

BY-LAW NUMBER 245-2004

**OF THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT**

A By-law to provide for the Regulation of Traffic and Parking on Municipal Roads / Property and on Private Property

FINALLY PASSED ON THE 18th day of October, 2004.

WHEREAS the Municipal Act, S. O. 2001, c. 25, Section 11, as amended, authorizes municipal councils to pass by-laws providing for placing, regulating and directing traffic and providing for the installation and operation of parking meters within the Municipality.

AND WHEREAS the Highway Traffic Act R.S.O. 1990, C.H. 8, authorizes the Municipal Council to pass by-laws for regulating traffic on Highways subject to the approval of the Ministry of Transportation for the Province of Ontario.

AND WHEREAS the Council of the Municipality of Chatham-Kent received a report from administration and considered the matter on October 18, 2004.

AND WHEREAS Private Members Bill Pr12, chapter PR1, Statutes of Ontario, 2003, being an Act respecting the Municipality of Chatham-Kent received royal assent on June 26, 2003 (the "Municipality of Chatham-Kent Act, 2003") to continue in force until December 31, 2004 certain by-laws and resolutions that, under a restructuring order made under subsection 25.3(13) of the Municipal Act, would otherwise cease to be in force on December 31, 2002.

AND WHEREAS it is deemed expedient to adopt, by by-law, consolidation of the traffic and parking by-laws of the current and former municipalities prior to October 18, 2004 into one comprehensive Traffic & Parking by-law for the Municipality of Chatham-Kent.

THEREFORE the Council of The Corporation of the Municipality of Chatham-Kent enacts as follows:

THE MUNICIPALITY OF CHATHAM – KENT

BY-LAW NUMBER 245-2004

A BY-LAW TO PROVIDE FOR THE REGULATION OF TRAFFIC
AND PARKING ON MUNICIPAL ROADS / PROPERTY AND ON PRIVATE PROPERTY

PART I

INTERPRETATION

- 101 In this by-law:
- 101.01 **“Former municipality”** means the former City of Chatham or a town, village or township which was a part of the former County of Kent, and specified as such in the Amalgamation Commission Order dated April 28, 1997 establishing the Municipality of Chatham-Kent, namely the Town of Blenheim, the Town of Bothwell, the Town of Dresden, the Town of Ridgetown, the Town of Tilbury, the Town of Wallaceburg, the Village of Erie Beach, the Village of Eriean, the Village of Highgate, the Village of Thamesville, the Village of Wheatley, former townships of Camden, Chatham Township, Dover, Harwich, Howard, Orford, Raleigh, Romney, Tilbury East and Zone;
- 101.02 **“Bicycle”** includes a tricycle and unicycle but does not include a motor-assisted bicycle, as amended in the HTA;
- 101.03 **“Boulevard”** means all parts of the highway save and except any roadway, shoulder, driveway or sidewalk and
- 101.03.01 **“outer boulevard”** means such portions of the highway lying between any sidewalk and the roadway or the shoulder where such exists;
- 101.03.02 **“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 or the shoulder where such exists;
- 101.04 **“Built-up Area”** shall be as defined in the HTA;
- 101.04.01 not less than 50 per cent of the frontage upon one side of the highway for a distance of not less than 200 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
- 101.04.02 not less than 50 per cent of the frontage upon both sides of the highway for a distance of not less than 100 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or

- 101.04.03** not more than 200 metres of the highway separates any territory describe herein from any other such territory so described;
- 101.05** “**Bus**” means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons, as amended in the HTA;
- 101.06** “**Bus stop**” means a portion of a highway designated by a sign as an area at which buses may stop to receive or discharge passengers;
- 101.07** “**Chief of Police**” means the Chief of the Chatham-Kent Police Service or designate;
- 101.08** “**Class B Highway**” means a highway where no vehicle or combination of vehicles shall be operated where the weight upon one axle exceeds 8,200 kilograms, or, if the axles are spaced less than 2.4 metres apart, where the weight upon one axle exceeds 5,500 kilograms, as amended in the HTA;
- 101.09** “**Commercial motor vehicle**” means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways, as amended in the HTA;
- 101.10** “**Community – Urban**” means a City, Town or Village which was a part of the former County of Kent, and specified as such in the Amalgamation Commission Order dated April 28, 1997 establishing the Municipality of Chatham-Kent, namely the Communities of Blenheim, Bothwell, Chatham, Dresden, Erie Beach, Eriean, Highgate, Ridgetown, Thamesville, Tilbury, Wallaceburg and Wheatley.
- 101.11** “**Community – Rural**” means a Township which was a part of the former County of Kent, and specified as such in the Amalgamation Commission Order dated April 28, 1997 establishing the Municipality of Chatham-Kent, namely the Communities of Camden, Chatham Township, Dover, Harwich, Howard, Orford, Raleigh, Romney, Tilbury East and Zone, but excludes the Hamlets described in Section 101.22 of Part 1 of this By-law.
- 101.12** “**Corner**” with reference to a highway intersection, means the point of intersection of the prolongation of the lateral curb lines or in the absence of curbs the prolongation of the edges of the roadways;
- 101.13** “**Crosswalk**” means,
- 101.13.01** that part of a highway at an intersection that is included within the connections of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway, or
- 101.13.02** any portion of a roadway at an intersection or elsewhere distinctly indicated

for pedestrian crossing by signs or by lines or other markings on the surface, as amended in the HTA;

- 101.14** **“Cul-de-sac”** means a highway which is closed at one end where a turning circle or a basin is constructed to allow a vehicle to turn around and egress at the open end;
- 101.15** **“Driver”** means a person who operates a vehicle on a highway, as amended in the HTA;
- 101.16** **“Driveway”** means the improved land on a highway which provides vehicular access from the roadway to a laneway or parking area on adjacent land;
- 101.17** **“Emergency Vehicle”** means
- 101.17.01** a fire department vehicle as defined in HTA while proceeding to a fire or responding to, but not while returning from a fire alarm or other emergency call,
- 101.17.02** a vehicle while used by a person in the lawful performance of his or her duties as a police officer,
- 101.17.03** an ambulance while responding to an emergency call or being used to transport a patient or injured person in an emergency situation, or
- 101.17.04** a cardiac arrest emergency vehicle on which a siren is continuously sounding and from which intermittent flashes of red light are visible from all directions;
- 101.18** **“Farm Tractor”** means a self-propelled vehicle designed and used primarily as a farm implement for drawing ploughs, mowing-machines and other implements of husbandry and not designed or used for carrying a load, as amended in the HTA;
- 101.19** **“General Manager of Infrastructure and Engineering Services”** means that official of the Municipality of Chatham-Kent or designate;
- 101.20** **“Gross Weight”** means the combined weight of vehicle and load, as amended in the HTA;
- 101.21** **“HTA” or “Highway Traffic Act”** means the Highway Traffic Act (Ontario), as amended;
- 101.22** **“Hamlet”** means the territory contiguous to a highway where the community is commonly known as Cedar Springs, Charing Cross, Coatsworth, Croton, Dealtown, Dover Centre, Duart, Eberts, Fletcher, Grande Pointe, Guilds, Jeanettes Creek, Kent Bridge, Louisville, McKay’s Corners, Mitchell’s Bay, Morpeth, Muirkirk, Merlin, Mull, North Buxton, Pain Court, Port Alma, Prairie Siding, Shrewsbury, South Buxton,

Tupperville, Turnerville or Wabash;

