

THE CORPORATION OF THE TOWNSHIP OF MACHAR

BY-LAW NO. 4-99

Being a By-law to regulate and prohibit parking on highways in the Township of Machar

WHEREAS The Municipal Act R.S.O. 1990 c. M-45, as amended, authorizes the Council to pass by-laws regulating or prohibiting parking on highways and on municipal property;

AND WHEREAS it is deemed expedient to regulate or prohibit certain parking within the limits of the Township of Machar;

NOW THEREFORE the Council of the Corporation of the Township of Machar hereby enacts as follows:

1. For the purpose of this By-law:
 - 1.1 “Motor Vehicle” means an automobile, motorcycle, motor assisted bicycle, motorized snow vehicle and any other vehicle propelled or driven otherwise than by muscular power;
 - 1.2 “Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by the general public for the passage of vehicles;
 - 1.3 “Road” means any part of a road allowance or traveled road allowance within the Township of Machar;
 - 1.4 “Treasurer” means the Treasurer of the Township of Machar;
 - 1.5 “Park” or “Parking” means the standing of a vehicle, whether occupied or not, except when standing for the purpose of and while actually engaged in loading or unloading.
2. No person shall park or stand a vehicle on a road within the municipality in such a manner as to interfere with the movement of traffic or the clearing of snow.
3. No person shall park or stand a vehicle on a road or highway where authorized signs are on display indicating that parking is prohibited.
4. Where a vehicle is found parked or stopped in contravention of the provisions of this By-law, the By-law Enforcement Officer of the Township of Machar, so finding the vehicle shall attach to the vehicle a parking infraction notice in the form of a serially numbered notice stating:
 - 4.1 the license number and a concise description of the vehicle;
 - 4.2 that the vehicle is unlawfully parked;
 - 4.3 the date, time and place of the alleged offence;
 - 4.4 the amount of the penalty for the alleged offence;
 - 4.5 that the owner or operator thereof may make voluntary payment of the penalty at the usual place of business of the Office of the Treasurer;
 - 4.6 that in the event of failure to make such payment a summons will be issued under the Provincial Offences Act of Ontario.

5. Penalties

- 5.1 Any person who contravenes any provision of this By-law is guilty of an offence and is subject to a fine recoverable under the Provincial Offences Act.
- 5.2 Voluntary payment of a parking infraction notice according to the amounts set out on Schedule 1 in strict compliance with the conditions set out on the parking infraction notice shall be in lieu of any penalty otherwise provided by law.
- 5.3 The owner of a motor vehicle is liable to the penalty provided for in this section to the same extent as the driver of such motor vehicle unless at the time of the offence, the vehicle was in the possession of some person other than the owner, without the owner's consent.
- 5.4 Where any vehicle is found to be parked in contravention of this by-law and such vehicle is interfering with the movement of traffic or with snow clearing or removal operations, then such vehicle may be towed away, at the direction of the by-law officer, at the sole risk and expense of the owner. All costs and charges for the removal, care and storage thereof shall be a lien on such vehicle which may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990 c.R-25, as amended.
- 6.1 By-law 6-82 and By-law 5-86 and any amendments thereto are hereby repealed.
- 6.2 This By-law shall come into force and take effect upon approval of the set fines set out in Schedule 1 by the Regional Senior Judge of the Ontario Court of Justice (Provincial Division) pursuant to the Provincial Offences Act.

READ a first and second time this 11th day of January 1999.

REEVE

CLERK-TREASURER