

THE CORPORATION OF THE TOWN OF CALEDON
BY-LAW NO. BL- 2024-048

A by-law to regulate the use of highways and
parking on highways and to repeal certain by-laws

WHEREAS Subsection 11(3) of the *Municipal Act, 2001* authorizes a municipality to pass by-laws respecting highways, including parking and traffic on highways under the jurisdiction of the Town of Caledon;

AND WHEREAS Sections 100 and 100.1 of the *Municipal Act, 2001* authorize a municipality to pass by-laws respecting parking lots;

AND WHEREAS Section 101 of the *Municipal Act, 2001* authorizes a municipality to pass by-laws providing for the removal of vehicles parked illegally at the owner's expense;

AND WHEREAS Section 102 of the *Municipal Act, 2001* authorizes a municipality to pass by-laws respecting accessible parking and for the removal of a vehicle at the owner's expense;

AND WHEREAS Part IX of the *Highway Traffic Act* authorizes a municipality to provide for rates of speed within the municipality;

AND WHEREAS Section 7.1 of the *Fire Protection and Prevention Act, 1997* authorizes a municipality to pass by-laws designating private roads as fire routes and providing for the impounding of any vehicle parked or left along any of the fire routes at the expense of the owner of the vehicle;

AND WHEREAS Subsection 7(2) of the *Motorized Snow Vehicles Act* authorizes a municipality to pass by-laws respecting the operation of motorized snow vehicles within a municipality, including any highways;

AND WHEREAS the Council for The Corporation of the Town of Caledon considers it advisable to enact an updated and consolidated traffic by-law;

NOW THEREFORE the Council of The Corporation of the Town of Caledon **ENACTS AS FOLLOWS:**

PART 1 - DEFINITIONS

GENERAL DEFINITIONS

1.1 Where words and phrases used in this by-law are defined in the *HIGHWAY TRAFFIC ACT*, but not defined in this by-law, the definitions in the *HIGHWAY TRAFFIC ACT* and its regulations or its successors shall apply to such words and phrases.

SPECIFIC DEFINITIONS

1.2 In this by-law, the following terms shall have the meaning indicated:

- **ACCESS AISLE**
An area adjacent to an accessible **PARKING SPACE**, on which **PARKING** is not permitted, so that **PERSONS** with disabilities may get into and out of a vehicle parked in the accessible parking space.
- **ACCESSIBLE PARKING PERMIT**
means a permit issued to a **PERSON** who meets the requirements of the Ministry of Transportation as set out in Ontario R.R.O. 1990, Reg 581 (Accessible Parking for Persons with Disabilities) of the *HIGHWAY TRAFFIC ACT*.

- **AUTHORIZED SIGN**
Includes any sign or ROADWAY, curb or SIDEWALK marking 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.
- **BICYCLE**
includes a tricycle, unicycle and a POWER-ASSISTED BICYCLE but does not include a MOTOR ASSISTED BICYCLE.
- **BICYCLE LANE**
means a facility designed for BICYCLES located in the traveled portion of the street or ROADWAY and denoted by pavement markings and signage.
- **BICYCLE TRACK**
means a facility designed for BICYCLES, between the CURB LINE and the adjacent property line, horizontally and vertically separated from the travelled portion of ROADWAY, and denoted by pavement marking and signage.
- **BOULEVARD**
means
 - (a) that part of a HIGHWAY from the CURB LINE to the nearest lateral property line, but does not include a SHOULDER, SIDEWALK or MULTI-USE PATH; or
 - (b) any centre MEDIAN STRIP or island separating two ROADWAYS.
- **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 a HIGHWAY.
- **COMMUNITY SAFETY ZONE**
means a HIGHWAY or portion of a HIGHWAY designated as such under this by-law and signed pursuant to the regulations of the *HIGHWAY TRAFFIC ACT*.
- **CORNER**
means the point of INTERSECTION of curbs or edges of the travelled portion of the HIGHWAY.
- **COUNCIL**
means the Council of The Corporation of the Town of Caledon.
- **CROSSWALK**
means
 - (a) that part of a HIGHWAY at an INTERSECTION that is included within the connections of the lateral lines of the SIDEWALKs on opposite sides of the HIGHWAY measured from curbs, or in the absence of curbs, from the edges of the ROADWAY, or
 - (b) 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 of the ROADWAY; but excludes PEDESTRIAN CROSSOVER.
- **CUL-DE-SAC**
means the area at the end of a closed ended street designed for VEHICLES to turn around.
- **CURB LINE**
means the line of the curb, or, where no curb is constructed, the edge of the travelled portion of the HIGHWAY.
- **DESIGNATED ACCESSIBLE PARKING SPACE**
means a PARKING SPACE designated for the use of PERSONS with disability required by Ontario Regulation 191/11 (Integrated Accessibility Standards) as amended made under the Accessibility for Ontarians with Disabilities Act, 2005 as amended, and identified by an ACCESSIBLE PARKING PERMIT sign as set out in Section 11(a) of Ontario R.R.O. 1990, Reg 581 (Accessible Parking for Persons with Disabilities) of the *HIGHWAY TRAFFIC ACT*.

- **DIRECTOR**
means both the TOWN's Director of Engineering Services and the Director of Operations, acting either individually or together, or such PERSONS as they may designate to carry out their duties and, in the event of organizational changes, includes the successor position(s).
- **E-SCOOTER**
Means a one-person VEHICLE with no more than two wheels, that has handlebars, is designed to be stood upon by the driver, with no pedals or seat, is equipped with a brake system, has a maximum wheel diameter of 17 inches, has a maximum weight of 45 kilograms including the weight of the battery, is equipped with an electric motor of not more than 500 watts that allows for a maximum speed of 32 kilometres per hour. If an e-scooter is otherwise defined in the *HIGHWAY TRAFFIC ACT* and its regulations, e-scooter shall then have the meaning as defined in the *HIGHWAY TRAFFIC ACT* and its regulation.
- **FILM PRODUCTION**
means the making of any film or video production or television broadcast.
- **FIRE CHIEF**
means the Chief Fire Official appointed by COUNCIL or their designate.
- **FIRE DEPARTMENT VEHICLE**
includes any MOTOR VEHICLE, vehicle and equipment used by the TOWN's Fire and Emergency Services Department.
- **FIRE ROUTE**
means a PRIVATE ROADWAY or an access route, denoted by fire route signs, for FIRE DEPARTMENT VEHICLES to gain access to a building or a property in response to an emergency.
- **FIRE ROUTE SIGN**
means a designated FIRE ROUTE sign as set out in Schedule "P" to this by-law.
- **HEAVY TRUCK**
means a COMMERCIAL MOTOR VEHICLE having a registered gross VEHICLE weight of four thousand five hundred (4,500) kilograms or more but does not include passenger VEHICLES, ambulances, fire apparatus, police vehicles, VEHICLES owned or operated for the TOWN, The Regional Municipality of Peel, the Ministry of Transportation (Ontario) or any utility.
- **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 passage of VEHICLES and includes the area between the lateral property lines thereof.
- **HIGHWAY TRAFFIC ACT**
means the *Highway Traffic Act*, R.S.O. 1990 Chapter H.8 as amended from time to time and includes all regulations thereunder and its successors.
- **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.
- **LARGE CARGO POWER-ASSISTED BICYCLE**
Includes a cargo POWER-ASSISTED BICYCLE or tricycle with (i) a continuous rated output power not exceeding 500 watts; and (ii) a width that is greater than 0.9 metres and weighing not more than 120 kilograms unladen but does not include any VEHICLE or BICYCLE capable of being propelled or driven solely by any power other than muscular power.
- **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, a painted area or an unpaved strip of ground.

- **MOTOR ASSISTED BICYCLE**
means a BICYCLE,
 - (a) fitted with pedals which are operable at all times to propel the BICYCLE;
 - (b) weighing not more than 55 kilograms;
 - (c) which has no hand or foot operated clutch or gearbox driven by the motor and transferring power to the drive wheel;
 - (d) that has an attached motor driven by electricity or having a piston displacement of not more than fifty cubic centimetres; and
 - (e) which 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 2.0 kilometres from a standing start.
- **MOTORCYCLE**
means a self-propelled VEHICLE having a seat 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 but does not include a MOTOR ASSISTED BICYCLE.
- **MOTOR VEHICLE**
includes an automobile, MOTORCYCLE, MOTOR ASSISTED BICYCLE unless otherwise indicated in the *HIGHWAY TRAFFIC ACT*, and any other VEHICLE propelled or driven otherwise than by muscular power, but does not include a streetcar, 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 *HIGHWAY TRAFFIC ACT*, as amended.
- **MULTI-USE PATH (MUP)**
means a two-way path shared by cyclists and pedestrians between the CURB LINE and the adjacent property line, horizontally and vertically separated from the travelled portion of ROADWAY by a curb and buffer.
- **MUNICIPAL LAW ENFORCEMENT OFFICER**
means a PERSON appointed by COUNCIL for the TOWN for the enforcement of its by-laws.
- **OWNER**
When used in connection with property, includes
 - (a) in the case of a property upon which there is a condominium, the corporation incorporated under the *Condominium Act*, as amended, for that condominium;
 - (b) the PERSON shown as the OWNER of the property on the last revised assessment roll;
 - (c) the PERSON who is or appears to be receiving rent or other compensation from the use of land by a third party whether they are receiving it on their own account or as agent, trustee or representative or like capacity; and
 - (d) the PERSON shown as the registered OWNER of the property in the records of the Land Registry Office.
- **PARK or PARKING**
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.
- **PARKING LOT**
means any property, other than a HIGHWAY, used or intended to be used for the temporary PARKING of vehicles to which the public has access, whether on payment of a fee or otherwise, and includes a commercial parking lot and a municipal parking lot.