- 101.23** “**Heavy Vehicle**” means a commercial motor vehicle having a registered gross vehicle weight in excess of six thousand kilograms (6 tonnes) but excludes fire apparatus, emergency vehicles, buses and road service vehicles;
- 101.24** “**Highway**” includes 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 the passage of vehicles and includes the area between the lateral property lines thereof, as amended in the HTA;
- 101.25** “**Holiday**” includes New Year's Day, Good Friday, Easter Monday, Victoria Day, Canada Day, the day proclaimed as a Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day, Boxing Day, the day proclaimed as the monarch's birthday or the fixed proclamation of the Governor General or Lieutenant-Governor-in Council as a public holiday or for a general feast or thanksgiving and the next following day when any such holiday falls on a Sunday;
- 101.26** “**Intersection**” means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other, as amended in the HTA;
- 101.27** “**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;
- 101.28** “**Loading Zone**” means the portion of roadway set apart for the exclusive purpose of parking a motor vehicle for loading or unloading purposes only;
- 101.29** “**Median Strip**” means the portion of a highway so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier or a raised or depressed paved or unpaved separation area that is not intended to allow crossing vehicular movement, as amended in the HTA;
- 101.30** “**Minister**” means the Minister of Transportation of Ontario;
- 101.31** “**Ministry**” means the Ministry of Transportation of Ontario;
- 101.32** “**Mobile Canteen**” includes any vehicle in or from which any food or other edible substance or any beverage is offered for retail sale or sold direct to the consumer;
- 101.33** “**Mobile Home**” means a vehicle, other than a motor vehicle, that is designed and used as a residence or working accommodation unit and exceeds 2.6 metres in width or eleven metres in length, as amended in the HTA;

- 101.34** **“Motor-assisted Bicycle”** means a bicycle that
- 101.34.01** is fitted with pedals that are operable at all times to propel the bicycle,
- 101.34.02** weighs not more than fifty-five kilograms,
- 101.34.03** has no hand or foot operated clutch or gearbox driven by the motor and transferring power to the driven wheel,
- 101.34.04** has an attached motor driven by electricity or having a piston displacement of not more than fifty cubic centimetres, and
- 101.34.05** does not have sufficient power to enable the bicycle to attain a speed greater than 50 kilometres per hour on level ground within a distance of 2 kilometres from a standing start; as amended in the HTA;
- 101.35** **“Motorcycle”** means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and includes a motor scooter with seat, but does not include a motor assisted bicycle, as amended in the HTA;
- 101.36** **“Motor Vehicle”** includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in the HTA, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the HTA;
- 101.37** **“Municipality”** has the same meaning as in the Order of the Commission made under the Municipal Act R.S.O.
- 101.38** **“Occupant”** when used in relation to property, shall mean,
- 101.38.01** the tenant of the property or part thereof whose consent shall extend only to control the land of which he is tenant and any parking spaces allotted to him under his lease or tenancy agreement;
- 101.38.02** the spouse of a tenant
- 101.39** **“Official Sign”** means a sign approved by the Ministry, and includes any sign 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;
- 101.40** **“One-way Roadway”** means the portion of a roadway designated as such by this by-law;

- 101.41** **“Owner”** when used in relation to property shall mean
- 101.41.01** the registered owner of the property;
- 101.41.02** the registered owner of a condominium unit, whose consent shall extend only to the control of the unit of which he is owner and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration of the property;
- 101.41.03** the spouse of a person described in clause 101.41.01 or 101.41.02;
- 101.41.04** where the property is included in a description registered under the Condominium Act, the board of directors of the condominium corporation, or
- 101.41.05** a person authorized in writing by the property owner as defined in clause 101.41.01, 101.41.02, 101.41.03 or 101.41.04 to act on the owner's behalf for requesting the enforcement of this by-law;
- 101.42** **“Park” or “Parking”** when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, as amended in the HTA;
- 101.43** **“Parking Meter”** means a device that shall indicate thereon the length of time during which a vehicle may be parked, which shall have as a part thereof a receptacle for receiving and storing coins, a slot or place in which such 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;
- 101.44** **“Parking Meter Zone”** means the highways or parts of highways and lands owned, leased or controlled by the Municipality designated by this by-law as constituting a parking meter zone where parking spaces are designated;
- 101.45** **“Parking Space”** means a portion of the surface of a highway or other lands owned, leased or controlled by the Municipality designated by suitable markings for the use of parking a vehicle;
- 101.46** **“Pay and Display Machine”** means a device that will dispense a receipt indicating thereon the length of time during which a vehicle may be parked, which shall have as a part thereof a receptacle for receiving and storing coins, a slot or place in which such coins may be deposited, a button to dispense a receipt to indicate the passage at the interval of time during which the parking is permissible, the receipt to be placed on the vehicle's dash;

- 101.47 **“Pay and Display Machine Zone”** means the lands owned, leased or controlled by the Municipality designated by this by-law as constituting a Pay and Display Zone where parking spaces are designated;
- 101.48 **“Peace Officer”** has the same meaning as defined under the HTA;
- 101.49 **“Pedestrian”** means a person on foot, or in a wheelchair, baby carriage, or on a child's play vehicle propelled by muscular power;
- 101.50 **“Pedestrian Barrier”** means a rail, fence or a device installed on a sidewalk or at any location within a highway at where pedestrian is prevented from crossing the roadway or entering a barricaded area;
- 101.51 **“Pedestrian Crossover”** means any portion of a roadway, designated by by-law of the municipality, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by official signs on the highway and lines or other markings on the surface of the roadway as prescribed by the regulations, as amended in the HTA;
- 101.52 **“Personal Mobility Device”** means any conveyance having three or more wheels, and designed, assembled or required for the purpose of transporting a physically challenged person and excludes all-terrain vehicles, golf carts and utility devices with side-by-side seating;
- 101.53 **“Police Service”** means the Chatham-Kent Police Service;
- 101.54 **“Police Officer”** means a police constable or municipal by-law enforcement officer / provincial offences office or any person appointed for enforcing or carrying out the provisions of this by-law;
- 101.55 **“Public Vehicle”** has the same meaning as in the Public Vehicles Act, as amended;
- 101.56 **“Reduced Load”** has the same meaning as defined in the HTA s. 122;
- 101.57 **“Regulations”** means the regulations made under the HTA;
- 101.58 **“RGVW”** means registered gross vehicle weight;
- 101.59 **“Road-Building Machine”** means a self-propelled vehicle of a design commonly used in the construction or maintenance of highways, including but not limited to,
- 101.59.01 Asphalt Spreaders, Concrete Paving or Finishing Machines, Motor Graders, Rollers, Tractor-Dozers and Motor Scrapers,
- 101.59.02 tracked and wheeled tractors of all kinds while equipped with mowers, post-hole diggers, compactors, weed spraying equipment, snow blowers and snow plows,

front-end loaders, back-hoes or rock drills, and

- 101.59.03 power shovels on tracks and drag lines on tracks, but not including a commercial motor vehicle, as amended in the HTA;
- 101.60 **“Road Service Vehicle”** means a vehicle while it is being used for highway maintenance purposes by or on behalf of a municipality or other authority with jurisdiction and control of the highway, as amended in the HTA;
- 101.61 **“Roadway”**, means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively, as amended in the HTA;
- 101.62 **“School Bus”**, means a bus that, (a) is painted chrome yellow, and (b) displays on the front and rear thereof the words A school bus and on the rear thereof the words A do not pass when signals flashing, as amended in the HTA;
- 101.63 **“School Bus Loading Zone”** means an area of highway designated by signs as an exclusive area for school buses to load and unload school children.
- 101.64 **“School Crossing”** means any portion of a roadway, at an intersection or elsewhere, distinctly indicated for school children crossing by signs on the highway and lines on the surface of the roadway.
- 101.65 **“Self-Propelled Implement of Husbandry”** means a self-propelled vehicle manufactured, designed, redesigned, converted or reconstructed for a specific use in farming, as amended in the HTA;
- 101.66 **“Shoulder”** means that portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved or maintained to support a stopped vehicle;
- 101.67 **“Side, Approach”** means that side closest to lawfully approaching vehicular traffic;
- 101.68 **“Side, Remote”** means that side most distant from lawfully approaching vehicular traffic;
- 101.69 **“Sidewalk”** means a foot path or any portion of a highway set aside or improved for the use of pedestrians;
- 101.70 **“Skates”** includes personal devices designed for or used by a person, propelled by muscular power, and commonly known as skateboards, coasters, scooters, and ice or roller or in-line skates;

