

TRAFFIC BY-LAW 5-2004

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TRAFFIC BY-LAW 5-2004

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THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 5-2004

Being a By-law to regulate vehicular traffic on highways, private and municipal property, and to prohibit the injuring or fouling of highways and bridges, and the obstruction of ditches and culverts.

WHEREAS pursuant to the provisions of The Municipal Act, 2001, S.O. 2001, c. 25, as amended, and the provisions of The Highway Traffic Act R.S.O. 1990, c H.8, as amended, by-laws may be passed by the councils of lower-tier municipalities to regulate vehicular traffic on Highways, private and municipal property and the obstruction of ditches and culverts.

NOW THEREFORE the Council of The Corporation of the Town of Ajax enacts as follows:

**1. DEFINITIONS**

1.1 The following definitions are incorporated from the Highway Traffic Act:

- (1) Bicycle
- (2) Highway
- (3) Intersection
- (4) Median Strip
- (5) Motor Vehicle
- (6) Official Sign
- (7) Park/Parking
- (8) Pedestrian Crossover
- (9) Roadway
- (10) Stand/Standing
- (11) Stop/Stopping
- (12) Vehicle

1.2 The following definition is incorporated from the Motorized Snow Vehicles Act:

- (1) Motorized Snow Vehicle

2. In this By-law:

- 2.1 "Authorized" means authorized by the Authority having jurisdiction.
- 2.2 "Boulevard" means all parts of the Highway except any Roadway, Shoulder or Sidewalk.
- 2.3 "Bus Stop" means that part of a Highway designated by a sign where buses will stop to take on or let off passengers.
- 2.4 "Chief Fire Official" means the Chief Fire Official appointed by the Council of the Town.
- 2.5 "Chief of Police" means the Chief of Police of the Durham Regional Police Service.
- 2.6 "Commercial Vehicle" means any Vehicle designated or operated for the transportation of property or a bus which Vehicle or bus exceeds 2.6 m in width or 7 m in length.
- 2.7 "Designated Parking Space" means a parking space provided under this By-law and identified by an Official Sign for the exclusive use of a Vehicle displaying a Permit in accordance with the requirements of the Highway Traffic Act.
- 2.8 "Driveway" means improved land on a Highway which provides access from the Roadway or to adjacent land.

- 2.9 “Emergency Vehicle” means an ambulance, a fire department Vehicle or a police Vehicle.
- 2.10 “Fire Route” shall mean any Private Roadway marked as a Fire Route by Fire Route Signs.
- 2.11 “Fire Route Sign” means a sign displaying the information “No Parking” or a symbol in lieu thereof as specified in the Highway Traffic Act and Regulations passed thereunder, and the words “Fire Route”.
- 2.12 “Heavy Vehicle” means a Vehicle, object or contrivance for moving loads, having a gross weight, including the Vehicle, object or contrivance and load, in excess of five (5) tonnes.
- 2.13 "Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended from time to time, any regulations passed in accordance with that Act, and any successor legislation thereto.
- 2.14 “Municipal Law Enforcement Officer” means a person appointed by the Council of the Town enforce municipal By-laws.
- 2.15 "Municipal Property" means property owned or occupied by the Town or any local board thereof.
- 2.16 “Owner” when used in relation to real property means:
- (a) the registered owner of the real property;
  - (b) the registered owner of a condominium unit, whose consent shall extend only to the control of the unit of which he is the owner and any parking spaces allotted to him by the Condominium Corporation or reserved for his exclusive use in the declaration or description of the property;
  - (c) the spouse of a Person described in sub-subclauses (a) or (b);
  - (d) where the real property is included in a description registered under the Condominium Act, 1998, S.O. 1998 c 19 the Board of Directors of the Condominium Corporation; and,
  - (e) a Person Authorized by the Owner to act on the Owner's behalf for requesting the enforcement of this By-law.
- 2.17 “Occupant” means:
- (a) the tenant of the real property or part thereof whose consent shall extend only to the control of the real property of which he is a tenant and any parking spaces allotted to him under his lease or tenancy agreement;
  - (b) the spouse of a tenant;
  - (c) a Person or a municipality, or a local board thereof, having an interest in the property under an easement or right of way granted to or expropriated by the Person, municipality or local board whose consent shall extend only to the part of the property that is subject to the easement or right of way; and,
  - (d) a Person Authorized in writing by an Occupant to act on the Occupant's behalf for requesting the enforcement of this By-law.
- 2.18 “Parking Space” means that part of the surface of a Roadway designated by signs, painted lined or other markings for the purpose of Parking a Vehicle.

