



The Corporation of the Town of Pelham

By-law No. 10-2026

**Being a By-law to regulate traffic and parking on highways and property under the jurisdiction of the Town of Pelham.**

**WHEREAS** section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (“*Municipal Act, 2001*” or “the statute”) provides that the powers of a municipality under the statute or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

**AND WHEREAS** section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the statute or any other Act;

**AND WHEREAS** section 11 of the *Municipal Act, 2001* authorizes a lower-tier municipality to pass by-laws respecting traffic and parking on highways and parking on lands other than highways;

**AND WHEREAS** section 101 of the *Municipal Act, 2001* authorizes a municipality to provide for the removal and impounding or restraining and immobilizing of any vehicle parked or left in contravention of a by-law that regulates parking;

**AND WHEREAS** sections 102 and 427 of the *Municipal Act, 2001*, Regulation 191/11 made under the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11, and Regulation 581 made under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 (“*Highway Traffic Act*”), regulate accessible parking in municipalities;

**AND WHEREAS** section 7.1 of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4 authorizes a municipality to pass by-laws designating private roads as fire routes along which no parking of vehicles shall be permitted and providing for the removal of any vehicle parked or left along any fire route at the expense of the owner of the vehicle;

**AND WHEREAS** section 102.1 of the *Municipal Act, 2001* and Regulation 333/07 made thereunder authorize a municipality to establish a system of administrative penalties to promote compliance with the municipality’s by-laws respecting the parking, standing, or stopping of vehicles;

**AND WHEREAS** sections 425 and 429 of the *Municipal Act, 2001* authorize a municipality to create offences for the contravention of its by-laws and to establish a system of fines for offences under its by-laws;

**AND WHEREAS** section 207 of the *Highway Traffic Act* and section 428 of the *Municipal Act, 2001* provide that the owner of a vehicle may be guilty of an offence, even though the owner was not the driver of the vehicle at the time of the offence, unless at the time of the offence, the vehicle was in the possession of another person without the owner’s consent;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems it necessary and desirable to regulate traffic and parking on highways, accessible parking, parking on municipal lands, and along fire routes, and to enact this By-law for that purpose;

**NOW THEREFORE** the Council of the Corporation of the Town of Pelham enacts as follows:

## 1. Purpose

1.1. The purpose of this By-law is to regulate traffic and parking in the Town of Pelham, including parking on highways, accessible parking, parking on Town property, and parking along fire routes, to protect the health and safety of all road and parking lot users.

## 2. Definitions

2.1. In this By-law:

**“Accessible Parking Permit”** means a valid parking permit for a Person with a disability, as defined and described in the AODA, issued by the Ontario Ministry of Transportation or by another jurisdiction.

**“Accessible Parking Sign”** means an Authorized Sign that designates a Parking Space as an Accessible Parking Space.

**“Accessible Parking Space”** means a Parking Space designated by pavement markings and Authorized Signs for the exclusive use of a Motor Vehicle displaying an Accessible Parking Permit in accordance with the requirements of Regulation 191/11 made under the AODA and Regulation 581 made under the *Highway Traffic Act*.

**“Administrative Penalty”** means an Administrative Penalty issued pursuant to Town of Pelham Administrative Penalty Process By-law for Traffic and Parking By-laws No. 69-2023, as amended or updated from time to time.

**“AODA”** means the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11, and all Regulations made thereunder.

**“Authorized Sign”** means a sign placed or installed by the Town on a Highway, Town Property, or Private Property, under the authority of this By-law, for the purpose of regulating Traffic and/or Parking.

**“Bicycle”** has the same meaning as in the *Highway Traffic Act* and, for greater certainty, includes a power-assisted bicycle commonly known as an e-bike.

**“Bicycle Lane”** means a portion of a Highway that is designated for preferential or exclusive use by cyclists and is designated by suitable pavement markings and/or Authorized Signs.

**“Boulevard”** means the part of a Highway between the edge of the Roadway and the nearest lateral Property line but does not include a Shoulder or Sidewalk.