- **PARKING SPACE**
means a portion of the surface of a HIGHWAY or property which is intended for PARKING of MOTOR VEHICLES and is designated as such by AUTHORIZED SIGNS or pavement marking.
- **PEDESTRIAN**
includes a PERSON in a WHEELCHAIR and a child in a baby carriage.
- **PEDESTRIAN CROSSOVER**
means any portion of a ROADWAY, at an INTERSECTION or elsewhere, designated by this by-law and distinctly indicated for PEDESTRIAN crossing by signs on the HIGHWAY and lines or other markings on the surface of the ROADWAY as prescribed by the regulations of the *HIGHWAY TRAFFIC ACT*.
- **PERSON**
Includes a corporation.
- **POLICE OFFICER**
means a member of a Police Service as defined in the Community Safety and Policing Act, 2019.
- **POWER-ASSISTED BICYCLE**
means a pedal-driven BICYCLE of conventional exposed fork-and-frame BICYCLE design and appearance that does not resemble a motor scooter or MOTORCYCLE, and that,
 - (1) *has two or three wheels,*
 - (2) *is fitted at all times with pedals that are always operable to propel the BICYCLE,*
 - (3) *is capable at all times of being propelled on level ground solely by using muscular power to operate the pedals,*
 - (4) *is not capable of being propelled or driven solely by any power other than muscular power.*
 - (5) *has steering handlebars,*
 - (6) *has wheels that have a width of not less than 35 millimetres and a diameter of not less than 350 millimetres,*
 - (7) *has one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding 500 watts and that is incapable of providing propulsion assistance when the BICYCLE attains a speed of 32 kilometres per hour or more, and*
 - (8) *weighs not more than 55 kilograms*
- **PRIVATE PROPERTY**
means property other than that owned by the TOWN.
- **PRIVATE ROADWAY**
means any lane, ramp or other means of vehicular access to or egress from a building or structure which is not a HIGHWAY and may include part of a private PARKING LOT.
- **PROVINCIAL OFFENCES OFFICER**
means a PERSON as designated as such under Section 1 of the Provincial Offences Act, R.S.O. 1990, c. P.33.
- **PUBLIC VEHICLE**
means a MOTOR VEHICLE operated on a HIGHWAY by, for or on behalf of any PERSON for the transportation for compensation of passengers, or passengers and express freight that might be carried in a passenger VEHICLE but does not include the cars of electric or steam railways running only upon rails, taxicabs, carpool VEHICLES.
- **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.

- **ROLLER SKATES**
also referred to as inline skates and quad skates, are shoes or bindings that fit onto shoes that are worn to enable the wearer to roll along wheels.
- **ROUNDBOUT**
means a raised island or pavement marking island located in the center of an INTERSECTION, which requires VEHICLES to travel through the INTERSECTION in a counterclockwise direction around the island.
- **SCHOOL CROSSING**
means that portion of a HIGHWAY designated as a school crossing by pavement markings and AUTHORIZED SIGNS, which facilitates the crossing of a HIGHWAY by school children when a crossing guard is present.
- **SCHOOL ZONE**
means the portion of a HIGHWAY that adjoins the entrance to or exit from an elementary or secondary school and that is within 150 metres along the HIGHWAY in either direction beyond the limits of the land used for the purposes of the school.
- **SCOOTER**
means a kick scooter, also referred to as a push-scooter that has two wheels along the same longitudinal axis, a platform for standing between the two wheels, a steering handlebar that acts directly on the steerable wheel and is propelled by the rider pushing off the ground with their foot.
- **SHOULDER**
means the paved or unpaved area adjacent to a ROADWAY, where there is no curb, but does not include a SIDEWALK.
- **SIDEWALK**
means an improved portion of a HIGHWAY between the CURB LINE and the adjacent property line, intended for the use of PEDESTRIANS.
- **SKATEBOARD**
means a type of sports equipment consisting of any number of wheels attached to a flat surface which is designed to support the weight of the rider, propelled by an electric motor or by the rider pushing off the ground with their foot.
- **SNOW REMOVAL OPERATIONS**
includes snow clearing, salting and sanding.
- **SPECIAL ENFORCEMENT AREA**
means designated areas as outlined in this by-law where existing "NO PARKING" or "NO STOPPING" infractions have higher fines.
- **STAND and 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.
- **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 constable or other POLICE OFFICER or of a traffic control sign or signal.
- **TOWN**
means The Corporation of the Town of Caledon.
- **TRAFFIC**
includes PEDESTRIANS, ridden or herded animals, VEHICLES and other conveyances travelling upon a HIGHWAY.

- **TRAFFIC CALMING MEASURE**
means any device on or next to the ROADWAY used to reduce the negative effects of MOTOR VEHICLE use in the immediate area.
- **TRAFFIC SIGNAL or TRAFFIC CONTROL SIGNAL**
means a signal light TRAFFIC control system specified in the *HIGHWAY TRAFFIC ACT*, operated for the regulation and control of both vehicular and PEDESTRIAN TRAFFIC.
- **U-TURN**
means the turning of a VEHICLE within a HIGHWAY so as to proceed in the opposite direction.
- **VEHICLE**
includes a MOTOR VEHICLE, MOTOR ASSISTED BICYCLE, BICYCLE, LARGE CARGO POWER-ASSISTED BICYCLE, E-SCOOTER, trailer, traction engine, farm tractor, road-building machine and any VEHICLE drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or motorized vehicles running only upon rails.
- **WHEELCHAIR**
means a chair mounted on wheels driven by muscular or any other kind of power that is designed for and used by a PERSON whose mobility is limited by one or more conditions or functional impairments.

PART 2 - SIDEWALKS, BICYCLE TRACKS AND MULTI-USE PATHS

SIDEWALKS

- 2.1 No PERSON shall drive or operate any VEHICLE, except a BICYCLE, SKATEBOARD, ROLLER SKATES, SCOOTER, or any similar VEHICLE on a SIDEWALK except for the purpose of directly crossing a SIDEWALK.
- 2.2 No PERSON shall drive a BICYCLE with any wheel greater than fifty (50) centimetres in diameter upon any SIDEWALK except for the purpose of directly crossing it.
- 2.3 No PERSON shall PARK any VEHICLE, except a BICYCLE, on a SIDEWALK.
- 2.4 No PEDESTRIAN shall proceed over or go under a barrier installed on a SIDEWALK for the purpose of prohibiting PEDESTRIAN movement.
- 2.5 No PERSON shall ride upon or operate a BICYCLE, SKATEBOARD, ROLLER SKATES, SCOOTER, or any similar VEHICLE on a SIDEWALK recklessly or negligently or at a speed or in a manner dangerous to the public, having regard to circumstances.
- 2.6 **Exceptions:** For the purposes of Articles 2.1 to 2.3 and Article 2.5, a BICYCLE does not include a POWER-ASSISTED BICYCLE, or a BICYCLE capable of being propelled or driven solely by any power other than muscular power.

BICYCLE TRACKS AND MULTI-USE PATHS

- 2.7 A designation of the lanes or portions of the lanes on HIGHWAYS as a BICYCLE TRACK or a MUP under this by-law shall be effective upon the erection of AUTHORIZED SIGNS to that effect.
- 2.8 No PERSON shall drive or operate
 - (a) any VEHICLE, except a BICYCLE, LARGE CARGO POWER-ASSISTED BICYCLE, or E-SCOOTER on a BICYCLE TRACK except for the purpose of directly crossing it.
 - (b) any VEHICLE, except a BICYCLE, SCOOTER, E-SCOOTER, ROLLER SKATES, OR SKATEBOARD on a MUP except for the purpose of directly crossing it.
- 2.9 No PEDESTRIAN shall travel on a BICYCLE TRACK except for the purpose of directly crossing it.

- 2.10 No PERSON shall PARK any VEHICLE, except a BICYCLE or E-SCOOTER, on a BICYCLE TRACK or MUP. The BICYCLE or E-SCOOTER shall be parked in a manner as to cause the least possible obstruction to TRAFFIC on BICYCLE TRACK or MUP.
- 2.11 No PERSON shall proceed over or go under a barrier installed on or on sides of a BICYCLE TRACK or MUP for the purpose of prohibiting BICYCLE or PEDESTRIAN movement.
- 2.12 Where a BICYCLE TRACK or MUP intervenes between a transit bus stop and the respective passenger waiting area; when a PERSON in charge of a VEHICLE on the BICYCLE TRACK or MUP approaches a transit bus which is stationary for the purpose of taking on or discharging passengers, the PERSON in charge of the VEHICLE shall not pass the bus or approach nearer than 2 metres from a door, as measured from the rear or front door, as the case may be, of the bus on the side on which passengers are being taken on or discharged until the passengers have crossed the BICYCLE TRACK or MUP.