- 101.71 **“Stand” or “Standing”** when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers, as amended in the HTA;
- 101.72 **“Stop” or “Stopping”** when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or of an official sign or signal, as amended in the HTA;
- 101.73 **“Taxi Cab”** has the same meaning as in the Public Vehicle Act, as amended;
- 101.74 **“Through Highway”** means a highway or part of a highway designated as such by the Minister or by by-law of the municipality, and every such highway shall be marked by a stop sign or yield right of way sign in compliance with the regulations of the Ministry;
- 101.75 **“Traffic”** includes pedestrians, ridden, led or herded animals, vehicles, motorized snow vehicles and other conveyances, either singly or together while using any portion of a highway for the purposes of travel or the movement of goods;
- 101.76 **“Traffic Control Device”** means any official 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;
- 101.77 **“Traffic Control Signal”** means any device operated manually, mechanically or electrically for the regulation or control of traffic;
- 101.78 **“Trailer”** means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, as amended in the HTA;
- 101.79 **“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 travelling;
- 101.80 **“Vehicle”** includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car, as amended in the HTA;
- 101.81 **“Wheelchair”** means a seating assembly on wheels driven by muscular or any other kind of power and used for the carriage of a person who has a physical defect or disability, as amended in the HTA;

Number and Gender

- 102** In this by-law, words importing the singular number of the masculine gender only, include more than one person, party or thing of the same kind, and females as well as males, and has a corresponding meaning when used in the plural.

Abbreviations

- 103** In the schedules to this by-law, the following abbreviations, definitions and symbols stand for the words respectively set forth opposite thereto as follows:

No.	-	Number
in.	-	inch
cm	-	centimetre
km	-	kilometre
km/h	-	kilometre per hour
m	-	metre
a.m.	-	Ante Meridian
p.m.	-	Post Meridian

Distances

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

Cumulative Effect

- 105** The various restrictions of this by-law are cumulative and not mutually self-exclusive.

Schedules Adopted

- 106** 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 be read in conjunction with the entry or entries directly across therefrom and not otherwise.

Severability

- 107** It is declared that if any section, subsection, schedule or part of this by-law be declared by a court of law to be bad, void, illegal or ultra vires, such part or parts shall be deemed to be severable, and all parts hereof are declared to be separate and to remain independent, and are enacted as such.

Standard Time and Daylight Saving Time

- 108** 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 Saving Time, as may be in current official use in the Municipality.

PART II

STOPPING, STANDING AND PARKING

Two-way Roadway and Right Side of One-way Roadway

201.01 Where stopping, standing or parking is permitted, except as provided in Subsections 202.01 and 203, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb or no shoulder on the right side of the roadway, having regard to the direction in which such vehicle was travelling, unless the right front and rear wheels parallel to and not more than thirty centimetres (30 cm) from the right curb or edge of the roadway.

201.02 Where stopping, standing or parking is permitted, except as provided in Subsections 202.02 and 203, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is shoulder on the right side of the roadway, having regard to the direction in which such vehicle was travelling, unless the right and front wheels parallel to and as near as is practicable to the right edge of the shoulder.

One-Way Roadway, Left Side

202.01 Where stopping, standing or parking is permitted on the left side of a highway designated for one-way traffic, except as provided in subsection 207, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb or no shoulder on the left side of the roadway, having regard to the direction in which the vehicle was travelling, unless the left front and rear wheels parallel to and not more than thirty centimetres (30 cm) away from the left curb or edge of the roadway.

202.02 Where stopping, standing or parking is permitted on the left side of a highway designated for one-way traffic, except as provided in subsection 203, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a shoulder on the left side of the roadway, having regard to the direction in which the vehicle was travelling, unless the left front and rear wheels parallel to and as near as is practicable to the left curb or edge of the roadway.

Angle Roadway Parking

203.01 Where angle parking is permitted, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked except at the angle designated by official signs or markings and,

203.02 Where such angle is less than ninety (90) degrees to the edge of the roadway, with the front end of the vehicle at the curb or the edge of the designated space which is remote from the centre of the roadway.

Signed or Marked Spaces

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

Double Parking

- 205 No person shall stop a vehicle or permit a vehicle to remain stopped on any highway on the roadway side of any previously stopped, standing or parked vehicle.

Shoulder and Outer Boulevard

- 206 Unless otherwise provided in this by-law, where a prohibition or restriction is applicable to the adjacent roadway, no person shall stop, stand or park a vehicle or permit a vehicle to remain stopped, standing or parked on any shoulder and outer boulevard contrary to the said prohibition or restriction.

Limitation Within the Same Zone

- 207 No person shall stop, stand or park a vehicle or permit a vehicle to remain stopped, standing, or parked on a portion of the highway within thirty metres (30 m) of or within one hour from the time of its removal from such portion of a highway where such portion is referred to in Part II to this by-law.

Stopping Prohibited, Specified Places, Without Signs

- 208.01 No person shall stop any vehicle or permit any vehicle to remain stopped on any highway:
- 208.01.01 on or partly on or over a sidewalk or footpath;
 - 208.01.02 within an intersection or crosswalk;
 - 208.01.03 adjacent to or across the roadway from any obstruction in the roadway when such action would impede the free flow of traffic;
 - 208.01.04 upon any bridge or elevated structure and within any tunnel or underpass, or within thirty metres (30 m) of either end of any such structure, except where stopping in these locations is otherwise permitted by this by-law;
 - 208.01.05 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;

Stopping Prohibited, Specified Places, With Signs

- 208.02** When official signs are on display, no person shall stop a vehicle or permit a vehicle to remain stopped on a highway:
- 208.02.01** within fifteen metres (15 m) of an intersection;
- 208.02.02** within sixty metres (60 m) of an intersection controlled by a traffic control signal;
- 208.02.03** within forty-five metres (45 m) of the approach side of a crosswalk at a school crossing designated by official signs or of a pedestrian crossover, or within fifteen metres (15 m) of the leaving side of a school crossing or a pedestrian crossover;
- 208.02.04** on either side or both sides of such highway adjacent to a school or playground at such times as displayed on the official signs;
- 208.02.05** within thirty metres (30 m) of the approach side of the nearest rail of any level crossing of a railway, or within fifteen metres (15 m) of the remote side of the nearest rail of any such level crossing.

Stopping Prohibited - Schedule "A"

- 208.03** 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 ,4 and 5 of Schedule "A" of this by-law.
- 208.04** The provisions of Subsections 208.02 or 208.03, shall not apply to a school bus within a School Bus Loading zone designated by official signs.

Standing Prohibited - Specified Places, With Signs

- 209.01** Subject to the previous Sections of Part II when official signs are on display, no person shall stand a vehicle or permit a vehicle to remain standing on a highway:
- 209.01.01** within twelve metres (12 m) of the remote side of a designated school bus stop or transit bus stop or within twenty-eight metres (28 m) of the approach side of such bus stop, provided such vehicle does not interfere with a bus waiting to enter or about to enter or exit from such bus stop;
- 209.01.02** on either side or both sides of such highway adjacent to a school or playground at such times as displayed on the official signs.

Standing Prohibited - Schedule "B"

209.02 Subject to the previous Sections of Part II when official signs are on display, no person shall stand a vehicle or permit a vehicle to remain standing on a highway, at the side, between the limits, and during the times and days set out respectively in columns 1,2, 3, 4 and 5 of Schedule "B" of this by-law.