- 2.19 “Pedestrian Crossing” means any portion of a Roadway at an Intersection or elsewhere, distinctly indicated for pedestrian crossing by signs and pavement markings and shall include attended and unattended crossings.
- 2.20 "Permit" means a Disabled Person Parking Permit issued under Section 26 of the Highway Traffic Act or a currently valid permit, number plate or other marker or device, bearing the international symbol of access for the disabled, issued by another jurisdiction and recognized under the Highway Traffic Act.
- 2.21 "Person" includes an individual, sole proprietorship, partnership, unincorporated organization, trust, body corporate, and a natural person in his capacity as trustee, executor, administrator or other legal representative.
- 2.22 “Private Property” means real property on which one or more signs have been erected by or on behalf of the Owner or Occupant prohibiting or restricting Parking.
- 2.23 “Private Roadway” means any road, laneway, ramp or other means of vehicular access to or egress from real property and it may include part of a parking lot.
- 2.24 “School Bus Loading Zone” means the part of a Highway designated by Authorized signs.
- 2.25 “School Purpose Vehicle” means, for the purpose of this By-law;
- (a) a school bus as defined in the Highway Traffic Act;
  - (b) a station wagon, van or bus, operated by or under contract with a school board or other authority in charge of a school including Vehicles which are used as transportation service providers to disabled persons.
- 2.26 “Shoulder” means the part of the Highway immediately adjacent to the travelled portion of the Roadway and having a surface which has been improved for the use of Vehicles.
- 2.27 “Sidewalk” means the part of the Highway set aside for the use of pedestrians or used by the general public for the passage of pedestrians.
- 2.28 “Taxicab Stand” means the part of a Highway designated by Authorized signs where taxicabs may stop to take on or discharge passengers.
- 2.29 “Town” means the Corporation of the Town of Ajax.
- 2.30 “Traffic” means and includes pedestrians, ridden or herded animals, Vehicles and other conveyances, either singly or together, while using any Highway for purposes of travel.
- 2.31 “Traffic Control Signal” means any device, manually, electrically or mechanically operated for the regulation or control of Traffic.
- 2.32 “U-turn” means the turning of a Vehicle within a Roadway so as to proceed in the opposite direction.
- 2.33 “Vending Vehicle” means a Vehicle from which products and refreshments are sold or offered for sale to the public.

### **3. GENERAL PROVISIONS**

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

- 3.2 The Director of Operations and Environmental Services, or his designate, is Authorized to place or erect and to maintain such signs as are required to give effect to the provisions of this By-law.
- 3.3 The Director of Planning and Development Services, or his designate, is Authorized to issue permits for the movement on Highways under the jurisdiction of the Town of Heavy Vehicles, loads, objects or structures which are in excess of the dimensional limits set out in Section 109 of the Highway Traffic Act or the weight limits set out in Part VIII of the Highway Traffic Act.
- 3.4 No Person shall place, maintain or display on any Highway, any sign, marking or device, which purports to be or is an imitation of or resembles an Authorized sign or Official Sign.
- 3.5 The Chief of Police, or his designate, and the Director of Operations and Environmental Services, or his designate, are hereby Authorized to erect or place temporary "No Parking" or "No Stopping" signs on any Highway.
- 3.6 The schedules referred to in this By-law shall form part of this By-law and each entry in a column of such schedule shall be read in conjunction with the entries across therefrom and otherwise.
- 3.7 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.
- 3.8 After the date of the passing of this By-law, By-law Number 100-92, as amended, shall apply only to those enforcement proceedings which had been initiated prior to the date this By-law is enacted, and then only until such enforcement proceedings have been concluded.
- 3.9 All dimensions in this By-law are metres (m) or centimetres (cm) unless otherwise indicated.

