

# THE CORPORATION OF THE VILLAGE OF OIL SPRINGS

## BY-LAW Number 997 of 2024

### Being a By-law to regulate Parking and Vehicle Movement on any road, street, or bridge in the Village of Oil Springs

The Municipal Council of the Corporation of the Village of Oil Springs enacts as follows:

#### Part 1 Definitions

##### **“Authorized Sign”**

Means any sign, curb or sidewalk marking, or other device placed or erected on a highway under the authority of this by-law for the purposes of regulating, warning or guiding traffic and approved by the Ministry of Transportation and Communications.

##### **“Boulevard”**

Shall mean that strip of grass, gravel, concrete, asphalt or other vegetation between the curb or edge of travelled portion of the roadway and the property line or may herewith be so improved either by the Village of Oil Springs or any owner of land in front of whose property such improvement may be made with the consent of Council of the Village of Oil Springs.

##### **“By-law Enforcement Officer”**

Means a person duly appointed by the Municipal Corporation for the purpose of enforcing or carrying out the provisions of Municipal By-laws.

##### **“Commercial Motor Vehicle”**

Means a motor vehicle having permanently attached thereto a truck or delivery body and includes an ambulance, hearse, fire trucks, bus and tractor used for hauling purposes on the roadways.

##### **“Accessible Parking Space”**

Means a designated parking space or parking area for physically disabled persons, with appropriate signs erected and on display.

##### **“Fire Route”**

Shall mean any part of a roadway or a private roadway designated by signage as a route that will be used for emergency vehicles or emergency personnel, including without limitation, fire trucks, emergency response vehicles, ambulances and any other similar motor vehicles.

##### **“Highway” or “Road” or “Street”**

Are used interchangeably and shall include a common public highway, street, avenue, boulevard, bridge, parkway, driveway, shoulder or the like 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.

##### **“Motor Vehicle”**

Includes a motor vehicle, trailer, farm tractor, road-building machine, a commercial motor vehicle and any vehicle drawn, propelled or driven by any kind of power, including muscular power including a snow vehicle and electric cars.

##### **“Park, Parked or Parking”**

means the standing of a motor vehicle whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

**“Parking Infraction”**

Means any unlawful parking, standing, or stopping of a vehicle that constitutes an offence.

**“Parking Infraction Notice”**

Means a notice authorized by the Provincial Offences Act and placed on any vehicle parked in contravention of this by-law, providing for the payment of the penalty out of court.

**“Corner”**

Means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic.

**“Curb”**

Means the edge of the travelled portion of the highway.

**“Police Officer”**

Means an officer employed with Ontario Provincial Police.

**“Person”**

Includes a firm or company.

**“Private Property”**

Shall mean a property that has been clearly marked as such by fences or on which legible sign or signs have been erected by the owner, occupant or an agent for either, forbidding trespassing or parking on a private road or driveway.

**“Recreation Vehicle”**

Means any vehicle used for recreational purposes, including all-terrain vehicles (ATV), off road motorcycles, snowmobiles, boats, jet skis (PWC), camper trailers, motor homes, and any trailer utilized for the aforementioned.

**“Roadway”**

Includes the travelled portion of a street or highway designed and intended for the travel of motor vehicles and includes any designated parking areas.

**“Rural Highways”**

Shall mean the highways within the Village of Oil Springs limits.

**“School Bus Loading Zone”**

Means an area marked by signs indicating such area to be for the sole use of school buses engaged in receiving and discharging passengers.

**“Sidewalk”**

Means a walk of raised path between the lateral lines of a highway and the adjacent property lines intended for use by pedestrians.

**“Stand or Standing”**

Means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers.

**“Stop or Stopping”**

Means the complete cessation of movement 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 a traffic control sign or signal.

**“Road Superintendent”**

Means the person appointed by the Council to the position of Road Superintendent and any employee of the Municipality who acts at the direction of the Road Superintendent.

**“Public Lane”**

Means a passageway between buildings or properties which belongs to the Village of Oil Springs or is a public thoroughfare.

**“Public Place”**

Means any place to which the public has or is permitted to have access.

**“Unattended Motor Vehicle”**

Means any motor vehicle parked or left unattended for a period contrary to provisions of Municipal By-laws and may include vehicles that are inoperable or does not have a current license.