Parking Prohibited - Specified Places, Without Signs

210.01 Subject to the previous Sections of Part II, no person shall park a vehicle or permit a vehicle to remain parked on any highway:

- 210.01.01** within ten metres (10 m) of an intersection;
- 210.01.02** within three metres (3 m) of a fire hydrant;
- 210.01.03** having a roadway width of five metres (5 m) or less;
- 210.01.04** in a manner that will prevent the convenient removal of any other vehicle previously stopped, standing or parked on the roadway;
- 210.01.05** In a manner that will interfere with the clearing of snow from the highway;
- 210.01.06** for the purpose of displaying such vehicle for sale or lease; notwithstanding the foregoing, this provision shall not apply to a person who is not in the business of selling vehicles
- 210.01.07** for the express purpose of advertising or promotion
- 210.01.08** for the purpose of servicing or repairing such vehicle except for repairs necessitated by an emergency;
- 210.01.09** for the purpose of unloading or transferring of materials of any kind from one vehicle to another vehicle, except in cases of emergency;
- 210.01.10** for a period longer than six (6) hours at any one time between the hours of 8:00 a.m. and 6:00 p.m.;
- 210.01.11** opposite, in front of or within one-half metre (0.5 m) of a driveway or laneway or a curb-cut or depressed curb thereto, or in such a position so as obstruct vehicle(s) in the use of any driveway or laneway;
- 210.01.12** on an unimproved inner or outer boulevard except where the same are built up with gravel, stone, other road material, or paved with permission of and to the

satisfaction of the General Manager of Infrastructure and Engineering Services, no person shall change the surface of a boulevard without the permission of the Infrastructure and Engineering Services Department;

- 210.01.13** in a built-up area within urban community area within thirty metres (30m) of a driveway when the subject vehicle satisfies the definition of a heavy vehicle;
- 210.01.14** in a built-up area within rural community within seventy metres (70m) of a driveway when the subject vehicle satisfies the definition of a heavy vehicle;
- 210.01.15** on a driveway within thirty centimetres (30 cm) of a sidewalk, within the space between the sidewalk and the roadway where such space is less than three metres (3 m), or where there is no sidewalk within three metres (3 m) of the edge of roadway or one metre (1 m) of the shoulder.

Parking Prohibited - Specified Places, With Signs

- 210.02** Subject to the previous Sections of Part II when official signs are on display, no person shall park a vehicle or permit a vehicle to remain parked on any highway:
- 210.02.01** within forty metres (40 m) of an intersection;
- 210.02.02** within sixty metres (60 m) of an intersection controlled by a traffic control signal;
- 210.02.03** within forty-five metres (45 m) of the approach side and within fifteen metres (15 m) of the remote side of a crosswalk controlled by a traffic signal;
- 210.02.04** in front of or within eight metres (8 m) of the property limits on which a fire hall is located, or on the opposite side of the said highway within thirty metres (30 m) of the prolonged lot limits of the said property;
- 210.02.05** in front of or within three metres (3 m) of the main entrance to 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 congregate in large numbers;
- 210.02.06** within three metres (3 m) of a driveway or laneway or a curb cut or depressed curb thereto;
- 210.02.07** on a cul-de-sac within the turning circle or basin;
- 210.02.08** within fifteen metres (15 m) of the termination of a dead end roadway;
- 210.02.09** so as to interfere with the formation of a funeral procession;

210.02.10 where the Chief of Police or General Manager of Infrastructure and Engineering Services is of the opinion that the safety of the public, the proper movement of traffic, or the proper and safe performance of some vital function of the municipality requires the prohibition of parking for some temporary period.

Parking Prohibited – Municipal Property, with Signs

210.03 Subject to the previous Sections of Part II, no person shall park a vehicle or permit a vehicle to remain parked on any municipal property where by means of one or more signs, it is indicated that such parking is not authorized.

Parking Prohibited - Schedule "C"

210.04 Subject to the previous Sections of Part II, when official signs are on display, 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, 4 and 5 of Schedule "C" of this by-law.

Parking Overnight Prohibited - Schedule "D"

210.05 Subject to the previous Sections of Part II, 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 1,2,3,4 and 5 of Schedule "D" of this by-law.

Heavy Vehicles, Trailer and Commercial Vehicle Parking Prohibited Rural - Schedule "E"

210.06 Subject to the previous Sections of Part II when official signs are on display, no person shall park a Heavy Vehicle Trailer or Commercial Motor Vehicle in excess of six thousand kilograms or such 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, 4 and 5 of Schedule "E" of this by-law.

Parking on Private Property Prohibited

211.01 No person shall park any motor vehicle or permit such vehicle to remain parked on private property without the consent of the owner or occupant of such property.

211.02 Any motor vehicle which is parked or left in contravention of this section may be removed or impounded by a police officer or provincial offences officer and all costs and charges for removing or impounding the vehicle shall be paid by the owner thereof and shall be a lien on the vehicle, which may be enforced in the manner provided by *The Mechanics Lien Act* and subject to section 211.04 of this by-law.

211.03 The owner or operator of a motor vehicle parked or left on private property is not liable to any penalty or to have the motor vehicle removed from such property or impounded

under this by-law except upon the written complaint of the owner or occupant of the property given to a police officer or provincial offences officer appointed for the carrying out of the provisions of this by-law.

- 211.04** Where the owner or occupant of property affected by this section has posted signs stating conditions on which a motor vehicle may be parked or left on the property or prohibiting the parking or leaving of a motor vehicle on the property, a motor vehicle parked or left on the property contrary to such posted conditions or prohibition shall be deemed to have been parked or left on the property without the owner's or occupant's consent.

Taxicabs Parking - Prohibited

- 212** No person shall park any taxicab or permit such vehicle to remain parked in a metered and/or pay and display machine parking space, whether the prescribed fee for the use thereof is paid or not, for the purpose of soliciting business; however, it shall be lawful for the operator of a taxicab to stop his taxicab in any unoccupied parking space while actually engaged in loading or unloading passengers.

Limited Parking Permitted- Schedule "F"

- 213** Subject to the previous sections of Part II, 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, for a longer period of time and during the times and days set out respectively in columns 1,2,3,4, 5 and 6 of Schedule "F" of this by-law.

Angle Parking Permitted - Schedule "G"

- 214** Subject to the previous sections of Part II, when official signs are on display, angle parking is permitted on the highways, at the sides, and between the limits set forth respectively in columns 1, 2, 3 and 4 of Schedule "G" of this by-law.

Parking for Physically Challenged - Onstreet Schedule "H"

- 215.01** The designated parking spaces on street shall be on the highways, at the sides, and at the location set forth respectively in columns 1, 2 and 3, as described in Schedule "H" of this by-law.

Parking for Physically Challenged - Offstreet Schedule "I"

- 215.02** Every owner or operator of a municipal or private parking area may cause to be provided therein parking spaces designated for the Physically Challenged in accordance with the following parking space requirements and/or with listed in 215.02.01 Schedule "I" of this by-law.

215.02.01	Available Parking Spaces	Minimum Designated Spaces (General)	Minimum Designated Spaces (Medical Clinics or Hospitals)
	1-29	0	1
	30-50	0	1
	51-100	1	3
	101-200	2	5
	201-400	3	5+1 each 50
	401-or more	5	9+1 each 50

215.03 Every owner or operator of a municipal or private parking area shall identify such designated parking spaces distinctly in accordance with the requirements of *The Highway Traffic Act* and the regulations made thereunder.

215.04.01 Each off-street designated parking space for the physically challenged shall have a minimum width of not less than 4.6 metres and shall be the parking space(s) located nearest to the principle entrance(s) to the main building(s).

215.05 No fee shall be charged for the use of a designated parking space in excess of that fee charged other members of the general public in respect of non-designated parking spaces.

215.06 The designated parking spaces on municipal or private property shall be as described in Schedule "I" of this by-law.