#### **4 ENFORCEMENT**

- 4.1 The provisions of this By-law shall be enforced by the Chief of Police or his designate and/or a Municipal Law Enforcement Officer.

#### **5. GENERAL RULES**

- 5.1 No Person shall drive a Vehicle upon a Sidewalk or footpath except for the purpose of directly crossing the Sidewalk or footpath at a Driveway.
- 5.2 No Person shall on any Highway drive any Vehicle over any Raised Curb.
- 5.3 Where U-turns are not prohibited, such turn shall be made only where it can be made in safety and without interfering with other Traffic.
- 5.4 No Person shall, except under the direction of a police officer, drive a Vehicle on a Highway between the Vehicles comprising a funeral or other procession recognizable as such by the display of pennants or other identifying insignia, while the Vehicles comprising such procession are in motion.
- 5.5 Unless Authorized by the Town, no Person shall drive any Vehicle on Municipal Property except upon the Roadways therein designed for vehicular use.

- 5.6 No Person shall obstruct, encumber, injure or foul any Highway or bridge by any means whatsoever.
- 5.7 No Person shall obstruct any ditch or any culvert upon any Highway by any means whatsoever.
- 5.8 No Person shall operate a Motorized Snow Vehicle except on a Roadway or a Shoulder of a Highway.
- 5.9 No Person shall operate or permit the operation of a Motorized Snow Vehicle within the limits of the Town between the hours of 11:00 p.m. and 8:00 a.m. the next day.
- 5.10 No Person shall operate or permit the operation of a Motorized Snow Vehicle on Municipal Property.
- 5.11 No Person shall operate or permit the operation of a Motorized Snow Vehicle on Private Property without having first obtained the permission of the Owner or Occupant.

## **6. DESIGNATED PARKING PERMITS**

- 6.1 No Person shall Park, Stop or Stand a Vehicle in a Designated Parking Space, or be entitled to the benefit of an exemption under this By-law, unless a currently valid Permit has been issued to that Person and such Permit is displayed on or in the Vehicle in accordance with the Highway Traffic Act.
- 6.2 Any Vehicle on which or in which a Permit is displayed in accordance with the requirements of the Highway Traffic Act and this By-law, is exempt from Section 9(9.1) (i) with respect to 3-hour Parking limits, and such Vehicle shall not Park any longer than 24 hours.
- 6.3 No Person who owns or operates a parking lot or other parking facility to which the public has access shall require a driver or operator of a Vehicle which displays a Permit in accordance with 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 or parking facility.
- 6.4 No Person shall own or operate a parking lot or parking facility to which the public has access, whether on payment of a fee or otherwise, unless Designated Parking Spaces have been provided therefore, in accordance with requirements contained in Schedule XVII to this By-law.
- 6.5 No Person who owns or operates a parking lot or parking facility to which the public has access, shall prevent the use of Designated Parking Spaces by Disabled Persons, by using the Designated Parking Space for the storage of snow or other debris.
- 6.6 No Person who owns or operates a parking lot or parking facility to which the public has access, shall prevent access by Disabled Persons to Sidewalk areas and other facilities.
- 6.7 Nothing in this By-law shall prevent the municipality or any delegated authority from imposing a higher standard or requirement for the design or number of spaces than those set out in Schedule XXVII on any land as a result of zoning, site plan approval, Committee of Adjustment condition or any other approval lawfully given under the Planning Act, R.S.O. 1990, c. P.33, as amended. Where such higher standard is imposed on any Owner, such land shall, to the extent that the higher standard conflicts with the standards in Schedule XXVII, be required to comply with those higher standards and with the standards contained in Schedule XXVII.
- 6.8 The requirements of Schedule XXVII shall not apply to land uses exempted from the provisions of Parking Spaces through any other By-law.