PART 3 - ROADWAYS AND PARKING

PEDESTRIANS' RIGHTS AND RESPONSIBILITIES

- 3.1 Except where TRAFFIC CONTROL SIGNALS are in operation or where TRAFFIC is being controlled by a POLICE OFFICER, a PEDESTRIAN crossing a ROADWAY at a place other than a CROSSWALK or PEDESTRIAN CROSSOVER shall yield the right-of-way to all VEHICLES on the ROADWAY, but nothing in this article shall relieve the driver of a VEHICLE from the obligation of taking all due care to avoid a collision.
- 3.2 No PERSON shall play or take part in any game or sport on a ROADWAY.
- 3.3 Where there are SIDEWALKS, BICYCLE TRACKS or MUPs provided on a HIGHWAY, no PERSON on a SKATEBOARD, ROLLER SKATES, or riding in or by means of, any coaster, toy vehicle, or similar device, shall travel on any ROADWAY, except for the purpose of crossing the road, and, when so crossing such PERSON shall have the rights and be subject to the obligations of a PEDESTRIAN described in Article 3.1.
- 3.4 Where an AUTHORIZED SIGN to that effect is displayed, no PERSON shall enter on or cross the ROADWAY of the HIGHWAY.

BICYCLES AND E-SCOOTERS REGULATIONS

- 3.5 A PERSON operating a BICYCLE, LARGE POWER-ASSISTED CARGO BICYCLE or E-SCOOTER on a ROADWAY shall ride as near 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.
- 3.6 PERSONS operating a BICYCLE, LARGE POWER-ASSISTED CARGO BICYCLE or E-SCOOTER upon a ROADWAY shall ride in single file.
- 3.7 Every PERSON operating a BICYCLE, LARGE POWER-ASSISTED CARGO BICYCLE or E-SCOOTER shall, when riding on a ROADWAY, always keep both hands on the handlebars except for the purposes of signalling and their feet on the BICYCLE pedals.
- 3.8 No PERSON,
 - (a) operating a BICYCLE, LARGE POWER-ASSISTED CARGO BICYCLE or E-SCOOTER shall carry any package, bundle or article which prevents the rider from keeping both hands on the handlebars.
 - (b) shall operate an E-SCOOTER, a POWER-ASSISTED BICYCLE or a LARGE POWER-ASSISTED CARGO BICYCLE on a ROADWAY with a posted speed limit higher than 50km/h.

REGULATIONS FOR TRAFFIC

- 3.9 The driver of a VEHICLE emerging from a driveway, laneway or building onto a HIGHWAY shall bring the VEHICLE to a full stop immediately before driving onto a SIDEWALK, BICYCLE LANE, BICYCLE TRACK, or a MUP and upon proceeding shall

yield the right-of-way to PEDESTRIANS, BICYCLES, and any other users, described in this by-law, of the SIDEWALKS, BICYCLE LANES, BICYCLE TRACKS and MUPs.

- 3.10 No PERSON shall drive a MOTOR VEHICLE over a raised curb except at a place where there is a ramp designated for that purpose.
- 3.11 No driver of a VEHICLE approaching a green signal light at an INTERSECTION shall enter the INTERSECTION unless TRAFFIC in front of them is moving in a manner that would reasonably lead them to believe they can clear the INTERSECTION before the signal light turns red.
- 3.12 Article 3.11 does not apply to the driver of a VEHICLE who enters an INTERSECTION for the purpose of turning to the right or left into an intersecting HIGHWAY and signals their intention to make such turn prior to entering the INTERSECTION.

Heavy Truck Restrictions

- 3.13 When AUTHORIZED SIGNS to restrict HEAVY TRUCKS are erected, no PERSON shall move, drive, PARK or operate a HEAVY TRUCK, on any such HIGHWAY.
- 3.14 **Exceptions:** Article 3.13 shall not apply to:
- (a) Any HEAVY TRUCK actually engaged in making a delivery to, a collection from, or providing a service to premises which cannot be reached except by way of a HIGHWAY or a portion of HIGHWAY referred to in 3.13, provided that in making such a delivery, collection or providing the service the said HIGHWAY or portion of HIGHWAY is travelled only insofar as is unavoidable in getting to and from such premises and provided that the driver of the HEAVY TRUCK is able to produce a bill of lading for that delivery upon demand by a POLICE OFFICER.
 - (b) Any HEAVY TRUCK engaged in leaving from or returning to the said VEHICLE's OWNER's or driver's principal residence provided that in so leaving from or returning to their principal residence, the said portion of HIGHWAY that is used is travelled only insofar as is unavoidable in getting to and from such premises and provided such storage of their VEHICLE is permitted under the TOWN's Zoning By-Law.
 - (c) Any HEAVY TRUCKS:
 - (1) *used exclusively for the transportation of milk;*
 - (2) *used exclusively for the transportation of livestock, feed and live poultry;*
 - (3) *used exclusively for the transportation of liquid or gaseous heating fuel;*
 - (4) *being operated under a permit issued by the DIRECTOR;*
 - (5) *upon which a farm plate is attached, in accordance with the provisions of the HIGHWAY TRAFFIC ACT; and*
 - (6) *used exclusively for the delivery of goods for agricultural purposes, provided that the driver of the HEAVY TRUCK is able to produce a bill of lading for that delivery upon demand by a POLICE OFFICER.*

Load Weight Restrictions

- 3.15 No COMMERCIAL MOTOR VEHICLE or trailer, other than a PUBLIC VEHICLE or a two axle tank-truck or a two axle truck, while either is used as referred to in Section 122 of the *HIGHWAY TRAFFIC ACT*, shall be operated or drawn on the HIGHWAYS during the period commencing on the first day of January up to and including the 31st day of December in each and every year when appropriate signs have been erected by the DIRECTOR, where any axle of such COMMERCIAL MOTOR VEHICLE or trailer transmit to the HIGHWAY, weight in excess of 5,000 kilograms.
- 3.16 **Exception:** Article 3.15 does not apply to prevent the operation of a COMMERCIAL MOTOR VEHICLE or trailer on the parts of the HIGHWAYS where a special permit has been applied for and obtained from the DIRECTOR.
- 3.17 A special permit may be made subject to such terms and conditions as the DIRECTOR deems appropriate.
- 3.18 Notwithstanding Article 3.13, 3.14 and 3.16, where AUTHORIZED SIGNS are erected indicating a bridge's maximum allowable weight, no PERSON shall operate a MOTOR VEHICLE upon that bridge where the VEHICLE's gross weight is more than the posted limit.

Stop Signs

- 3.19 The INTERSECTIONS set out in Column 1 of Schedule "A" attached to this by-law are designated as INTERSECTIONS where stop signs shall be erected facing TRAFFIC travelling in the direction shown in Column 2 and on the HIGHWAY shown in Column 3.

Yield Signs

- 3.20 The INTERSECTIONS set out in Column 1 of Schedule "B" attached to this by-law are designated as INTERSECTIONS where yield signs shall be erected facing TRAFFIC travelling in the direction shown in Column 2 and on the HIGHWAY shown in Column 3.

Speed Limits

- 3.21 Where AUTHORIZED SIGNS are erected, no MOTOR VEHICLE shall be driven at a greater rate of speed than that specified in Column 3 of Schedule "C" on the HIGHWAY set out in Column 1 and between the limits set out in Column 2 of the said schedule.
- 3.22 The maximum rate of speed on any HIGHWAY under the jurisdiction of the TOWN shall be 50 kilometres per hour, except where AUTHORIZED SIGNS have been erected and are on display in accordance with the maximum rate of speed prescribed in Article 3.21.
- 3.23 Where AUTHORIZED SIGNS are erected, no PERSON shall drive a MOTOR VEHICLE on a HIGHWAY within a SCHOOL ZONE at a speed greater than 40 kilometers per hour, on the days when school is regularly held.
- 3.24 Where AUTHORIZED SIGNS are erected and amber flashing beacons are activated, no PERSON shall drive a MOTOR VEHICLE within a SCHOOL ZONE on the HIGHWAYS set out in Column 1 of Schedule "D" attached to this by-law, between the limits set out in Column 2 of the said schedule, during the times set out in Column 3, the maximum rate of speed in kilometers per hour shall be that set out in Column 4 of the said schedule.

One Way Traffic

- 3.25 Where AUTHORIZED SIGNS are erected, the HIGHWAYS set out in Column 1 of Schedule "E" attached to this by-law between the limits set out in Column 2 are restricted to one-way TRAFFIC in the direction set out in Column 3.
- 3.26 The circle of a ROUNDABOUT is restricted to one-way TRAFFIC travelling in a counterclockwise direction.

Prohibited Turns

- 3.27 When an AUTHORIZED SIGN to that effect is displayed, no VEHICLE in any INTERSECTION or portion of the HIGHWAY set out in Column 1 of Schedule "F" to this by-law approaching the location or emerging from a property set out in Column 2 proceeding in the direction set out in Column 3, shall complete the turn set out in Column 4, during the times or days set out in Column 5.

Two-way Left Turn Only Lanes

- 3.28 Where AUTHORIZED SIGNS are erected, the HIGHWAYS set out in Column 1 of Schedule "G" attached to this by-law, having been divided into clearly marked lanes for TRAFFIC between the limits set out in Column 2, the designated center lanes shall be used for left turns only.