**“Vehicle”**

Includes motor vehicle, motorized snow vehicle, traction engine, farm equipment, trailer, and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

**“Emergency Vehicle”**

Means ambulance, fire department or police force vehicles, public utility emergency vehicles/ or on call vehicles, and public works department vehicles.

**“Gross Weight”**

Means the combined weight of the vehicle and load

**“Highway Traffic Act”**

The definitions set forth in section 1 of the Highway Traffic Act, R.S.O 1990, c H and amendments thereto, shall be deemed to be part of this section as if set forth in full herein.

**“Inoperable”**

Means a motor vehicle that is not operable because of mechanical problems or does not have a current license or validation sticker.

**“Intersection”**

Means the area embraced in the prolongation or connection of the lateral curb lines or, if none, then that 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.

**“Loading Zone”**

Means the part of the highway next to the sidewalk or curb and marked or indicated for loading or unloading merchandise or for taking on or letting off passengers.

**Part 2 – General Provisions**

**Time – standard – daylight saving**

Where any expression of time occurs or where any hour or other period is stated, the time referred shall be standard time except in periods of when daylight saving time is in effect, in which periods, it shall be daylight saving time.

**Enforcement**

Peace officer, by-law officer, provincial offenses officer, or a member of the Ontario Provincial Police shall enforce the provisions of this by-law.

**Speed**

No person shall drive a vehicle at a greater rate of speed than is prescribed in the Highway Traffic Act RSO.

**Materials – other – on sidewalk**

No person shall cause any merchandise or building material or other material to be placed on any highway, sidewalk or public place unless he has obtained permission from the Village to do so.

**Fire route – fire hydrant – obstruction – prohibited**

No person shall stop, park or stand a vehicle so as to obstruct a fire hydrant or designated fire route.

**Barrier – obeyed – removal – destroyed – prohibited**

No person shall drive a vehicle over, under, around or past any barrier on a street or public place unless permitted by a peace officer. No person shall remove, destroy, or tamper with any barrier or sign erected temporarily or permanently by the Village of Oil Springs.

**Emergency Vehicles – Exemption**

The provisions of this by-law respecting parking and stopping of vehicles shall not apply to any emergency vehicle or operator. Only during the time of April 1 – Nov 15<sup>th</sup> of each year.

**No emergency vehicles shall be allowed to be parked on streets/parking lots during the time of November 16 – March 31 of each year.**

**Owner – liable – contravention – exception**

The owner of a vehicle shall incur the penalties provided for any contravention of this by-law, unless at the time of the contravention, the vehicle was in the possession of some person other than the owner or his chauffeur without the owner's consent and the driver or operator of a vehicle not being the owner shall also incur the penalties provided in this By-law for any such contravention.

**Moving – building – large object – approval required**

No person shall move any building, large or heavy objects likely to obstruct traffic along or across any highway, except in accordance with municipal by-laws.

**Notice of Violation – motor vehicle – parked – unattended**

Where a motor vehicle has been left unattended and is in violation of this By-law, the Municipal By-law Enforcement Officer, Police Officer or Road Superintendent may post on the motor vehicle, a notice requiring immediate steps taken to remove the vehicle.

**Vehicle – removed – stored – for contravention**

Any peace officer is authorized to remove or cause to be removed, any vehicle he finds parked in a prohibited area or in contravention otherwise of this by-law or any regulation hereunder, and the owner or person responsible for such parking, shall be liable for the expense of removing and storing such vehicle, in addition to any penalty for such illegal parking. Any motor vehicle towed and impounded shall not be released to its owner until payment of all costs incurred in such removal or impounding.

**Driver – owner – liability**

The driver of a vehicle, not being the owner, is liable to any penalty provided under this by-law and the owner of the vehicle is also liable to any such penalty unless, at the time of the offence was committed, the vehicle was in the possession of some person other than the owner or his chauffeur without the owner's consent.

**Parking Area – Required – Location**

The required Parking Area shall not form a part of any Street or Lane. The required Parking Area shall be provided on the lot occupied by the building, structure, or use of which said Parking Area is required, except in the case of a non-residential Use, the required parking area may be provided on another Lot if such Parking Area is not more than 150 metres from the building, structure, or use requiring the Parking Area.