## **7. GENERAL STOPPING AND PARKING REGULATIONS**

### **Right Side Of Road Parking**

- 7.1 No Person shall Park any Vehicle on any Highway except as follows:
- (a) where there is a curb, on the right side of the travelled portion of the Highway with its right front and rear wheels parallel to and not more than 15 cm. distant from such curb;
  - (b) where there is no curb, with the right front and rear wheels parallel to and as near to the right hand limit of the Highway as is practicable without Stopping or Parking on or over a Sidewalk, footpath or Boulevard;

### **Left Side of Road Parking**

- 7.2 Where Parking is permitted on the left hand side of the travelled portion of a Highway designated for one-way Traffic, no Person shall Park any Vehicle on the left side of the Highway except as follows:
- (a) where there is a curb, on the left side of the travelled portion of the Highway, with its left front and rear wheels parallel to and not more than 15 cm. distant from such curb;
  - (b) where there is no curb, with the left front and rear wheels parallel to and as near to the left hand limit of the Highway as is practicable without Stopping or Parking on or over a Sidewalk, footpath or Boulevard.

### **Vending Vehicle**

- 7.3 Any Person who operates a Vending Vehicle shall not stop the Vehicle on any part of the Highway lying between any two intersecting Highways for more than ten minutes at any one location.
- 7.4 No Person shall stop or permit to remain stopped, a Vending Vehicle on any Highway unless Parking is permitted, and the Person shall be governed by the regulations specified in relation to the location.
- 7.5 No Person operating a Vending Vehicle shall Park or permit the Vehicle to remain Parked in such a manner as to obstruct Traffic.
- 7.6 No Person shall sell or offer for sale anything from a Vending Vehicle on a Highway except from the side of such Vehicle facing a Boulevard.

### **Parking Within Space**

- 7.7 Where Parking Spaces are designated by lines painted on the Roadway, no Person shall;
- (a) Park any Vehicle except wholly within an area designated as a Parking Space; or
  - (b) Park any Vehicle so as to occupy more than one Parking Space; or
  - (c) Park any Vehicle in such manner as will prevent other Persons from utilizing Parking Spaces or obstruct the flow of Traffic.



## **8. STOPPING OFFENCES**

### 8.1 No Person shall on any Highway Stop any Vehicle:

- (a) on or over a Sidewalk or footpath;
- (b) within an Intersection, Pedestrian Crossing or Pedestrian Crossover;
- (c) in such a manner as to interfere with the movement of Traffic or the clearing of snow from the Highway;
- (d) in such a manner as to interfere with Highway cleaning operations;
- (e) on the Roadway alongside of any Stopped or Parked Vehicle;
- (f) upon any bridge or elevated structure or within any tunnel or underpass;
- (g) on any Median Strip separating two Roadways or adjacent to either side or ends of such Median Strip;
- (h) alongside or across the Highway from any excavation or obstruction in the Roadway whereby the free flow of Traffic would be impeded;

### 8.2 Where an Official Sign or an Authorized sign to that effect are displayed, no Person shall on any Highway Stop any Vehicle:

- (a) within 30 m of a Pedestrian Crossover;
- (b) other than a school purpose Vehicle in a school bus loading zone;
- (c) other than a bus in a designated Bus Stop;
- (d) any time or between the hours and on the days set out on the Official Signs on one or both sides of a Highway which is immediately adjacent to a school;
- (e) within 15 m of a Pedestrian Crossing;
- (f) within 3 m of a school Driveway.

## **9. PARKING OFFENCES**

### 9.1 No Person shall on any Highway Park any Vehicle:

- (a) in front of or within 1 m of a Driveway or Private Roadway or so as to obstruct Vehicles in the use of a Driveway or Private Roadway;
- (b) within 3 m of a point on the curb or edge of the Roadway adjacent to any fire hydrant;
- (c) subject to subsection (l) of this section 9.1, within 10 m of an intersecting Roadway;
- (d) for the purpose of displaying a Vehicle for sale;
- (e) for the purpose of washing, greasing or repairing the Vehicle;
- (f) within a distance of 4 m of the tracks of any railway other than a street railway;
- (g) within 15 m of the nearest rail of a level railway crossing;

- (h) in such a position as will prevent the removal of any other Vehicle previously Parked;
- (i) for a period in excess of 3 hours unless otherwise indicated by Official Signs;
- (j) on or over any Boulevard;
- (k) on the travelled portion of a Roadway other than a cul-de-sac where the Roadway within is 6 m or less;
- (l) within 15 m of an Intersection controlled by a Traffic Control Signal;
- (m) on or within 100 m of a bridge over, under or across which a Highway passes;
- (n) within 6 m of a point at the edge of the Roadway and nearest to a public entrance to a hotel or a theatre while the theatre is open to the public;
- (o) between the hours of 3:00 a.m. and 6:00 a..m.
- (p) for a period longer than 24 hours when the Vehicle displays a valid Permit.