Designated Bicycle Lanes

- 3.29 Where signs to that effect are displayed on HIGHWAYS set out in Column 1 of Schedule "H" of this by-law having been divided into clearly marked lanes for BICYCLE TRAFFIC within the limits set out in Column 2, the lane identified in Column 3 is hereby designated only for BICYCLES travelling in the direction indicated in Column 4
- 3.30 No PERSON shall operate a VEHICLE other than a BICYCLE or a LARGE CARGO POWER-ASSISTED BICYCLE in any BICYCLE LANE except for the purpose of:

- (a) Ingress to or egress from a private lane or driveway adjacent to the BICYCLE LANE;
 - (b) Making a turn at a HIGHWAY intersecting the BICYCLE LANE;
 - (c) Entering or exiting a curb lane used for PARKING;
 - (d) Loading or unloading of a PERSON with a disability, while actively engaged in doing so;
 - (e) Operating a school bus while actively engaged in picking up or dropping off school children; or
 - (f) Operating a taxicab while actively engaged in loading or unloading of passengers.
- 3.31 No PERSON operating a VEHICLE in a BICYCLE LANE for the purposes set out in Article 3.30 shall operate a VEHICLE in the lane for a distance exceeding 45 metres.
- 3.32 Subject to Article 3.30(d), (e) and (f) no PERSON shall STOP a VEHICLE, other than a BICYCLE in a BICYCLE LANE.
- 3.33 Where a PERSON in charge of a BICYCLE or a LARGE CARGO POWER-ASSISTED BICYCLE on a BICYCLE LANE approaches a transit bus which is stationary for the purpose of taking on or discharging passengers, the PERSON on a BICYCLE or a LARGE CARGO POWER-ASSISTED BICYCLE shall not pass the bus or approach nearer than 2 metres measured back from the rear or front entrance or exit, as the case may be, of the bus on the side on which passengers are getting on or off until the passengers have crossed the BICYCLE LANE.

Motorized Snow Vehicles

- 3.34 No PERSON shall drive a motorized snow VEHICLE on any HIGHWAY under the jurisdiction of the TOWN.
- 3.35 **Exceptions:** The Article 3.34 shall not apply:
- (a) To prevent a motorized snow VEHICLE being driven across a HIGHWAY under the jurisdiction of the TOWN at an angle of ninety (90) degrees to the direction of the HIGHWAY.
 - (b) In cases of emergency and special events, when the DIRECTOR has permitted the use of specific TOWN roads during specific times by motorized snow VEHICLES.

Community Safety Zones

- 3.36 Where AUTHORIZED SIGNS are erected, any HIGHWAY set out in Column 1 of Schedule "I" attached to this by-law, between the limits set out in Column 2, during the times, or on the days set out in Column 3, shall be designated as a COMMUNITY SAFETY ZONE.

Loads and Speeds on Bridges

- 3.37 When AUTHORIZED SIGNS are erected, no PERSON shall drive, move or operate any VEHICLE over any bridge where the VEHICLE's gross weight is more than the posted limit for such bridge.
- 3.38 When AUTHORIZED SIGNS are erected, no PERSON shall drive, move or operate any VEHICLE over any bridge at a speed greater than the posted speed limit for such bridge.

Excess Load Moving Permits

- 3.39 No PERSON shall move or permit or cause to be moved over a TOWN HIGHWAY any HEAVY VEHICLE, load, object or structure in excess of the dimensional limits set out in the *HIGHWAY TRAFFIC ACT* unless a prior permit has been issued therefor by the TOWN.
- 3.40 The DIRECTOR is hereby designated to issue a permit permitting the moving of HEAVY VEHICLES, loads, objects or structures in excess of the dimensional limits set out in the *HIGHWAY TRAFFIC ACT* where the moving will take place over TOWN HIGHWAYS.

STOPPING AND PARKING REGULATIONS

General Stopping and Parking

- 3.41 No PERSON shall PARK or STOP any VEHICLE on any HIGHWAY or portion thereof except as follows:
- (a) Where there is a raised curb, on the right side of the ROADWAY, having regard to the direction such VEHICLE was proceeding, with its right front and rear wheels parallel to and not more than Thirty (30) centimeters out from such curb; and
 - (b) Where there is no curb or a rolled curb, with the right front and rear wheels parallel to and as near top the right-hand limit of the HIGHWAY as is practicable without stopping or parking over a SIDEWALK or over any part of a HIGHWAY where grass is grown, or which is not intended for the use of VEHICLES.
- 3.42 When PARKING or STOPPING is permitted on the left side of a HIGHWAY designated for one-way TRAFFIC, no PERSON shall PARK or STOP any VEHICLE on the left side of the HIGHWAY or portion thereof except as follows:
- (a) Where there is a raised curb, on the left side of the ROADWAY, having regard to the direction such VEHICLE was proceeding, with its left front and rear wheels parallel to and not more than Thirty (30) centimeters out from such curb; and
 - (b) Where there is no curb or a rolled curb, with the left front and rear wheels parallel to and as near top the left-hand limit of the HIGHWAY as is practicable without stopping or parking over a SIDEWALK or over any part of a HIGHWAY where grass is grown, or which is not intended for the use of VEHICLES.
- 3.43 **Exceptions:** Article 3.41 and 3.42 shall not apply to:
- (a) Where angle parking is permitted.
 - (b) A MOTORCYCLE, provided that when parking is permitted no PERSON shall PARK or STOP a MOTORCYCLE on any HIGHWAY or portion thereof except at an angle not less than 45 degrees or greater than 60 degrees to the CURB LINE, without stopping or parking over a SIDEWALK or over any part of a HIGHWAY where grass is grown, or which is not intended for the use of VEHICLES.
- 3.44 Where parking spaces are distinctly marked by painted lines or some other means, no PERSON shall PARK or STOP a VEHICLE except within the marked area so that no part of the VEHICLE encroaches on an adjacent PARKING SPACE, aisle or TRAFFIC lane.
- 3.45 No PERSON shall STOP a VEHICLE on a HIGHWAY in any of the following places:
- (a) On or over a SIDEWALK or CROSSWALK;
 - (b) Within an INTERSECTION;
 - (c) Within a PEDESTRIAN CROSSOVER;
 - (d) Within thirty (30) metres of a PEDESTRIAN CROSSOVER on the approach side and within fifteen (15) metres of a PEDESTRIAN CROSSOVER beyond the crossover;
 - (e) Alongside or across the HIGHWAY from any excavation or obstruction in the ROADWAY when the free flow of TRAFFIC would thereby be impeded;
 - (f) On the ROADWAY alongside of any stopped or parked VEHICLE;
 - (g) upon any bridge or within any tunnel or underpass;
 - (h) On any BOULEVARD or centre strip separating two ROADWAYS or adjacent to either side or ends of such BOULEVARD or MEDIAN STRIP, except where such median strip is located in a CUL-DE-SAC and VEHICLES so parked do not interfere with the free flow of TRAFFIC; or
 - (i) Within thirty (30) metres of a SCHOOL CROSSING.
- 3.46 No PERSON shall PARK a VEHICLE on a HIGHWAY:
- (a) For a period longer than three (3) continuous hours;
 - (b) Between the hours of 2:00 a.m. and 6:00 am;
 - (c) In front of or within six (6) metres of a driveway or laneway along a HIGHWAY where the speed limit is higher than 50 km/h; and in front of any portion of a driveway or laneway along a HIGHWAY where the speed limit is 50 km/h or less;
 - (d) In a manner so as to obstruct VEHICLES in the use of a driveway or laneway;
 - (e) Within nine (9) metres of an INTERSECTION as measured from the end of the CORNER radius;

- (f) Within three (3) metres of a point on the edge of the HIGHWAY and nearest a fire hydrant;
- (g) Within fifteen (15) metres of the nearest rail of any level crossing of a railway;
- (h) On any ROADWAY having an overall width of less than six (6) metres;
- (i) In such a position as to prevent the removal of any other VEHICLE previously parked;
- (j) For the purpose of washing, greasing or repairing the VEHICLE, except for such repairs as have been necessitated by an emergency;
- (k) For the purpose of displaying the VEHICLE for sale;
- (l) which is immobile or is unlicensed for the current year;
- (m) In such a manner as to obstruct with the movement of TRAFFIC or SNOW REMOVAL OPERATIONS on the HIGHWAY;
- (n) On a ROADWAY directly opposite a VEHICLE stopped or parked on the other side of the ROADWAY, where the width of the ROADWAY is less than nine (9) metres;
- (o) On a BOULEVARD;
- (p) Within a designated BICYCLE LANE; or
- (q) That results in:
 - (1) *Overhanging a SIDEWALK or obstructing PEDESTRIAN access to travel on a SIDEWALK;*
 - (2) *Overhanging a CROSSWALK or obstructing PEDESTRIAN access to travel on the CROSSWALK; or*
 - (3) *Overhanging or being on a CURB LINE.*

3.47 Exception:

- (a) Article 3.46(a) & (b) shall not apply to a VEHICLE with a valid temporary parking pass issued in accordance with this by-law.
- (b) Article 3.46(o) shall not apply to the portion of the BOULEVARD within a private driveway between the travelled portion of the ROADWAY and SIDEWALK provided the parked VEHICLE does not project into the SIDEWALK or over a curb into the travelled portion of the ROADWAY.