### **Part 3 - Parking Regulations**

- i. **No Parking – At Any Time**  
No person shall park a motor vehicle on the highways or parts of highways designated by signage as a “No Parking” area.
- ii. **No Parking – Restricted**  
No Person shall park a motor vehicle on the highways or parts of highways contrary to the posted times as designated by the signage.
- iii. **No Parking – Limited**  
No person shall park a motor vehicle on the highways or parts of highways in excess of the time limit as designated by the signage.
- iv. **No Stopping Areas**  
No person shall stop a motor vehicle on the highways or parts of highways during the times as designated by the signage as “No Stopping”.
- v. **No Overnight Parking – Winter Months (November 16-March 31)**  
No person shall park a motor vehicle overnight on the roadway or parts of the roadway between the hours of 2:00 a.m. and 6:00 a.m. for snow removal and winter road maintenance.  
**Exception – Emergency Vehicles/Emergency Service Vehicles will be permitted during months April 1 – November 15th**
- vi. **No Parking or Standing – Commercial Vehicles – 2 Hour Limit**  
No commercial motor vehicle shall be parked or left standing for a longer period than two (2) hours, upon any part of any highway.
- vii. **No Parking – Wrong Side of Highway**  
No person shall park a motor vehicle on any highway unless on the right-hand side of the highway having regard to the direction of the flow of traffic.
- viii. **No Parking – Distance from Curb**  
No person shall park a motor vehicle on any highway equipped with curbs unless the motor vehicle is parallel to and not more than 30 centimetres from the curb.
- ix. **No Parking or Standing – Recreation Vehicles – 48 Hours**  
No recreational vehicle shall be parked or left standing for a longer period than forty-eight (48) hours, upon any part of any highway.

#### **4. Parking Regulations – General Prohibition**

**No person shall park a motor vehicle in contravention of authorized posted signs.**

No person shall park a motor vehicle:

- i. on a highway within three (3) metres of a fire hydrant;
- ii. so as to obstruct a public or private roadway, driveway, or entrance;
- iii. so as to obstruct a sidewalk;
- iv. so as to obstruct a pedestrian crosswalk;
- v. so as to interfere with the movement of traffic or emergency fire vehicles;
- vi. so as to interfere with the clearing of snow from the highway;
- vii. on a boulevard;
- viii. in an area designated accessible parking spaces;
- ix. in a private parking lot except as permitted in paragraph five (5) herein.

## 5. Private Parking Lot

- i. The owner of any private parking lot shall designate parking spaces for motor vehicles that are used to transport physically disabled persons and for other motor vehicles.
- ii. No motor vehicle shall park or be left standing in a private parking lot unless:
  - a) The motor vehicle is parked within the boundaries of a space designated in the private parking lot as a parking space; and
  - b) In the case of a motor vehicle occupying a parking space for physically disabled persons, the operator of the motor vehicle has obtained and posted a permit in the motor vehicle confirming that the motor vehicle has been parked in such an area for the benefit of a physically disabled person.

## 6. REMOVAL OF MOTOR VEHICLES IN CONTRAVENTION OF BY-LAW

- i. In addition to any other penalty provided for in this by-law, a Police Officer or By-law Enforcement Officer, may cause a motor vehicle that is parked in contravention of this by-law to be removed and taken to be stored at a location determined by a Police Officer or By-law Enforcement Officer.
- ii. Where a motor vehicle is removed and stored pursuant to section 7(i), all costs and charges for the removal, care, and storage of the motor vehicle shall be paid by the motor vehicle owner and shall form a lien on the motor vehicle which may be enforced in the same manner as provided for in the Repair and Storage Liens Act.

## 7. OWNER LIABILITY

Where a motor vehicle has been left parked, stopped or left standing in contravention of this by-law, the owner of the motor vehicle, notwithstanding that he/she was not the driver of the motor vehicle at the time of the contravention of this by-law, is guilty of an offence, and is liable to the fine prescribed for the offence in this by-law unless, at the time of the offence, the motor vehicle was in possession of some person other than the owner without the owner's consent.

## 8. ENFORCEMENT

Any Police Officer or By-law Enforcement Officer is hereby authorized to enforce the provisions of this By-law.