Parking in Spaces for the Physically Challenged

215.07 No person shall permit a vehicle to remain stopped, standing or parked in a physically challenged designated parking space unless a currently valid disabled person parking permit has been issued to that person or to a passenger being or about to be transported in the said vehicle and such permit is displayed on or in the vehicle in accordance with the requirements of *The Highway Traffic Act*.

Parking Meters/Pay and Display Machines - General Regulations

216.01 The erection, maintenance and operation of parking meters and/or pay and display machines, on the highways or municipal parking lots, within the Municipality of Chatham-Kent and the designation of parking spaces in connection with such meters and/or pay and display machines, is hereby authorized.

216.02 The stopping, standing, and parking of vehicles in metered and/or pay and display spaces shall be subject to all prohibitions, restrictions, limitations and provisions of this and every traffic and parking by-law, and the Highway Traffic Act.

216.03 Each parking meter and/or pay and display machine shall bear thereon a legend indicating the days and hours when the requirement to deposit coin or coins therein shall apply, the value of the coins to be deposited and the legal parking time and the limited period of time for which parking is lawfully permitted in the Parking Meter Zone in which the meter is located and/or the Pay and Display Machine Zone in which the machine is located.

216.04 Where parking meters 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 meter space unless:

216.04.01 where parallel parking is permitted, the front wheels of such vehicle are adjacent to or as close as is practicable to the single parking meter provided for such parking meter space;

216.04.02 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;

216.04.03 where angle parking is permitted, the front wheels of the vehicle shall be adjacent to or as close as is practicable to the parking meter provided for such parking meter space.

216.05 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 coin deposits are made in the parking meters and/or pay and display machines provided for all such parking spaces so used.

216.06 No person shall park a vehicle or permit a vehicle to remain parked in a parking meter and/or pay and display machine space if:

216.06.01 the parking meter and/or pay and display machine has been covered by a cover or an official parking prohibition sign, or

216.06.02 such parking meter and/or pay and display machine space is presently occupied by another vehicle.

Use of Parking Meter/Pay and Display Machine

216.07 No person shall deposit or cause to be deposited in any parking meter and/or pay and display machine:

216.07.01 any slug, device or other substitute for a coin of the Dominion of Canada or of the United States of America,

216.07.02 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" of the Dominion of Canada or of the United States of America.

Parking Meter Zones - Schedule "J"

216.08 The highways, portion of highways and municipal parking lots hereby designated as parking meter zones shall be on the highway and in municipal parking lot, at the side, between the limits, for a period of time and during the times and days set forth respectively in columns 1, 2, 3, 4, 5 and 6 as described in Schedule "J" of this by-law.

216.08.01 when parking meters have been erected on the highway and in the municipal parking lot as set out in Schedule "J" 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 Columns 5 and 6 of this said schedule.

216.08.02 subject to the maximum parking time period and the hours and days of operation set out in Schedule "J" of this by-law, no person shall park any vehicle or permit a vehicle to remain parked in a parking meter space unless the fee per hour deposited in the meter controlling such parking meter space and the said meter is in operation.

Vehicle At Expired Parking Meter

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

Pay and Display Machine Zones Schedule "K"

216.10 Municipal Parking designated as Pay and Display Machine Zones which shall be in the Municipal Parking Lot, at the location for a period of time and during the times and days set forth respectively in Columns 1, 2, 3 and 4 as described in Schedule "K" of this by-law.

216.10.01 when pay and display machines have been erected in Municipal Parking Lots as set out in Schedule "K" 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 in Columns 3 and 4 of this said schedule.

216.10.02 subject to the maximum parking time period and the hours and days of operation set out in Schedule "K" of this by-law, no person shall park any vehicle or permit any vehicle to remain parked in a pay and display parking space unless the fee is deposited in the pay and display machine controlling such parking space and that a valid parking receipt is displayed face up on the dash the receipt indicating the date and time of purchase and the amount of time purchased once the vehicle is parked in a legal parking space.

Vehicle at Pay and Display Machine

216.11 For the purpose of determining violations of the use of a parking space in a Municipal Parking Lot with a Pay and Display Machine, the fact that no receipt is displayed on the dash or a receipt with insufficient funds, or an incorrect date is shown on the receipt indicating that the vehicle is lawfully parked is prima facie evidence that such vehicle is unlawfully parked.

Parking Meter and/or Pay and Display Machine Exemptions

216.12 Notwithstanding anything hereinbefore contained, operators of the following classes of vehicles shall not be required to deposit coins in the parking meter and/or pay and display machine provided for a parking space when occupied by such vehicles:

216.12.01 Fire Service vehicles,

216.12.02 Police Service vehicles,

216.12.03 Ambulances and hearses,

216.12.04 vehicles owned by the municipality,

216.12.05 privately-owned vehicles in use by employees of the municipality on municipal business provided that such vehicles are identified as such by having affixed to the windshield thereof "Municipal Official Vehicle Permit" issued by the Municipality,

216.12.06 vehicles owned by the municipality, a municipal contractor or a public utility while such vehicles are being used in connection with the construction, maintenance or repair of any plant, equipment or highway, provided that such vehicles are identified as such by having affixed to the windshield thereof an official parking sticker issued by the municipality,

Parking Permits

217.01 Notwithstanding section 216 of this by-law with respect to the use of parking meter and/or pay and display machine zones, no fee as stipulated by section 216 shall be required for a vehicle displaying a "Commercial Vehicle Meter Permit" or a "Municipal

Official Vehicle Permit";

- 217.01.01** the "Commercial Vehicle Meter Permit" can be obtained from the Municipal Offices, upon proof of ownership indicating the vehicle is commercially licensed, or the vehicle is a station wagon or van registered to a business, paying business taxes within the Municipality, or a vehicle registered to the Government of Canada or Ontario, such permit shall be issued upon payment of Fifty Dollars (\$50.00) per vehicle, and the permit shall expire on December 31st in the year in which the same was issued;
- 217.01.02** the "Municipal Official Vehicle Permit" can be obtained from the Chief Administrative Officer, the permit shall expire on December 31st in the year in which the same was issued;
- 217.01.03** it shall be the responsibility of any owner or operator obtaining either a "Commercial Vehicle Meter Permit" or a "Municipal Official Vehicle Permit" as herein before described, to affix it to each and every vehicle in such a manner as to be plainly visible and showing the number of the permit as issued by the municipality.

Municipal Parking Lot Permits - Schedule "L"

- 217.02** Notwithstanding section 216 with regard to the use of a parking meter and/or pay and display machines, the General Manager of Infrastructure and Engineering Services may issue parking permits enabling parking in Municipal Lots set forth respectively in Columns 1, 2 and 3 as described in Schedule "L" of this by-law.

Parking During Emergencies and Special Events

- 218.01** Notwithstanding any provision of this by-law to the contrary, in case of fire, a parade, an assembly of persons, a congestion of traffic, a construction project or an emergency, parking may be restricted or prohibited by the Mayor, the General Manager of Infrastructure and Engineering Services or the Chief of Police, and no person shall park a vehicle or permit a vehicle to remain parked in contravention of such restriction or prohibition.
- 218.02** For the purposes of this section, "emergency" includes a major snow fall or other act of God which hinders, restricts or prohibits the normal movement of vehicles or pedestrians on a highway.
- 218.03** The declaration of an emergency and the parking restriction or prohibition shall be deemed in effect after a systematic broadcast on local radio and television stations serving in the Municipality of Chatham-Kent and such broadcast shall be deemed to be sufficient notification of the restriction or prohibition then in effect.

Designated Fire Routes on Private Property

- 219.01** The Fire Chief of the Municipality shall hereby have authority to designate Fire Routes on private property and such fire routes shall be at least 3.0 metres (9.8 feet) in width.
- 219.02** Upon the designation of a fire route, the Fire Chief is hereby authorized and directed to enter or cause entry on the property to erect or cause to be erected, inspected and maintained, such official signs as are required to give effect to this provision and as are required to regulate traffic thereon.