3.48 In addition to Schedule "K", Schedule "L" and Schedule "M", where AUTHORIZED SIGNS are erected and are on display, no PERSON shall PARK or STOP any VEHICLE on any HIGHWAY:

- (a) Within fifteen (15) metres of an unsignalized INTERSECTION as measured from the end of the CORNER radius;
- (b) Within thirty (30) metres of an INTERSECTION controlled by TRAFFIC SIGNALS as measured from the end of the CORNER radius;
- (c) Within forty-five (45) metres of the bus stop sign on the approaching side and twenty-five (25) metres of a bus stop sign on the departing side;
- (d) Within a distance of up to 7.5 metres of any fire hall on the side of the HIGHWAY on which the fire hall is located or within a distance of up to 30.5 metres of such fire hall on the opposite side of the HIGHWAY;
- (e) Across from or adjacent to a school property between the hours of 8:00 a.m. to 5:00 p.m., from September 1 to June 30 inclusive, Monday to Friday inclusive;
- (f) Within the following distance of a CROSSWALK or PEDESTRIAN CROSSOVER controlled by TRAFFIC CONTROL SIGNALS and located other than at an INTERSECTION:
 - (1) *thirty (30) metres of the CROSSWALK or PEDESTRIAN CROSSOVER measured on each side of the HIGHWAY in the direction of travel of VEHICLES on that side of the HIGHWAY; and*
 - (2) *fifteen (15) metres of the CROSSWALK or PEDESTRIAN CROSSOVER measured on each side of the HIGHWAY in the direction opposite to the direction of travel of VEHICLES on that side of the HIGHWAY;*
- (g) Along a road where an Emergency No Parking prohibition is in effect;
- (h) Within a CUL-DE-SAC;
- (i) In front of the entrance to any place where goods or merchandise are regularly delivered or removed;
- (j) Within thirty (30) metres of a trail or PEDESTRIAN pathway access;

- (k) Across from or adjacent to a playground or park, between the hours of 8:00 a.m. and 11:00 p.m. on any day;
- (l) In a public lane;
- (m) Within fifteen (15) metres of the end of the CORNER radius, on the inside portion of a road elbow curve; or
- (n) Within fifteen (15) metres of a TRAFFIC CALMING MEASURE.

Angle Parking

3.49 Angle Parking is permitted on the HIGHWAYs at the side and between the limits set out respectively in Schedule "J", provided:

- (a) Subject to Article 3.49 (b) and (c), no PERSON shall STOP or PARK any VEHICLE except at an angle of 45 degrees to the curb or boundary of the ROADWAY;
- (b) No PERSON shall PARK a MOTORCYCLE at an angle less than 45 degrees or greater than 60 degrees to the curb; and
- (c) A BICYCLE may be parked at a 90 degree angle to the curb.

No Parking

3.50 Where AUTHORIZED SIGNS are erected, no PERSON shall, in contravention thereof, PARK a VEHICLE on any HIGHWAY set out in Column 1 of Schedule "K" attached to this by-law, at the sides of the HIGHWAY set out in Column 2, between the limits set out in Column 3, during the times, or on the days, set out in Column 4.

3.51 Where AUTHORIZED SIGNS are erected, no PERSON shall, in contravention thereof, PARK a VEHICLE on any HIGHWAY set out in Column 1 of Schedule "L" attached to this by-law, at the sides of the HIGHWAY set out in Column 2, between the limits set out in Column 3, during the times, or on the days set out in Column 4 for a longer period than set out in Column 5.

No Stopping

3.52 Where AUTHORIZED SIGNS are erected, no PERSON shall, in contravention thereof, STOP a VEHICLE on any HIGHWAY set out in Column 1 of Schedule "M" attached to this by-law, at the sides of the HIGHWAY set out in Column 2, between the limits set out in Column 3, during the times, or on the days set out in Column 4.

Special Enforcement Area

3.53 Where AUTHORIZED SIGNS are erected, any HIGHWAY set out in Column 1 of Schedule "N" attached to this by-law, at the sides set out in Column 2, between the limits set out in Column 3, shall be designated as a SPECIAL ENFORCEMENT AREA.

3.54 No PERSON shall PARK, STAND or STOP a VEHICLE in contravention of any provision of this by-law within a SPECIAL ENFORCEMENT AREA designated under Article 3.53 during the times, or on days set out in Column 4 of Schedule "N" of this by-law.

Emergency No Parking

3.55 The DIRECTOR is authorized to erect emergency "No Parking" signs:

- (a) When in DIRECTOR's opinion an emergency has arisen making it desirable to prohibit parking on a HIGHWAY in the interests of safety;
- (b) To facilitate the removal of snow, ice, or debris from a HIGHWAY; and
- (c) To facilitate the construction or repair of HIGHWAYs, curbs, gutters, sewers, and SIDEWALKs.

3.56 The emergency "No Parking" signs shall be erected as soon as reasonably practical before the event commences or after the event has commenced and shall be removed as soon as reasonably practical after the event has concluded.

Parking of Heavy Trucks

- 3.57 No PERSON shall PARK, STOP, or STAND a HEAVY TRUCK on any HIGHWAY in a residential or institutional use under the TOWN's Zoning By-law.
- 3.58 The provisions of Article 3.57 do not apply to a school bus or to any VEHICLE carrying passengers and goods to and from premises which cannot be reached except by way of a HIGHWAY or portion thereof in a residential or institutional zone and do not apply to a COMMERCIAL MOTOR VEHICLE which attends at a residential premise within the prohibited area for the purpose of delivery or service and which is parked for a temporary period only.

Temporary Parking Pass

- 3.59 No PERSON, without a valid temporary parking pass, shall PARK a VEHICLE on a HIGHWAY:
- (a) For period longer than three (3) continuous hours;
 - (b) Between the hours of 2:00 a.m. and 6:00 am;
- 3.60 The DIRECTOR is hereby designated to issue a temporary parking pass and determine such procedures, terms, and conditions under which a temporary parking pass may be issued.
- 3.61 A temporary parking pass shall not grant any exemption to any regulations set out in this By-law except for the purpose specified on the pass in accordance with Article 3.59.

Accessible Parking for Persons with Disabilities

- 3.62 No PERSON shall PARK, STOP or STAND a vehicle in a DESIGNATED ACCESSIBLE PARKING SPACE, or be entitled to the benefit of an exemption under this by-law, unless a currently valid ACCESSIBLE PARKING PERMIT has been issued to that PERSON or to a passenger being picked up or transported in such VEHICLE, and such permit is displayed on or in the VEHICLE in accordance with the *HIGHWAY TRAFFIC ACT*.
- 3.63 No PERSON driving a VEHICLE displaying a VALID ACCESSIBLE PARKING PERMIT, shall PARK on or behind an ACCESS AISLE.
- 3.64 Every OWNER and operator of a PARKING LOT who is required to provide a DESIGNATED ACCESSIBLE PARKING SPACE is responsible for the procurement, installation and maintenance of the accessible parking sign and for ensuring that the sign conforms with the *HIGHWAY TRAFFIC ACT* and to the requirements of this by-law.
- 3.65 No PERSON shall relocate or remove a DESIGNATED ACCESSIBLE PARKING SPACE without the prior written approval of the DIRECTOR.
- 3.66 No OWNER or operator of a PARKING LOT shall at any time obstruct, cause to be obstructed or permit to be obstructed by any means or in any manner a DESIGNATED ACCESSIBLE PARKING SPACE.
- 3.67 Every OWNER or operator of a PARKING LOT who is required to provide a DESIGNATED ACCESSIBLE PARKING SPACE shall keep the PARKING SPACE clear of snow and ice.
- 3.68 Where an OWNER or operator of a PARKING LOT is required to provide a DESIGNATED ACCESSIBLE PARKING SPACE and fails to maintain a PARKING SPACE in good repair the TOWN may undertake or cause to undertake the necessary repair at the OWNER's or operator's expense and the TOWN may recover the expense incurred in doing it by action or in like manner as municipal taxes.
- 3.69 The OWNER or operator of a PARKING LOT shall not require the driver of a VEHICLE on or in which a permit is displayed in accordance with the requirements of the *HIGHWAY TRAFFIC ACT* and this by-law to pay an amount in excess of the normal fee paid by other users of the same PARKING LOT.
- 3.70 The OWNERS and operators of PARKING LOTs or other parking facilities to which the public has access, whether on payment of a fee or otherwise, shall provide DESIGNATED ACCESSIBLE PARKING SPACES in accordance with Ontario Regulation 191/11 (Integrated Accessibility Standards) as amended made under the Accessibility for

Ontarians with Disabilities Act, 2005 as amended, as well as meeting the technical guidelines set out in Schedule "O" of this by-law.

PART 4 - FIRE ROUTES

- 4.1 Every route that is required to be provided, pursuant to the *Building Code Act*, 1992, S.O. 1992, c. 23, and the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c.4, and regulations made under these Acts, for the access of FIRE DEPARTMENT VEHICLES, except for any access route relating to detached dwellings, semi-detached dwellings or on-street row housing, is designated as a FIRE ROUTE.
- 4.2 The FIRE CHIEF shall cause a notice to be either personally delivered or mailed by prepaid registered mail to the OWNER of the property where a FIRE ROUTE has been designated containing:
 - (a) The date on which the FIRE ROUTE was designated;
 - (b) A site plan outlining the location of the designated FIRE ROUTE and AUTHORIZED SIGN locations; and
 - (c) A copy of this by-law.
- 4.3 Where a FIRE ROUTE has been designated under this by-law, the OWNER of the property upon which the route is located:
 - (a) Shall construct a FIRE ROUTE in accordance with the FIRE ROUTE requirements set out in Schedule "P" to this by-law; and
 - (b) Shall install FIRE ROUTE SIGNS along the designated FIRE ROUTE in accordance with the sign design standards set out in Schedule "P" to this by-law and in the locations outlined on the site plan of the property.
- 4.4 Where the OWNER fails to construct a designated FIRE ROUTE in accordance with the provisions of this by-law:
 - (a) The FIRE CHIEF may issue a notice to comply requiring the OWNER to construct a FIRE ROUTE in accordance with the provisions of this by-law by the time specified in the notice;
 - (b) The FIRE CHIEF shall cause the notice to comply to be either personally delivered or mailed by prepaid registered mail to the OWNER; and
 - (c) The OWNER of the property shall comply with the requirements of the notice to comply.
- 4.5 The OWNER shall keep a designated FIRE ROUTE:
 - (a) In good repair;
 - (b) Clear of ice and snow; and
 - (c) Free of all forms of barriers and obstructions.
- 4.6 The OWNER shall keep all AUTHORIZED SIGNS in good repair and in a clearly visible location.
- 4.7 Except as otherwise provided in this by-law, no PERSON shall, without the prior permission of the FIRE CHIEF, place, erect, install, alter, move, remove or deface or in any manner obstruct or interfere with a FIRE ROUTE SIGN or in any manner change the design of or the contact identified in a FIRE ROUTE SIGN.
- 4.8 Where the OWNER fails to erect or to maintain an AUTHORIZED SIGN in accordance with the provisions of this by-law, the TOWN may enter onto the OWNER's land and may undertake or cause to undertake the necessary repair to, or where required, may erect or replace an AUTHORIZED SIGN or signs at the expense of the OWNER and any costs incurred as a result thereof may be recovered in like manner as municipal taxes.
- 4.9 Notwithstanding that a FIRE ROUTE has been designated and constructed and that the AUTHORIZED SIGNS have been installed in accordance with this by-law:
 - (a) The FIRE CHIEF may, if it is required by the life safety provisions of the Fire Code, require that the FIRE ROUTE and the signs be modified to implement these life safety provisions;
 - (b) The FIRE CHIEF shall cause a notice to be either personally delivered or mailed by prepaid registered mail to the OWNER of the property setting out that such changes

