exemption is sought;
 - 9.2.5 the reasons why the exemption should be granted;
 - 9.2.6 an application fee according to the Rates & Fees By-Law;
- 9.3 The decision of the Clerk shall be final and binding.

Section 10 – Overnight Parking

- 10.1 No person shall park a vehicle on any highway within the villages of Norwich and Otterville, as designated under Municipality’s Zoning By-law, during the period from December 1st to March 31st between the hours from 2:00 a.m. to 8:00 a.m. local time.

Section 11 - Emergency Fire Regulations

- 11.1 No driver of any vehicle shall drive his/her vehicle within 150m of any building which is on fire.
- 11.2 No driver of any vehicle shall drive his vehicle over or across any line of a hose laid by the Fire Department.
- 11.3 At the direction of the Fire Chief or designate, the Police authority shall place signs on the highway on which the building on fire is situated and any adjoining highways which may be deemed necessary for the purpose, closing such parts of highways to travel until the fire is out, and no driver shall pass such sign or approach nearer to the fire than such sign.

Section 12 - Administration and Enforcement

- 12.1 The provisions of this by-law may be enforced by a municipal law enforcement officer or a police officer.
- 12.2 No person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer exercising a power or performing a duty under this By-law.

- 12.3 Unless otherwise defined in this By-law, definitions from *the Highway Traffic Act* and corresponding regulations, as amended from time to time shall apply to terms used in this By-law.
- 12.4 Where a provision of the By-law conflicts with the provisions of another By-law in force within the Municipality, the provisions that establish the higher standards to protect the health, safety, and welfare of the general public shall prevail.
- 12.5 A Municipal Law Enforcement Officer appointed for carrying out the provisions of this By-law, upon discovery of any vehicle parked, stored or standing 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 the removal, care and storage of the vehicle, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the *Repair and Storage Liens Act*.

Section 13 - Penalties

- 13.1 Any person who contravenes any provision of this By-law is guilty of an offence, pursuant to the provisions of *the Provincial Offences Act*, as amended from time to time, and upon conviction is liable to a fine of not more than \$1,000.00.
- 13.2 Where a vehicle has been left parked, stopped or standing in contravention of this by-law, the owner of the vehicle, notwithstanding that he was not the driver of the vehicle at the time of the contravention of the by-law, is guilty of an offence and is liable to the fine prescribed for the offence 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.

Section 14 - Severability

- 14.1 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in force.

Section 15 - Repeal of By-laws

- 15.1 This By-law shall come into force and By-law No. 85-2002 and all subsequent amending by-laws shall be repealed on the date that the set fines are approved for By-law No. 66-2016 pursuant to the Provincial Offences Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 22nd
DAY OF NOVEMBER, 2016.

LARRY MARTIN, MAYOR

KYLE KRUGER, CAO/CLERK