Designated Fire Routes - Schedule "M"

- 219.03** No person shall park or permit a vehicle to be parked in an area designated by an official sign as a fire route, on a property at a location set forth respectively in Columns 1 and 2 as described in Schedule "M" of this bylaw.

PART III

SPECIAL ZONES

Transit Bus Stops

- 301 The establishment of bus stops for transit buses is hereby authorized, and shall be conclusively deemed to have been established when official signs are on display.

Public Vehicle (Inter-City) Bus Stop

- 302 Subject to Part II, when official signs are on display, the portion of highway designated by such signs is hereby established as an "inter-city" bus stop and no person shall stand a vehicle or permit a vehicle to remain standing on the highway, other than a public vehicle taking on or discharging passengers, except that the operator of any vehicle may temporarily stop in the bus stop for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with a public vehicle about to enter or exit such bus stop.

Vending from Vehicles

- 303.01 No person shall sell or offer for sale or distribution, or take orders for goods, wares, merchandise, services or produce from a vehicle, subject to the provisions of any other by-law.
- 303.02 No such person shall, for the purpose of carrying on their business, stop a vehicle or permit a vehicle to remain stopped on any part of the highway in such a manner as to interfere with the movement of traffic.
- 303.03 No such person shall, for the purpose of carrying on their business, stop a vehicle or permit a vehicle to remain stopped on any part of the highway except to serve from the side of such vehicle facing the closest boulevard.

Loading Zones - Schedule "N"

- 304 Subject to Part II and previous sections of Part III, when official signs are on display, no person shall stand a vehicle or permit a vehicle to remain standing on a highway at the side of the location and during the times and days set out respectively in columns 1,2,3 and 4 of Schedule "N" of this by-law, except a motor vehicle used for commercial purposes when 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 fifteen (15) minutes

School Bus Loading Zones – Schedule “O”

- 305** When official signs are on display in accordance with the Highway Traffic Act, the portion of highway at the side between the limits and during the times and days set out respectively in Columns 1, 2, 3, 4 and 5 of Schedule “O” of this by-law designated by such signs is hereby established as a "School Bus Loading Zone" and subject to the regulations under the said Act.

**PART IV TRAFFIC MOVEMENTS - THROUGH HIGHWAYS - STOPS - YIELDS –
TRAFFIC AND PEDESTRIAN CONTROL SIGNALS - TURNS - ONE-WAY
HIGHWAYS - TRAFFIC CIRCLES - DESIGNATED LANES**

Through Highways - Schedule "P"

401 The highways between the limits set out in columns 1, 2 and 3 of Schedule "P" of this by-law, are, except as provided in Subsection 401.01 hereby designated as Through Highways.

401.01 The designation in Subsection 401 of a highway or part of a highway as a Through Highway shall not include any intersection thereon where the highway intersected is a King's Highway where traffic and/or pedestrian control signals are installed, where multi-way Stop signs are installed, where Yield signs are installed, or where the roadway passes over land owned or controlled by the Crown.

Stop Signs at Intersections - Schedule "Q"

402 Notwithstanding Subsection 401.01, the Municipality shall erect Stop signs on the highways, at the intersections set out in column 1 of Schedule "Q" of this by-law, facing traffic proceeding in the direction set out in column 2 of the said schedule.

Yield Signs at Intersections - Schedule "R"

403 Notwithstanding Subsection 401.01, the Municipality shall erect Yield signs on the highways, at the intersections set out in column 1 of Schedule "R" of this by-law, facing traffic proceeding in the direction set out in column 2 of the said schedule.

Traffic Control Signals at Intersections Schedule "S"

404 Notwithstanding Subsection 401.01, the Municipality shall install Traffic Control Signals on the highways, at the intersections set out in Column 1 of Schedule "S" of this by-law.

Pedestrian Control Signals Schedule "T"

405 Notwithstanding Subsection 401.01, the Municipality shall install Pedestrian Control Signals on the highways set out in Column 1 of Schedule "T" of this by-law, at the locations set out in Column 2 of the said schedule.

Pedestrian Crossovers Schedule "U"

406 Notwithstanding Subsection 401.01, the Municipality shall install Pedestrian Crossovers on the highways set out in Column 1 of Schedule "U" of this by-law, at the locations set out in Column 2 of the said schedule.

Prohibited Turns - Schedule "V"

- 407** When official signs are on display, no vehicle on the highways, at the intersections set out in column 1 of Schedule "V" of this by-law, and proceeding in the direction set out in column 2 of the said schedule, shall be turned in the manner or the direction, during the times and days set out in columns 3 and 4 of the said schedule.
- 407.01** Where a U-turn is not otherwise prohibited under this by-law or the Highway Traffic Act, such a turn shall be made only where it can be made in safety and without interfering with other traffic.

One Way Highways - Schedule "W"

- 408** When official signs are on display, the highways between the limits set out in columns 1 and 2 of Schedule "W" 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.

Traffic Circles

- 409** No person shall operate any vehicle or drive any animal otherwise than in a counter-clockwise direction in any round-about or traffic circle, or the turning basin of a cul-de-sac.

Designated Lanes - Schedule "X"

- 410.01** When official signs are on display, the portion of a highway between the limits set out in columns 1, 2 and 3 of Schedule "X" of this by-law, in the lane set out in column 4 of the said schedule, shall be designated for the traffic movement set out in column 5 of the said schedule.
- 410.02** The municipality shall divide the roadways between the limits set out in columns 1, 2 and 3 of the Schedule "X", into clearly marked lanes for traffic movements in the particular direction set out in column 5 of the said schedule.

School Crosswalks – Schedule "FF"

- 411** Notwithstanding Subsection 401.01, the Municipality shall install School Crosswalks on the highways set out in Column 1 of Schedule "FF" of this by-law, at the locations set out in Column 2 of the said schedule.

PART V

SPEED REGULATIONS

Speed Limits on Highways - Schedule "Y"

- 501** Subject to Subsection 502, no person shall operate a motor vehicle at a rate of speed greater than,
- 501.01** the maximum rate of speed set out in column 4 of Schedule "Y" of this by-law on the highway or part of a highway between the limits set out in Columns 1, 2 and 3 of said schedule when the said highway is marked in compliance with the regulations under the HTA, subject to the above;
- 501.01.01** subject to Section 501.01, 50 kilometres per hour on the highway or part of a highway within Chatham-Kent's urban Communities with the exclusion of the Community of Tilbury;
- 501.01.02** subject to Sub Section 501.01.01, 40 kilometres per hour on the highway or part of a highway within the Community of Tilbury.
- 501.01.03** subject to Section 501.01, 50 kilometres per hour on the highway or part of a highway within Chatham-Kent's Hamlets with the exclusion of the Hamlets of Morpeth and Shrewsbury.
- 501.01.04** subject to Sub Section 501.01.03, 40 kilometres per hour on the highway or part of the highway within the Hamlet of Morpeth.
- 501.01.05** subject to Sub Section 501.01.03, 30 kilometres per hour on the highway or part of the highway within the Hamlet of Shrewsbury.
- 501.01.06** subject to Section 501.01, 80 kilometres per hour on the highway or part of a highway within Chatham-Kent's rural Community.

Speed Limits on Bridges - Schedule "Z"

- 502** When any structure on a highway set out in columns 1 and 2 of Schedule "Z" of this by-law, is marked in compliance with the 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.

Speed Limits in School Zones - Schedule "AA"

- 503.01** Notwithstanding Subsections 501 and 502, when official signs and the 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 "AA", shall be forty kilometres per hour (40 km/h) during the days and hours set out in column 4 of the said schedule.
- 503.02** Notwithstanding Subsection 503.01 and where required on any school day to accommodate variations from normal school hours or a school emergency, the flashing amber beacons may be actuated and the speed limit reduced to forty kilometres per hour (40 km/h) for any period, between 8:00 a.m. and 5:00 p.m. Monday through Friday.