9.2 Where Official Signs to that effect are displayed no Person shall on any Highway Park any Vehicle:

- (a) on one or both sides of a Highway or portion of a Highway which is immediately adjacent to property on which a fire hall is located and/or within a distance of 30 m of such property on one or both sides of the Highway;
- (b) anytime on one or both sides of a Highway or portion of a Highway which is immediately adjacent to a park or playground;
- (c) within the turning basin of a cul-de-sac;
- (d) within 15 m of the end of a Roadway on a dead end Highway.

#### Parking on Municipal Property

9.3. No Person shall Park or leave any Vehicle on Municipal Property except in a designated parking area in accordance with any Official Sign or Authorized sign displayed thereon.

#### Parking on Private Property

9.4 No Person shall Park or leave any Vehicle on Private Property without the consent of the Owner or Occupant of such property.

#### Parking on Fire Routes

9.5 Where Authorized signs to that effect are displayed, no Person shall, on any Fire Route, Park any Vehicle.

9.6 The Private Roadways, at the locations as set out in Schedule XXVI to this By-law are designated as Fire Routes.

9.7 Site plans or sketches of the Fire Routes may be made part of Schedule XXVI.

9.8 Fire Routes designated by this By-law shall be indicated by Fire Route Signs erected and maintained by the Owner or Occupant and the location of such Fire Route Signs shall be approved by the Chief Fire Official or his designate.

**10. STOPPING RESTRICTIONS AND PROHIBITIONS**

10.1 Where Official Signs to that effect are displayed, no Person shall Stop a Vehicle on any Highway at the side and between the limits set out in Columns 1, 2 and 3 of Schedule I to this By-law during the times or days set out in Column 4.

**11. PARKING RESTRICTIONS AND PROHIBITIONS**

11.1 Where Official Signs to that effect are displayed, no Person shall Park a Vehicle on any Highway at the side and between the limits set out in Columns 1, 2 and 3 of Schedule II of this By-law during the times or days set out in Column 4.

11.2 Where Official Signs to that effect are displayed, no Person shall Park a Vehicle on any Highway at the side and between the limits set out in Columns 1, 2 and 3 of Schedule III to this By-law during the times or days set out in Column 4, for a longer period than that set out in Column 5.

**12. STANDING RESTRICTIONS AND PROHIBITIONS**

12.1 Where Official Signs to that effect are displayed, no Person shall Stand a Vehicle on any Highway at the side and between the limits set out in Columns 1, 2 and 3 of Schedule IV to this By-law during the times or days set out in Columns 4.

**13. BOULEVARD PARKING**

13.1 Notwithstanding the provisions of Section 7.1 and Section 9.1(j) , Boulevard Parking is permitted on Highways at the sides and between the limits on the days and times set out in Columns 1, 2, 3 and 4 of VI to this By-law.

**14. STANDS FOR TAXICABS**

14.1 Taxicab Stands are hereby established on the Highways at the sides and at the locations set out respectively in Columns 1, 2 and 3 of Schedule IX to this By-law for the permitted number of taxicabs set out in Column 4 of the said Schedule for use between the hours set out in Column 5 of the said Schedule.

14.2 No Person shall Stop a Vehicle in a Taxicab Stand other than a taxicab waiting for hire or engagement.

14.3 Any taxicab driver when arriving at any such Taxicab Stand not already fully occupied by the designated number of Vehicles to be accommodated at such stand, shall stand such Vehicle in the rear of the other Vehicle or Vehicles already occupying such stand.

14.4 When a Vehicle is called or driven off any such Taxicab Stand, the drivers of each of the other Vehicles stationed on such stand in the rear of the Vehicle so called or driven off, shall cause their respective Vehicles to be moved forward so that every Vehicle shall in succession fill the place which shall have been previously occupied immediately in advance of such Vehicles by the Vehicle moved forward in accordance with this subsection.