**“Bus”** has the same meaning as in the *Highway Traffic Act*.

**“Bus Stop”** means a portion of a Highway that is designated as an area at which Buses will stop to receive or discharge passengers.

**“Commercial Motor Vehicle”** means a Motor Vehicle with a gross vehicle weight or registered gross weight of more than 4500 kilograms, or a Bus regardless of weight, that is used for any commercial or business purpose.

**“Community Safety Zone”** has the same meaning as in the *Highway Traffic Act*.

**“Council”** means the Council of the Town.

**“Crosswalk”** has the same meaning as in the *Highway Traffic Act*.

**“Director of By-law Services”** means the Director of the Fire and By-law Services Department of the Town or designate.

**“Director of Public Works”** means the Director of the Public Works Department of the Town or designate.

**“Driveway”** means that portion of a Highway that provides Vehicular access to and from the Roadway and an adjacent Property.

**“Electric Vehicle”** means a Motor Vehicle that is propelled by one or more electric motors, using electrical energy stored in rechargeable batteries or another energy storage device, and includes Motor Vehicles commonly known as hybrids.

**“Electric Vehicle Charging Station”** means an element of infrastructure that supplies electric energy to recharge Electric Vehicles.

**“Electric Vehicle Parking Space”** means a Parking Space designated for exclusive use by Electric Vehicles while plugged into an Electric Vehicle Charging Station and is designated by Authorized Signs.

**“Emergency Service Vehicle”** means an ambulance, fire department vehicle, police vehicle, or vehicle of the Ontario Ministry of Transportation.

**“Fire Route”** means any Private Roadway designated as a Fire Route in Schedule 16 of this By-law.

**“Fire Route Sign”** means an Authorized Sign placed by the Town for the purposes of identifying a Fire Route and/or regulating, guiding, or warning Traffic, the size and content of which are in accordance with the *Highway Traffic Act* and the Ontario Building Code.

**“Highway”** has the same meaning as in the *Highway Traffic Act*.

**“Highway Traffic Act”** means the *Highway Traffic Act*, R.S.O. 1990, c. H.8, and all Regulations made thereunder.

**“Intersection”** has the same meaning as in the *Highway Traffic Act*.

**“Island”** means a portion of a Highway constructed or designated by pavement markings and/or Authorized Signs to separate or direct Vehicular traffic onto specific portions of the Roadway, or provided for the use or protection of Pedestrians.

**“Lay-by”** means a paved area of a Highway immediately beside the Roadway, which is delineated by a modified curb line encompassing the area and that may be identified by pavement markings or Authorized Signs, that can be used Motor Vehicles to Park or Stop temporarily.

**“Motor Vehicle”** has the same meaning as in the *Highway Traffic Act*.

**“Municipal Law Enforcement Officer”** means any Person authorized by the Town to enforce this By-law and includes provincial offences officers, parking enforcement officers, and officers of the Niagara Regional Police and the Ontario Provincial Police.

**“Park”, “Parked”, or “Parking”** means the Standing of a Motor Vehicle, whether occupied or not, or the leaving of a Motor Vehicle, except Standing temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers, and the leaving of a Trailer, whether or not attached to a Motor Vehicle.

**“Parking Lot”** means an open area or portion of a structure, other than a Highway, Town Property, or Private Roadway, intended for the temporary Parking of Vehicles, and on which there are Parking Spaces.

**“Parking Space”** means a portion of a Highway, Town Property, or Private Property that is designated and set aside for the Parking of one (1) Motor Vehicle and normally designated by lines or other suitable pavement markings and/or Authorized Signs.

**“Pedestrian”** means a Person on foot, in a wheeled chair, or in a wheeled carriage.

**“Pedestrian Control Signal”** has the same meaning as in the *Highway Traffic Act*.

“**Pedestrian Crossover**” has the same meaning as in the *Highway Traffic Act*.

“**Person**” means an individual, corporation, partnership, or association.

“**Private Property**” means Property owned by a Person other than the Town, the Regional Municipality of Niagara, the Province of Ontario, or Canada.