- are required to be made to the FIRE ROUTE and/or to the AUTHORIZED SIGNS by the time specified in the notice;
- (c) The property OWNER shall comply with the requirements of the notice including performance of all work necessary on the FIRE ROUTE and the AUTHORIZED SIGNS; and
 - (d) Where the necessary work includes physical changes to the FIRE ROUTE, the FIRE CHIEF may require that any appropriate design professional certify the performance of the work.
- 4.10 No PERSON shall PARK a VEHICLE at any time on or along any part of a designated FIRE ROUTE along which AUTHORIZED SIGNS are erected.

PART 5 - OBSTRUCTION OF HIGHWAY

GENERAL

- 5.1 No PERSON shall obstruct, foul, encumber, or damage, or permit to be obstructed, encumbered, or damaged, any HIGHWAY or bridge under the jurisdiction of the TOWN of Caledon by any means whatsoever.
- 5.2 Without limiting the generality of Article 5.1, the obstruction or fouling of a HIGHWAY includes but not limited to:
- (a) The building or maintaining of a fence on a HIGHWAY;
 - (b) The depositing of snow or ice on a HIGHWAY;
 - (c) The depositing of large refuse containers or bulk containers on a HIGHWAY;
 - (d) The depositing of construction or landscaping materials on a HIGHWAY; and
 - (e) The placing or depositing of firewood on a HIGHWAY.
- 5.3 No PERSON shall obstruct a ditch or culvert which is upon a HIGHWAY under the jurisdiction of the TOWN.
- 5.4 Unless in accordance with the TOWN's Encroachment By-law, 2022-027, as amended, no PERSON shall alter, disturb, injure, or landscape in any way or permit to be altered, disturbed, injured, or landscaped in any way, any grass portion of any BOULEVARD abutting PRIVATE PROPERTY including but not limited to planting of trees, shrubs, flowers, the building of fences, the building of retaining or decorative walls, tree rings, the installation of an irrigation system, or the installation of electrical wiring in or over a BOULEVARD.
- 5.5 Any PERSON employing or using equipment in making excavations for building and related purposes, and in conveying earth, rubbish or other material from such excavations, or from any other place along a HIGHWAY under the jurisdiction of the TOWN, or in any operation involving the passage of such equipment to and from any site, whether for building purposes or otherwise, shall at once remove from the HIGHWAY, all earth, rubbish or other material that may fall from the wheels of, or from such equipment.
- 5.6 The DIRECTOR may give to any PERSON who has obstructed, encumbered or damaged or permitted to be obstructed, encumbered or damaged, any HIGHWAY or bridge under the jurisdiction of the TOWN, notice in writing requiring the removal of earth, rubbish, other material or obstruction from the HIGHWAY of the TOWN within twelve (12) hours or, immediately, if deemed a safety hazard, and notifying such PERSON that in default of compliance with the said notice, the TOWN will perform the work at that PERSON's expense.
- 5.7 In the event that such PERSON does not comply with the direction in the notice, the TOWN may perform the work or cause it to be done, and the cost thereof may be recovered from such PERSON by court action or the same may be recovered in like manner as municipal taxes.
- 5.8 Where a PERSON contravenes any section under Part 5 of this by-law:
- (a) The PERSON is liable for all costs and damages incurred by the TOWN in regard to the HIGHWAY;
 - (b) The PERSON may be required by the DIRECTOR, at the PERSON's sole cost:

- (1) *to repair the damages to the HIGHWAY;*
 - (2) *to restore the HIGHWAY to the condition the HIGHWAY was in prior to the unauthorized work being performed; and*
- (c) The DIRECTOR may perform the works necessary to repair and restore the HIGHWAY to the condition the HIGHWAY was in prior to the unauthorized work being performed and all costs and expenses incurred thereby shall be borne by the PERSON, including damages and any other applicable fees under the applicable by-law.

CLEARING OF SNOW

5.9 No PERSON, when clearing snow from their property or driveway entrance, or when sanding or salting, shall deposit snow, sand or salt onto a HIGHWAY including the travelled portion of the road, within the BOULEVARD, in a drainage course, MUP, BICYCLE TRACK or upon a SIDEWALK, in such a way as to interfere with the clearing of snow from the road, or the movement of TRAFFIC

SALES OF GOODS

- 5.10 No PERSON shall display any goods, merchandise, products, refreshments, food stuffs or flowers or sell or offer for sale by retail any goods on a HIGHWAY unless otherwise by a permit issued by the Town of Caledon.
- 5.11 A POLICE OFFICER or a MUNICIPAL LAW ENFORCEMENT OFFICER who has reason to believe that any object, VEHICLE or thing is stopped, parked or placed on a public HIGHWAY under the jurisdiction of the Town of Caledon in contravention of Article 5.10, may cause it to be removed and taken to and stored in a suitable place.
- 5.12 Subject to Articles 5.13 and 5.14, all costs and charges for the removal, care and storage of any object, VEHICLE or thing under this by-law are a lien upon it which may be enforced by the TOWN in the manner provided by the Repair and Storage Liens Act.
- 5.13 An object, VEHICLE or thing removed and stored in accordance with Article 5.11 not claimed by the OWNER within sixty (60) days of removal is the property of the TOWN and may be sold and the proceeds shall form part of the general funds of the Town of Caledon.
- 5.14 Despite Article 5.13, any object or thing that is perishable becomes the property of the Town of Caledon upon being moved in accordance with Article 5.11 and may be destroyed.

SIGHTLINE OBSTRUCTION ON PRIVATE PROPERTY

5.15 No property shall have a fence, retaining wall, vegetation, or any other obstruction which encroaches into the vertical area contained within 0.914 and 2.4 metres above the finished grade of the abutting HIGHWAYS, and is within the triangular area indicated on Schedule Q - Sightline Obstruction on PRIVATE PROPERTY, attached to this by-law. This triangular area shall be created by joining the following three points: the ROADWAY point of INTERSECTION, the position of the stopped VEHICLE, and the sight distance clearance point, in accordance with Schedule "Q".

OCCUPANCY OF HIGHWAYS

- 5.16 The DIRECTOR may temporarily close any HIGHWAY when necessary by reason of any work or improvement being carried on thereon, or by reason of the condition thereof, or for any other cause deemed sufficient by the DIRECTOR and may erect and keep thereon or require the erection of any barricade or notice warning the public that such HIGHWAY is closed to TRAFFIC. Such temporary closure of a HIGHWAY or a portion of HIGHWAY may be:
- (a) For any period during the construction, repairing or improvement of the HIGHWAY or portion of it or of any works under, over, along, across or upon the HIGHWAY or portion of the HIGHWAY where such construction, repair or improvement is initiated by the Town of Caledon, Region of Peel or by a utility company;
 - (b) For a period up to and including thirty(30) days during the construction, repairing or improvement of the HIGHWAY or portion of it or of any works under, over, along,

across or upon the HIGHWAY or portion of the HIGHWAY where such construction, repair or improvement is privately initiated; and

- (c) For a period of not more than four consecutive days for social, recreational, community, athletic or FILM PRODUCTION purpose, or combination of such purposes.
- 5.17 The DIRECTOR is appointed as a PERSON to designate construction zones in Caledon for the purposes of Section 128(8.1) *HIGHWAY TRAFFIC ACT R.S.O 1990, c.H.8.*
- 5.18 No PERSON shall undertake construction, repair, a social event or any other work and activity over, on, under or adjacent to any TOWN HIGHWAY which is likely to require the temporary closing, cause obstruction or encumbering of part or all such HIGHWAY unless:
- (a) A permit has been issued by the DIRECTOR;
 - (b) Signs, barricades and other safety measures have been erected in accordance with the provisions of the permit; and
 - (c) Alternative TRAFFIC routes have been established in accordance with the provisions of the permit.
- 5.19 Notwithstanding the provisions of any other by-law, a permit issued in accordance with Article 5.18 shall permit for the period set out in such permit the physical closing of such HIGHWAY or part thereof to vehicular TRAFFIC provided local access for residents and emergency VEHICLES is maintained.