**15. ONE-WAY HIGHWAYS**

15.1 The Highways set out in Column 1 of Schedule X to this By-law between the limits set out in Column 2 of the said Schedule, during the times or days set out in Column 3 of the said Schedule, are hereby designated for one-way vehicular Traffic only in the direction set out in Column 4 of the said Schedule.

- 15.2 The Highways set out in Column 1 of Schedule XI to this By-law having been divided into clearly marked lanes for vehicular Traffic between the limits set out in Column 2 of the said Schedule, each of the said lanes indicated in Column 3 of the said Schedule, during the times or days set out in Column 4 of the said Schedules hereby designated for vehicular Traffic moving in the particular direction set out in Column 5 of the said Schedule and such designation shall be indicated by an Official Sign or by a Traffic Control Signal.
- 15.3 The Intersections set out in Column 1 of Schedule XII to this By-law are hereby designated for one-way vehicular Traffic only in the direction set out in Column 2 of the said Schedule, during the times or days set out in Column 3 of the said Schedule.

## **16. TURNING MOVEMENTS PROHIBITED**

- 16.1 Where Official Signs to that effect are displayed, no Vehicle in any Intersection or portion of Highway set out in Column 1 of Schedule XIII to this By-law proceeding in the direction or emerging from a property set out in Column 2 of the said Schedule, shall be turned in the direction set out in Column 3 of the said Schedule, during the times or days set out in Column 4 of the said Schedule.
- 16.2 Where Official Signs to that effect are displayed, no Person operating a Vehicle shall at any time make a U-turn at the locations set out in Column 1 of Schedule XIV to this By-law while travelling in the direction set out in Column 2 of the said Schedule.

## **17. THROUGH HIGHWAYS**

- 17.1 The Highways set out in Schedule XV to this By-law, are, except as provided in Section 17.2 of this section, hereby designated as through Highways for the purposes of The Highway Traffic Act.
- 17.2 The designation in Section 17.1 of this By-law of a Highway or portion of Highway as a through Highway shall not include any Intersection thereon where the Highway intersected is a King's Highway or where traffic Control Signals are installed.

## **18. STOP SIGNS**

- 18.1 The erection of stop signs is hereby Authorized at each of the Intersections set out in Schedule XVI of this By-law.

## **19. YIELD SIGNS**

- 19.1 The erection of yield right-of-way signs is hereby Authorized at each of the Intersections set out in Schedule XVII of this By-law.

## **20. RATE OF SPEED**

- 20.1 No Person shall drive a Vehicle at a rate of speed greater than 50 km/h unless otherwise posted.
- 20.2 Where any Highway or portion of Highway set out in Schedules XVIII, XIX, XX, XXI, XXII of this By-law, is signed in compliance with the regulations under The Highway Traffic Act, the maximum rate of speed thereon shall be the rate of speed prescribed in the said Schedule.

## **21. PEDESTRIAN CROSSOVERS**

- 21.1 The Roadways set out in Column 1 of Schedule XXIII to this By-law, at the locations set out in Column 2 of the said Schedule, are designated as such as prescribed by the regulations made under The Highway Traffic Act.

## **22. HEAVY TRAFFIC**

- 22.1 Where Official Signs to that effect are displayed, a Heavy Vehicle is prohibited on Highways or parts of Highways set out in Column 1 of Schedule XXIV to this By-law.
- 22.2 The provisions of subsection 22.1 of this section shall not apply to the use of said Highways or parts of Highways for deliveries to or removals from any premises abutting thereon which cannot be reached except by way of a Highway or a portion of Highway referred to in the said section or to prohibit the use of such Vehicles for such purpose, provided that in making such delivery or collection, the said Highway or portion of Highway is travelled only insofar as is avoidable in getting to and from such premises.
- 22.3 Where Official Signs to that effect are displayed and subject to the Highway Traffic Act there shall be a reduced load period in effect from the 1<sup>st</sup> day of February to the 31<sup>st</sup> day of May inclusive, in each and every year, and no Person shall on any Highway or part of a Highway affected, operate or draw any Vehicle having a weight which is in contravention of the Highway Traffic Act.
- 22.4 Notwithstanding the provisions of any other section of this By-law, no Person shall Park any Commercial Vehicle or Heavy Vehicle on any Highways or parts of Highways set out in Column 1 of Schedule XXIV to this By-law, unless the Commercial Vehicle or Heavy Vehicle is actually engaged in the loading and unloading, delivery and receipt of goods, wares, merchandise or passengers to adjacent premises.