## 9. PENALTIES

- i. Any person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in Section 61 of the Provincial Offences Act, R.S.O. 1990 c.P.33, Chapter P.33, Schedule "A" hereto and under the Highway Traffic Act, R.S.O. 1990, c.H.8.
- ii. A person served with a parking infraction notice shall report and make payment to the office of the Clerk-Treasurer. Such payment must be received by the Clerk-Treasurer within 30 days from the date on which the notice was issued, inclusive of Saturdays, Sundays, and holidays, failing which the fines shall be increased in accordance with Schedule "A" to this By-law.
- iii. All penalties set out in this by-law shall be in addition to and not in substitution for, any penalties imposed in any other by-law, statute, or under any of the laws of the Province of Ontario and the laws of Canada applicable therein.

**10. SEVERABILITY**

If any section, clause or provision of this by-law be held by a Court of competent jurisdiction to be invalid, in whole or in part, the validity of the remainder of that section, clause or provision and the validity of the remainder of the by-law shall not be affected thereby. Each section, clause or provision of this by-law are hereby deemed to be separate and distinct sections, clauses or provisions.

**11. CHANGE IN STATUTES**

Where an Act or any portion of any Act is referred to in this By-law, such preference shall be interpreted as referring to any subsequently renumbered sections of the Act and/or changes to the date of the Act and/or amendments or revisions to the Act or re-enactments of the Act or any legislation that replaces the Act.

**12. EFFECTIVE DATE**

This by-law shall come into full force and effect on the date of passage of this by-law or, in the event that the approval of the Ministry of the Attorney-General or any other third party is required, such date that the requisite approvals have been obtained.

**13. INCONSISTENCY**

If any other by-law of The Corporation of the Village of Oil Springs is inconsistent with the sections, clauses or provisions herein, the sections, clauses or provisions of this by-law shall prevail to the extent of such inconsistency. If Section 12 is applied to any other by-law, all other sections, clauses or provisions of that by-law shall remain in full force and effect.

**READ** a first time this 13<sup>h</sup> day of August 2024.

**READ** a second, and third time and finally passed this 13<sup>th</sup> day of August 2024.

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Ian Veen, Mayor

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Martha Gawley, Clerk-Treasurer

VILLAGE OF OIL SPRINGS

SET FINE SCHEDULE A OF BY-LAW 997 OF 2024

PART 1 – PROVINCIAL OFFENCES ACT

TITLE: To Regulate Parking and Vehicle Movement on Roads, Streets or Bridges

Item	Short Form Wording	Offence Creating Provision Or Offence	Set Fine
1	Place Materials on Sidewalk	2.4	\$25.00
2	Pedestrian – obstruct sidewalk/ Roadways	5.1	\$25.00
3	Drive around barrier	2.6	\$105.00
	Remove/destroy barrier	2.6	\$105.00
4	Move Building-large object- Obstruct traffic	2.9	\$105.00

VILLAGE OF OIL SPRINGS

SET FINE SCHEDULE B OF BY-LAW 997 OF 2024

PART 2 – PROVINCIAL OFFENCES ACT

Title to Regulate Parking and Vehicle Movement on Roads, Streets or Bridges

Short Form Wording	Offence Creating Provision Or Offence	Set Fine
Park, stop, or stand vehicle Obstruct fire route/hydrant	2.5	\$45.00
Stand or park-obstruct traffic	3.3	\$25.00
Stand or park within 3 m of fire	3.4	\$45.00
Parking within 9 metres of intersection	3.6	\$25.00
Parking in front of driveway	3.5	\$25.00
Parking on Sidewalk	3.7	\$25.00
Stand of park – prevent the convenient Movement of another vehicle	3.9	\$25.00
Parking on wrong side of Road	3.10	\$25.00
Parking where permanent or Temp Sign Prohibits	3.11	\$25.00



Parking on Private Property without Authority	4.1	\$25.00
Park motor vehicle more than 48 hours	3.1	\$45.00
Motor Vehicle parked overnight between Hours 2 a.m. to 6 a.m.	3.2	\$25.00
Park more than 48 hours	3.8	\$45.00
Park, stop or stand commercial Vehicle more than 2 hours	6.1	\$45.00
Park in Disabled Parking Space	3.12	\$305.00
Park in unauthorized public place	4.1	\$45.00