Permit Application

- 5.20 The DIRECTOR is hereby designated to issue a TOWN permit required under Article 5.18 and determine such procedures, terms, and conditions under which the said may be issued.
- 5.21 All applications for a TOWN permit required under Article 5.18 shall be made to and on the prescribed forms and shall be accompanied by such other supportive materials as may be required by the DIRECTOR, and by a non-refundable administration fee as set out in the Fees and Charges By-Law.
- 5.22 The permit application in accordance with Article 5.21 shall be made at least three (3) weeks prior to the date for which such permit is to be applicable.
- 5.23 If the work to be undertaken is required immediately for public health, safety or welfare reasons, an application for permit in accordance with Article 5.21 shall be made within the first four (4) hours of the first working day after the commencement of the work.
- 5.24 The applicant for the permit shall take such steps as are reasonable and necessary to advise and accommodate all PERSONS who will be affected by the temporary closure of the HIGHWAY or a portion of HIGHWAY.
- 5.25 The DIRECTOR shall issue a permit where the applicant complies with all the provisions of this by-law for the issuance of such permit unless the DIRECTOR has received written notice of opposition to the issuance of the permit in which case the DIRECTOR shall refer the application to COUNCIL.
- 5.26 No permit shall be issued pursuant to Article 5.16 of this By-law until the applicant has agreed to the following conditions:
- (a) To indemnify and save harmless the TOWN from any actions, loss, costs, claims or damages arising from the use or physical closing of the public HIGHWAY or part thereof for which the permit is authorized to be issued;
 - (b) To maintain access for local PEDESTRIAN and vehicular TRAFFIC which is separated from the access maintained for emergency VEHICLES;
 - (c) To supply, erect and maintain and remove at the permit holders expense all barricades, sign covers, lights, flagmen and other safety warning devices to protect vehicular and PEDESTRIAN TRAFFIC and to arrange for the restoration of the HIGHWAY to the condition which existed prior to the event taking place;
 - (d) Any other conditions which may be required by the DIRECTOR;
 - (e) The Applicant has paid a fee as set out in the Fees and Charges By-law;

- (f) The Applicant has provided a certificate of insurance satisfactory to the DIRECTOR, in which the TOWN is named as additional insured, providing public liability coverage, bodily injury coverage and property damage coverage in the amount of \$5,000,000.00 (five million dollars), and including a cross liability clause; and
- (g) The Applicant has obtained written confirmation from the Caledon detachment of the Ontario Provincial Police (O.P.P.) that safety precautions have been put in place to the satisfaction of the O.P.P., including the hiring of POLICE OFFICERS for TRAFFIC control, which shall be at the discretion of the O.P.P.

5.27 If the works or social event to be undertaken cannot be completed by the expiry date set out in the permit, the permit holder shall make an application to the DIRECTOR for an extension of time and the application shall be made at least four (4) working days prior to the expiry date set out in the permit.

Compliance

- 5.28 When a permit has been issued, the permit holder shall, during the course of the work or social event:
- (a) Maintain a reasonable safe alternate route for vehicular and PEDESTRIAN TRAFFIC;
 - (b) Provide and maintain reasonable local access routes for all property OWNERS or occupants whose access will be affected by the proposed works or activity;
 - (c) Supply, erect and maintain at his own expense all barricades, signs, covers, lights, flagmen and other safety warning devices as may be required by the DIRECTOR to protect the vehicular and PEDESTRIAN TRAFFIC;
 - (d) Provide and maintain PEDESTRIAN TRAFFIC routes which are separated from vehicular TRAFFIC and the project site in a manner satisfactory to the DIRECTOR.
- 5.29 Where a permit holder fails to comply with any of the provisions of this by-law the DIRECTOR may perform the works necessary to effect compliance with this by-law and all costs and expenses incurred thereby shall be borne by the permit holder.
- 5.30 No PERSON shall remove, deface, relocate, conceal from view or interfere with any TRAFFIC signs, safety barricades, guide rails, posts and wire delineation.
- 5.31 In the event that the permit holder requires the temporary removal or relocation of any of the above, the permit holder shall request the DIRECTOR to do such work and all costs thereby incurred shall be borne by the permit holder.

Work on Highways

- 5.32 For the purposes of Article 5.16 to 5.18, the construction, repair and improvements of a HIGHWAY or a portion of HIGHWAY shall include any of the following actions or works:
- (a) Excavate, dig up, break, tear, connect to, alter, obstruct, destroy, restore or reconstruct, whether for the purposes of constructing a means of access or a connection to municipal services or for any other purpose:
 - (1) a SIDEWALK, a BICYCLE TRACK, a MUP;
 - (2) a BOULEVARD;
 - (3) a paved surface of any HIGHWAY or supporting materials thereunder;
 - (4) a curb or gutter;
 - (5) municipal services, including storm or sanitary sewers, water mains, ditches, foundation drain collectors or culverts;
 - (6) topsoil or sub-soil, or
 - (7) vegetation, including grass, bushes or trees
 - (b) Place, construct, replace or reconstruct or cause or permit to be placed, constructed, replaced or reconstructed any object, structure, material or works on or under any portion of any HIGHWAY, including, and without limiting the generality of the foregoing, any pavement, concrete, landfill, sewer or water pipe.
- 5.33 Every application for a permit to perform any actions or works on or under a TOWN HIGHWAY under Article 5.32 shall be made to the DIRECTOR in accordance with Articles 5.20 to 5.26, prior to commencement of the actions or works and shall include in addition

to the requirements and conditions for the issuance of the permit described within Articles 5.20 to 5.26, the following:

- (a) Plans, surveys and other information as required by the DIRECTOR which may include but is not limited to a TRAFFIC management plan;
- (b) Location and description of the proposed actions or works including the estimated duration of the proposed actions or works;
- (c) Cost estimate reasonably estimating the costs of performing the portion of the proposed actions or works which lie entirely on or under the HIGHWAY;
- (d) Security deposit for the proposed actions or works in an amount and form as required by the DIRECTOR;
- (e) An indemnity agreement in the form provided by the DIRECTOR signed by the applicant or, where the applicant is a contractor of an OWNER, signed by the OWNER, whereby the signatory agrees to indemnify and save harmless the TOWN from any and all claims, demands, causes of action, loss, costs or damages that the TOWN may suffer, incur or be liable for resulting from actions or works on or under a TOWN HIGHWAY, whether with or without negligence on the part of the signatory, its vendors, suppliers, subcontractors or their respective directors, officers, agents, employees, partners, affiliates, volunteers or independent contractors in the course of performance of the signatory's obligations under, or otherwise in connection with, the application; and
- (f) Such further and other information as the DIRECTOR may require.

5.34 The DIRECTOR, after receipt of all application materials required under Article 5.33 may issue a permit for the performance of actions or works on or under a TOWN HIGHWAY pursuant to Article 5.32 of this by-law with such conditions as the DIRECTOR considers appropriate.

5.35 The DIRECTOR shall refuse to issue a permit for the performance of actions or works on or under a TOWN HIGHWAY pursuant to Article 5.32 of this by-law where the DIRECTOR has reasonable grounds to believe that the proposed actions or works will result in:

- (a) A breach of the provisions of this by-law or any applicable statute, regulation, or by-law; or
- (b) The creation of a dangerous or unsafe condition on or under the TOWN HIGHWAY.

5.36 In addition to any other conditions imposed by the DIRECTOR under Article 5.34, the following conditions shall apply to a permit issued for actions or works on or under a TOWN HIGHWAY:

- (a) Prior to commencement of the actions or works, the permit holder shall obtain such utility location stake-outs, clearance letters and written consent as may be necessary to ensure that utilities are not damaged by the permit holder in the course of performing the actions and works;
- (b) The permit holder and individuals performing the actions or works on the permit holder's behalf shall perform the actions or works in accordance with:
 - (1) *applicable statutes, regulations and by-laws including Provincial traffic regulations;*
 - (2) *Ontario Traffic Manual Book 7;*
 - (3) *applicable TOWN standards including those standards for the restoration of the municipal services and restoration of the HIGHWAY; and*
- (c) The permit shall be on-site, in possession of the PERSON performing the actions or works and available for inspection whenever the actions or works are being performed.

5.37 Where the permit holder fails to perform the actions or works proposed in the permit application, including restoration works, to the standards required by the DIRECTOR and it becomes necessary, in the opinion of the DIRECTOR acting reasonably, to repair or restore that portion of the HIGHWAY or municipal services affected by the actions or works of the permit holder, the DIRECTOR may use the security deposit to engage contractors or may direct TOWN staff to perform the actions or works and invoice the permit holder or, where the permit holder is a contractor of an OWNER, invoice the OWNER for the TOWN's costs to complete the actions or works and may credit the amount of the security deposit against such invoices.

- 5.38 Where the amount of the invoice exceeds the amount of the security deposit and the invoice remains unpaid after demand for payment has been made, the expense incurred may be added to the tax roll and collected in the same manner as property taxes.
- 5.39 The DIRECTOR shall hold the security deposit for a period of two (2) years following completion of the actions or works, as a guarantee that the HIGHWAY is left in a proper state of repair and that the actions and works are performed to the standards required by the DIRECTOR. The TOWN will not pay interest on any monies held as the security deposit.

PART 6 - GENERAL

APPLICABILITY

- 6.1 This by-law shall not, if compliance therewith would be impracticable, apply to:
- (a) Ambulances, police or fire services or any other VEHICLE actively engaged in responding to an emergency; and
 - (b) VEHICLEs actually and actively engaged in works undertaken for or on behalf of the TOWN, Peel Region, any public transit agency authorized to operate in the TOWN, or a public utility, including utilities providing telecommunications, energy, water supply or wastewater related services.