## **23. SCHOOL BUS LOADING ZONES**

- 23.1 Where Official Signs to that effect are displayed, the Highways or portions of Highways set out in Column 1 of Schedule XXV to this By-law, on the side of the Highway set out in Column 2 of the said Schedule between the limits set out respectively in Columns 3 and 4 of the said Schedule are hereby designated as school bus loading zones.

## **24. BUS STOP ZONES**

- 24.1 Bus Stop zones are hereby established where Authorized signs to that effect are displayed.
- 24.2 Where Official Signs to that effect are displayed, no Person shall on any Highway Stand any Vehicle other than a bus within a distance of up to 18m in advance of or 30 m beyond any point designated by an Authorized sign or signs as a Bus Stop.

## **25. PENALTIES**

- 25.1 Every Person who contravenes any of the Stopping, Parking or Standing provisions of this By-law is guilty of an offence and upon conviction is liable to a fine of not more than \$300.00, exclusive of costs, recoverable under the provisions of the Provincial Offences Act.

- 25.2 Every Person who contravenes any of the other provisions of this By-law is guilty of an offence and upon conviction, is liable to a fine for each offence, exclusive of costs, as prescribed by the Provincial Offences Act.
- 25.3 Notwithstanding the provisions of Subsection 25.1 any Person may, upon presentation of a Parking infraction notice issued by The Chief of Police, or his designate, or a Municipal Law Enforcement Officer alleging Commission of a Stopping, Parking or Standing offence, pay out of court within 7 days, from the date of issue of said Parking infraction notice, the early payment penalty set out in Section 26 of this By-law, and upon such payment no further proceedings shall be taken in respect of the said Parking infraction notice.

**26. EARLY PAYMENT PENALTIES**

- |      |  |          |
|------|--|----------|
| 26.1 | For any Standing or Stopping offence,  | \$30.00  |
| 26.2 | For any Parking offence with respect of Fire Routes, Heavy Traffic or Commercial Vehicles. | \$40.00. |
| 26.3 | For all other Parking offences,  | \$25.00. |
- 26.4 For the purposes of this By-law, where a number plate issued pursuant to the Highway Traffic Act is exposed on a Vehicle, the holder of the permit corresponding thereto shall be deemed to be the owner of that Vehicle and if said Vehicle is Stopped, Parked or Standing in contravention of this By-law, the owner shall be guilty of an offence, unless he can prove to the satisfaction of the court, that the number plate was exposed thereon without his consent, express or implied.
- 26.5 A Police Officer or Municipal Law Enforcement Officer appointed for carrying out the provisions of this By-law, upon discovery of any Vehicle Stopped, Standing or Parked in contravention of this By-law, may cause said Vehicle to be moved or taken to or stored in a suitable place, and all costs and charges for removing, care and storage thereof, if any, are a lien upon the Vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act.

**27. APPLICATION**

- 27.1 This By-law applies to all Highways under the jurisdiction of the Corporation of The Town of Ajax, and where applicable to Municipal and Private Property.
- 27.2 This By-law shall not, if compliance therewith would be impracticable, apply to;
- (a) Emergency Vehicles or public utility Vehicles; or
  - (b) Vehicles actually engaged in works undertaken for or on behalf of any municipal corporation; or
  - (c) Vehicles actually forming part of a funeral procession for as long as may reasonably be required for the purpose of such funeral.

**28. REPEAL**

28.1 This By-law shall come into force and By-law 100-92, as amended, and By-law 43-74, as amended, shall be repealed on the date that the set fines are approved pursuant to the Provincial Offences Act.

READ a first and second time this Twelfth day of January, 2004.

READ a third time and passed this Twelfth day of January, 2004.

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Mayor

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Clerk

**SCHEDULES SUPPLIED UPON REQUEST**