Speed Limits in Construction Zones

- 504** Notwithstanding Subsections 501, 502 and 503, a section of highway may be posted as a construction zone and the maximum rate of speed reduced.
- 504.01** No driver shall exceed the posted rate of speed.

PART VI

LOAD RELATED RESTRICTIONS

Heavy Vehicle Restrictions - Schedule "BB"

601.01 When official signs are on display, no heavy vehicle is permitted to travel or park on the highway or part of highway or bridge set out in Column 1 of Schedule "BB" to this by-law between the limits set out in Columns 2 and 3 of said schedule during the times or days set out in Column 4 of said schedule, provided that this restriction shall not apply to any such vehicle:

Designated Truck Routes – Schedule "CC"

602.01 When official signs are on display, all heavy vehicles must travel on the highway or part of highway set out in Column 1 of Schedule 1 of Schedule "CC" to this between the limits set out in columns 2 and 3 of said schedule during the times or days set out in Column 4 of said schedule, provided these restrictions shall not apply to any such vehicle.

602.01.01 actually engaged in making a delivery to or a collection from premises which cannot be reached except by way of part of a highway as set out in the said schedule provided that in making such delivery or collection the said part of the highway is travelled upon only insofar as it is unavoidable in getting to and from such premises;

602.01.02 without the trailer portion, being driven to or from the residence of the owner or operator.

602.01.03 emergency vehicles, ambulance, police, fire and public utilities and vehicles actually engaged in works undertaken for or on behalf of the Municipality.

602.02 No heavy vehicle is permitted to park on any highway or part of highway not set out in column 1 of Schedule "CC" to this by-law between the limits set out in columns 2 and 3 of said schedule during the times and days set out in column 4 of said schedule..

Reduced Loads (5 Tonnes per Axle) – Schedule "DD"

603 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 highway or part of the highways or bridge, between the limits and during the periods set out in Columns 1, 2, 3 and 4 of Schedule "DD" of this by-law.

Oversize and Overweight Load Permits

604 The General Manager of Infrastructure and Engineering Services or any person authorized by him 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.

Class B Highways – Schedule “EE”

605 When official signs are on display, the reduced load restriction provisions of The Highway Traffic Act for such a highway are declared to be in force with respect to the highway or part of the highways or bridge, between the limits set out in Columns 1, 2 and 3 of Schedule “EE” of this by-law.

PART VII

DRIVING AND RELATED RULES

GENERAL

- 701.01** No parade or other procession shall be permitted on any highway within the municipality until the parties in charge thereof have first obtained approval from the Chief of Police or the General Manager of Infrastructure and Engineering Services and a Parade Permit has been issued.
- 701.02** No person shall operate a vehicle so as to intersect or otherwise interfere with any funeral, parade or other procession lawfully using the highway under the direction of a police officer, unless so directed by the said officer.
- 701.03** No person shall drive or ride any animal other than a horse upon any highway.
- 701.04** No person shall drive or ride a horse along any sidewalk, footpath, or boulevard.
- 701.05** No person shall operate a vehicle over an unprotected hose of the Fire Department.

Yielding to Pedestrian at Sidewalk

- 702** The operator of a vehicle emerging from a driveway, laneway, building 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.

Barricaded Highways

- 703** No person shall operate a vehicle or permit a vehicle to remain parked on any part of any highway barricaded or when official signs are on display indicating the highway is closed to traffic or its use is otherwise restricted.

Vehicles Crossing Sidewalks, Boulevards and Curbs

- 704.01** No person shall operate a motor vehicle over a curb, boulevard, sidewalk, pathway or footpath on a highway except:

 - 704.01.01** at a place where there is a driveway ramp, mountable curb, depressed curb, driveway or other designated crossing intended for vehicular access, or
 - 704.01.02** where permission has been obtained from the Chief of Police or the General Manager of Infrastructure and Engineering Services.
- 704.02** No person shall operate a motor vehicle over a raised curb or over a wheelchair ramp at a crosswalk or intersection.

Bicycles

- 705** In this section, bicycle shall include any such vehicle having a wheel in excess of 50 cm. in diameter:
- 705.01** No person shall operate a bicycle on a sidewalk in the municipality.
- 705.02** No person while riding a bicycle shall indulge in stunt riding or carry any articles in his or her hands or otherwise ride so as to prevent the full use of both hands and feet to operate or control such bicycle.
- 705.03** No bicycle shall be allowed to remain, either on a bicycle stand or in any other manner, on a sidewalk, footpath or footbridge in such a way as to obstruct or interfere with the use of sidewalk, footpath or footbridge by pedestrians.
- 705.04** Any bicycle found obstructing pedestrians may be taken into possession by a Police Officer and removed and stored, and any storage charge shall be a lien upon such bicycle, and such costs and charges shall be in addition to any penalty imposed under this .
- 705.05** There shall be no liability to the owner of such bicycle on the part of the municipality or the Police Officer, for any damages occurring to the bicycle while in the custody of the Police or in storage.
- 705.06** Every person operating a bicycle upon a roadway shall ride as near to the right hand side of the roadway as practicable and shall exercise due care when passing a standing vehicle or one proceeding in the same direction.
- 705.07** Persons operating bicycles upon a roadway shall ride only in single file.
- 705.08** No person shall park a bicycle on a roadway except in an area designated only for bicycle parking.
- 705.09** Every person when operating a bicycle on other than the roadway is restricted to:
- 705.09.01** pathways in parks and open areas where the pathway is a minimum of 1.8 metres (6 feet) in width and designated by signing as a bicycle path; or
- 705.09.02** pathways within the highway right-of-way designated by signing as a bicycle path.
- 705.10** Notwithstanding the foregoing, a bicycle operated by a newspaper carrier actually engaged in the delivery of newspapers or a person in a personal mobility device may operate such vehicle upon a boulevard, sidewalk, pathway, footpath or footbridge.

PART VIII

PEDESTRIANS

Personal Mobility Devices

- 801.01 No person shall operate a personal mobility device on a roadway in the municipality where sidewalks are available and accessible, except that where a sidewalk can not be used due to weather conditions, physical conditions of the sidewalk or access thereto, the operator is authorized to use the travelled portion of the highway.
- 801.02 The operator of a personal mobility device upon a roadway shall in all cases travel with the flow of traffic and as near as practicable to the right-hand side of the roadway.
- 801.03 Operators of personal mobility devices upon a roadway shall travel only in single file.
- 801.04 An operator of a personal mobility device shall obey all traffic regulations.
- 801.05 The owner or operator of a personal mobility device will ensure that while operating on a roadway or sidewalk, it shall have attached to its framework a red or orange fluorescent flag at a height of no less than 1.5 metres (5 feet) from ground level, with dimensions of the flag being a minimum of 18 cm (7 inches) high by 20 cm (8 inches) long.
- 801.06 The owner or operator of a personal mobility device will ensure that while operating on the roadway between sunset and sunrise, it shall have attached thereto:
 - 801.06.01 at the rear of the device, an illuminated red tail light at a minimum height of .6 metres (2 feet) from ground level with minimum dimensions of 5 cm (2 in.) by 7.5 cm (3 in.) and
 - 801.06.02 on the front of the device, a white illuminated light.
- 801.07 Every operator while operating a personal mobility device on a sidewalk shall yield the right-of-way to all pedestrians.

Pedestrian Barriers

- 802 No pedestrian 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.

Playing on Roadway Prohibited

- 803 No person shall play or take part in any game or sport upon a roadway.