SIGNS; POWERS TO REULATE TRAFFIC NOT AFFECTED

- 6.2 The DIRECTOR is authorized to place or erect and to maintain all AUTHORIZED SIGNS and TRAFFIC CONTROL SIGNALS which are required to give effect to the provisions of this article or as are required to warn or guide TRAFFIC for the safety or convenience of the public.
- 6.3 No PERSON shall place, maintain or display upon or near any HIGHWAY sign a signal, marking or device which purports to be or is an imitation of or resembles an AUTHORIZED SIGN or TRAFFIC CONTROL SIGNAL or which conceals from view or interferes with the effectiveness of an AUTHORIZED SIGN or TRAFFIC CONTROL SIGNAL.
- 6.4 The lawful directions of a POLICE OFFICER for the regulation of TRAFFIC on a road shall be obeyed notwithstanding any provisions of this by-law, and nothing in this by-law shall affect the powers to regulate TRAFFIC held by the O.P.P.

VEHICLE TOWING

- 6.5 In addition to any other penalties provided for in this by-law, a POLICE OFFICER or MUNICIPAL LAW ENFORCEMENT OFFICER may, where a VEHICLE is parked or stopped in contravention of this by-law, cause that VEHICLE to be removed, taken away and stored in a suitable place.
- 6.6 Where, acting reasonably in all the circumstances, a POLICE OFFICER or MUNICIPAL LAW ENFORCEMENT OFFICER deems it necessary for public safety to relocate a VEHICLE lawfully parked on a HIGHWAY the POLICE OFFICER or MUNICIPAL LAW ENFORCEMENT OFFICER may remove or cause to be removed the VEHICLE to a nearby location in order to facilitate snow clearing operations or the repair of the HIGHWAY.
- 6.7 All costs and charges incurred for removing, taking away and storing a VEHICLE pursuant to Articles 6.5 and 6.6 of this by-law, shall be a lien upon the VEHICLE, which lien may be enforced in the manner prescribed by the *Repair and Storage Liens Act, R.S.O. 1990, Chapter R.25*, as amended.

ENFORCEMENT AND PERMIT ADMINISTRATION

Enforcement

- 6.8 The provisions of this by-law shall be enforced by a POLICE OFFICER or MUNICIPAL LAW ENFORCEMENT OFFICER.

- 6.9 Part 4 may be enforced by:
- (a) The FIRE CHIEF;
 - (b) Person(s) appointed by COUNCIL as Deputy Fire Chief; or,
 - (c) Any officer appointed by COUNCIL pursuant to Section 7.1(4) of the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4.*
- 6.10 The DIRECTOR, any PERSON authorized under this section to enforce this by-law, and any agent on behalf of the TOWN may at any reasonable time enter upon any land for the purpose of carrying out an inspection to determine whether this by-law is being complied with.
- 6.11 Where the DIRECTOR or any PERSON authorized to enforce this by-law is satisfied that a contravention of this by-law has occurred:
- (a) The DIRECTOR or PERSON may make an order requiring the PERSON who caused or permitted such contravention, or the OWNER of the land upon which the contravention occurred, to discontinue the activity.
 - (b) The DIRECTOR or PERSON may make an order requiring the PERSON who caused or permitted such contravention, or the OWNER of the land upon which the contravention occurred, to do work to correct the contravention.
- 6.12 An order made pursuant to this by-law may be made orally or in writing and shall set out following:
- (a) The location the contravention occurred;
 - (b) Reasonable particulars of the contravention;
 - (c) The contravening activity which shall be discontinued or the work to be done to bring the contravention into compliance;
 - (d) The date by which there must be compliance with the order; and
 - (e) Where applicable, notice that if compliance is not achieved by the date for compliance set out in the order, the TOWN may complete the work at the expense of any PERSON to whom the order is issued.
- 6.13 An order made in writing may be delivered:
- (a) personally, with service deemed effective on the date the order is given;
 - (b) by regular mail, with service deemed effective on the fifth date after mailing;
 - (c) by registered mail, with service deemed effective on the fifth date after mailing; or
 - (d) by posting the order in a conspicuous place at the location where the contravention occurred with service deemed effective the day after posting.
- 6.14 The DIRECTOR or any PERSON authorized to enforce this by-law may enter upon land for the purpose of delivering an order.
- 6.15 Every PERSON to whom an order is issued shall comply with the order.
- 6.16 Wherever an order, issued pursuant to this by-law, directs or requires any matter or thing to be done by any PERSON within a specified time period, in default of it being done by the specified time period, the DIRECTOR or any PERSON authorized to enforce this by-law may initiate remedial action and the TOWN may recover, from any PERSON directed or required to do the matter or thing, the costs incurred through legal action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.
- 6.17 For the purposes of taking remedial action under Article 6.16 the TOWN, its staff and its agents may enter, at any reasonable time, upon any lands on which a default occurred to carry out a required matter or thing.
- 6.18 Where an inspection is conducted by a PERSON authorized to enforce this by-law, the PERSON may:
- (a) Require the production of documents and things for review that may be relevant to the inspection;
 - (b) Inspect and remove documents or things which may be relevant to the inspection for the purpose of making copies;
 - (c) Require any information from any PERSON concerning a matter related to the inspection, including but not limited to names, addresses, contact information, and proof of identity or other identification; and

- (d) Alone or in conjunction with a PERSON possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

6.19 No PERSON shall hinder or obstruct, or attempt to hinder or obstruct, any PERSON who is exercising a power or performing a duty under this by-law.

Permit Administration

6.20 The DIRECTOR may revoke or suspend, without prior notice to the permit holder or any other PERSON, a permit issued pursuant to this by-law:

- (a) Where the activity is contrary to:
 - (1) *the provisions of this by-law;*
 - (2) *any conditions upon which the permit was issued; or*
 - (3) *any other applicable law;*
- (b) If the permit was issued on mistaken, false or incorrect information;
- (c) If the DIRECTOR, acting reasonably, is satisfied the permitted activity poses an immediate danger to the health or safety of any PERSONS; or
- (d) If the permit was issued in error; and
- (e) Without a refund of any fee paid pursuant to this by-law or the applicable fees by-law.

6.21 The DIRECTOR may impose conditions on the permit upon issuance or may impose conditions as a requirement of reinstating a permit suspended under Article 6.20.

6.22 Every PERSON who holds a permit upon which a condition is placed shall comply with the condition.

6.23 A permit issued under this by-law is non-transferrable.

6.24 The issuance of a permit under this by-law shall not relieve the permit holder from compliance with any other applicable law.

COMING INTO FORCE

6.25 This by-law shall come into force and effect upon approval of the set fines for this by-law in accordance with the provisions of the Provincial Offences Act.

VALIDITY

6.26 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of COUNCIL in enacting this by-law that each and every other provision of this by-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

PENALTY AND ENFORCEMENT

6.27 Any PERSON who contravenes any provision of this by-law, is guilty of an offence and upon conviction is liable to a penalty as provided for in the Provincial Offences Act.

6.28 Where a VEHICLE has been left parked, stopped or standing in contravention of this by-law, the OWNER of a VEHICLE may be charged with and convicted of an offence under this by-law for which the driver of the VEHICLE is subject to be charged, 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, and on conviction the OWNER shall be liable for the penalty for the offence.

6.29 A POLICE OFFICER or MUNICIPAL LAW ENFORCEMENT OFFICER, upon discovery of any VEHICLE parked or left in contravention of this by-law, may cause it to be moved or taken to and placed or stored in a suitable place, and all costs and charges for removal, care and storage thereof, if any, shall be a lien upon the VEHICLE which may be enforced in the manner provided by the *Repair and Storage Liens Act, R.S.O. 1990, c. R.25*.

6.30 Notwithstanding the requirements of this by-law, the provisions of a site plan approved pursuant to the *Planning Act* prior to the passing of this by-law, shall continue to apply to any existing PARKING SPACE that is maintained in compliance with the requirements of

the approved site plan, until such time as the site plan is amended, at which time the PARKING SPACES shall be altered as necessary to comply with this by-law.

PROVINCIAL OFFENCES ACT

6.31 Part II of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended, applies in respect of all parking infractions under this by-law.

SCHEDULES

6.32 The Schedules referred to in this by-law shall form part of this by-law and each entry in a Column of each Schedule shall be read in conjunction with the entry or entries across therefrom and not otherwise.

REPEAL & TRANSITION

6.33 By-laws numbered 2015-058, as amended by By-laws 2015-071, 2015-075, 2015-078, 2015-088, 2015-095, 2016-094, 2016-108, 2017-16, 2017-24, 2017-52, 2017-60, 2017-67, 2018-5, 2018-24, 2018-32, 2018-46, 2018-57, 2019-13, 2019-20, 2019-50, 2020-008, 2020-026, 2020-30, 2020-37, 2020-50, 2020-63, 2021-16, 2021-26 and 2021-79 and all amendments thereto are hereby repealed upon this by-law coming into effect.

6.34 Notwithstanding the repeal of By-laws in Article 6.33 , the by-laws shall continue to apply to any acts, omissions, or occurrences, and to any offences that took place prior to the enactment of this by-law.

TITLE

6.35 This by-law may be referred to as the "Traffic By-law".

Enacted by the Town of Caledon Council this 25th day of June, 2024

Annette Groves, Mayor

Kevin Klingenberg, Municipal Clerk