Skateboards and Scooters - Schedule "GG"

- 804.01 No person is permitted to use a skateboard or scooter on any municipal roadway.
- 804.02 No person is permitted to use a skateboard or scooter on any sidewalk pathway, or park within the area described as "Restricted Skateboarding/Scooter Area" in Schedule "GG" of this by-law.
- 804.03 Any person using a skateboard or scooter must
 - 804.03.01 dismount before crossing any roadway;
 - 804.03.02 not act in a reckless manner that may endanger themselves, anyone else or may cause damage to property;
 - 804.03.03 at all times yield the right-of-way to pedestrians using the sidewalk;
 - 804.03.04 at all times wear, a CSA approved helmet, and wear reflective materials between dusk and dawn.

Roller or In-line Skates - Schedules "HH" and "JJ"

- 805.01 No person shall use roller or in-line skates on the highway or part of the highway between the limits set out Columns 1, 2 and 3 of Schedule "GG" to this by-law.
- 805.02 No person shall use roller or in-line skates on any sidewalk, pathway or park within the area described as "Restricted" to Roller or In-line skates in Schedule "JJ" to this by-law.
- 805.03 Any person using in-line or roller skates must
 - 805.03.01 obey all road signs, pavement markings and traffic control signals;
 - 805.03.02 not act in a reckless manner that may endanger himself or anyone else or may cause damage to property;
 - 805.03.03 at all times yield the right-of-way to pedestrians using the sidewalk;
 - 805.03.04 at all times wear a CSA approved helmet and wear reflective materials or other safety devices as required by statute between dusk and dawn.

PART IX

ERECTION OF SIGNS

Authorization

901 The General Manager of Infrastructure and Engineering Services are hereby authorized to apply, install and maintain such traffic control devices and other structure, plant and equipment as required to give effect to this by-law.

Conflicting Private Signs

902.01 subject to the provisions of other by-laws controlling signs, no unauthorized person shall place, maintain or display upon any sign, signal, flasher, marking, or device visible from any highway which:

902.01.01 conceals a traffic control device or parking meter from view;

902.01.02 interferes with the effectiveness of a traffic control device or parking meter; or

902.01.03 purports to be, is an imitation of, or resembles any official sign or traffic control device.

Damage to Traffic Control Devices

903.01 No person shall move, deface, damage, remove or in any manner interfere with any traffic control device placed, erected or maintained by the Municipality.

903.02 No person shall operate any vehicle on or over any pavement marking, line or strip on the roadway where markers are in place or signs are on display indicating that the marking material has been freshly applied, nor shall any person operate any vehicle into or over any such marker so placed, or cause such marker to be moved or removed unless authorized to do so.

PART X

OFFENSES AND PENALTIES

Offenses Punishable by The Highway Traffic Act

- 1001** 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.
- 1002** Any person who contravenes any other provision of this by-law is guilty of an offence and on conviction, where a penalty for the contravention is not otherwise provided for herein, is liable to a fine of not more than \$2000.00, exclusive of costs, and every such penalty shall be recoverable under *The Provincial Offences Act*, as amended, all the provisions of which shall apply.

Parking Infractions

- 1003.01** Where a vehicle is found parked, standing or stopped in contravention of any of the provisions of this by-law, a Provincial Offences Officer so finding the vehicle may issue and attach to or place on the vehicle a Parking Infraction Notice, in the form of a serial numbered notice, stating:

 - 1003.01.01** the vehicle plate number and the vehicle type;
 - 1003.01.02** that the vehicle is unlawfully parked, standing or stopped as the case may be and a short form wording of the type of parking infraction incurred;
 - 1003.01.03** the date, time and location of the parking infraction.
- 1003.02** The owner of a vehicle that is parked, standing or stopped in contravention of this by-law is guilty of an offence and on conviction is liable to such fines as provided in this by-law, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied.
- 1003.03** The defendant may, within fifteen (15) days after the service of the parking infraction notice, plead not guilty by signing the not guilty plea on the parking infraction notice and thereafter the Clerk of the Court shall give notice of trial pursuant to *The Provincial Offences Act, RSO 1990* as amended.
- 1003.04** Failure by defendant to plead not guilty within fifteen (15) days of the service of the Parking Infraction Notice shall render the defendant liable to prosecution pursuant to *The Provincial Offences Act*, as amended.

Voluntary Payment of Parking Penalties

- 1004** Where it is alleged that in respect of a vehicle there has been a violation of any of the provisions of this by-law and a plea of not guilty has not been filed in accordance with section 1003.03 of this by-law, then on any day after the issuance of the Parking Infraction Notice but before the certificate of Parking Infraction has been filed with the Provincial Court, the defendant may voluntarily pay the set fine for the offence at any municipal centres.

Voluntary Set Penalties - Schedule "KK"

- 1005** Any person who contravenes any of the provisions of the sections or subsections of this by-law set out in Column 1 and described in "Short form Wording" in Column 2 of Schedule "KK" of this by-law and wishes to make a voluntary 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.

General Penalty

- 1006** Any person who contravenes any of the provisions of this by-law for which a penalty for the contravention thereof has not otherwise been provided, is liable upon conviction therefore to a fine of not less than ten dollars (\$10.00) and not more than two thousand dollars (\$2,000.00) exclusive of costs, and any such penalty shall be recoverable under *The Provincial Offences Act, as amended*, all provisions of which shall apply.

Exemptions - Municipal Vehicles

- 1007** The provisions of Parts II and III of this by-law, except Section 208 thereof, do not apply to:
- 1007.01** vehicles operated by or on behalf of the Municipality or any municipal utility while engaged in the performance of cleaning, clearing, maintenance, repair, construction or other work on any highway;
- 1007.02** vehicles operated by or on behalf of the Municipality while in official business.
- 1007.03** Parts II and III of this by-law shall not, in the case of emergency, apply to an emergency vehicle.

PART XI

APPLICATION, ADMINISTRATION AND ENFORCEMENT

Application of By-law

- 1101 This by-law applies to all highways and parts of highways under the jurisdiction of the Municipality of Chatham-Kent.

By-law Subject to The Highway Traffic Act

- 1102 The provisions of this by-law are subject to the provisions of the Highway Traffic Act.

Enforcement

- 1103.01 This by-law shall be enforced by any peace officer.
- 1103.02 Parts II and III of this by-law shall not, if compliance therewith would be impracticable, apply to
- 1103.02.01 ambulances, police or fire department vehicles or public utility emergency vehicles, or
- 1103.02.02 vehicles actually engaged in works undertaken for or on behalf of the municipality, or
- 1103.02.03 vehicles actually forming part of a funeral procession for as long as may reasonably be required for the purpose of such funeral.

Removal of Vehicles

- 1104 An officer appointed for the enforcing or carrying out of the provisions of this by-law, upon discovery of any vehicle parked or standing in contravention of this by-law, of any vehicle apparently abandoned or of 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 Mechanics Lien Act.

Former Municipalities By-laws Repealed

- 1105 All traffic by-laws passed prior to October 18, 2004, are hereby repealed.

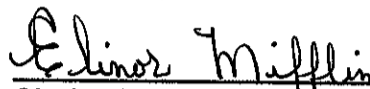
By-law Effective Date

- 1106 This by-law shall come into effect on the date of passage by the Council of the Municipality of Chatham-Kent.

READ A FIRST, SECOND AND THIRD TIME this 18th day of October, 2004.



Mayor – Diane Gagner



Clerk – Elinor Mifflin

MUNICIPALITY OF CHATHAM-KENT
CONSOLIDATED TRAFFIC AND PARKING BY-LAW NO.

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BY-LAW NUMBER 245-2004
OF THE CORPORATION OF
THE MUNICIPALITY OF CHATHAM-KENT

By-law to provide for the Regulation of Traffic and Parking on Municipal Roads

PLEASE NOTE -

**DUE TO THE SIZE OF BY-LAW 245-2004,
PLEASE CONTACT CHATHAM-KENT TRAFFIC
DEPARTMENT AT 360-1998 TO VIEW SCHEDULES OF
BY-LAW 245-2004 AND/OR APPLICABLE SET FINE
SCHEDULES**