“**Private Roadway**” means any road, lane, ramp, or other means of Vehicular access to or from Property, which is situated on Private Property and is not a Highway under the jurisdiction of the Town.

“**Property**” means any land or premises within the Town.

“**Repair and Storage Liens Act**” means the *Repair and Storage Liens Act*, R.S.O. 1990, c. R. 25.

“**Roadway**” means the part of a Highway that is improved, designed, or ordinarily used for Vehicular traffic, including Bicycles, but does not include the Shoulder.

“**Roadway Cleaning Operations**” means the use of Motor Vehicles by or on behalf of the Town to remove dirt and debris from the Roadway, including but not limited to sweeping, vacuuming, and flushing operations.

“**School Bus**” has the same meaning as in the *Highway Traffic Act*.

“**School Bus Stop**” means a portion of a Highway that is designated as an area at which School Buses will stop to receive or discharge passengers.

“**Shoulder**” means that portion of a Highway lying adjacent to the Roadway, which has an improved granular or paved surface, and is not intended for ordinary use by Motor Vehicles.

“**Sidewalk**” means that portion of a Highway between the edge of the Roadway and the nearest lateral property line that is improved for use by Pedestrians.

“**Stand**” or “**Standing**” means the halting of a Vehicle, whether occupied or not, except for the purpose of, and while actually engaged in, receiving or discharging passengers.

“**Stop**”, “**Stopped**” or “**Stopping**” means the halting of an occupied Vehicle for any length of time.

“**Traffic**” includes one (1) or more Pedestrians, Motor Vehicles, Vehicles, and other conveyances, while using any portion of a Highway for purposes of travel or the movement of goods.

“**Traffic Control Device**” means any sign, pavement marking, signal, or device, placed or installed by the Town on a Highway, under the authority of this By-law, for the purpose of regulating, warning, or guiding Traffic, and includes Traffic Control Signals, Pedestrian Control Signals, and Pedestrian Crossovers.

“**Traffic Control Signal**” has the same meaning as in the *Highway Traffic Act*.

“**Trailer**” has the same meaning as in the *Highway Traffic Act*.

“**Town**” means the Corporation of the Town of Pelham or the geographic area of the municipality, as the context requires.

“**Town Property**” means land or property owned by the Town, other than a Highway, that is intended for the temporary Parking of Motor Vehicles and on which there are one (1) or more Parking Spaces.

**“Vehicle”** has the same meaning as in the *Highway Traffic Act* and, for greater certainty, includes Trailers and Bicycles, and **“Vehicular”** has a corresponding meaning.

**“Winter Operations”** means the use of Motor Vehicles by or on behalf of the Town to prevent, mitigate, or respond to weather-related conditions on a Highway or Town Property, whether or not a snowfall event has occurred, including but not limited to clearing or removing snow from any Highway or Town Property and applying salt, sand, or like materials to any Highway or Town Property.

### 3. Application

- 3.1. This By-law applies to all Highways and parts of Highways under the Town's jurisdiction, to Fire Routes, to Town Property, and to any Parking Lot where Accessible Parking Spaces are required.
- 3.2. Where compliance with this By-law would be impracticable, this By-law shall not apply to Motor Vehicles operated by or on behalf of the Town and engaged in Town operations including but not limited to Roadway Cleaning Operations, Winter Operations, inspection, maintenance or repair of Town Property, and enforcement of the by-laws of the Town.
- 3.3. Where compliance with this By-law would be impracticable, this By-law shall not apply to any Emergency Service Vehicle while carrying out its lawful duties.

### 4. Interpretation

- 4.1. The following Schedules are attached hereto and form part of this By-law:

Schedule 1	No Stopping
Schedule 2	No Standing
Schedule 3	No Parking
Schedule 4	Limited Parking
Schedule 5	Through Highways
Schedule 6	One-Way Highways
Schedule 7	Stop Sign Locations
Schedule 8	Yield Sign Locations
Schedule 9	Community Safety Zones
Schedule 10	School Zones
Schedule 11	Speed Limits
Schedule 12	Load Restrictions – Half Year
Schedule 13	Load Restrictions – Full Year
Schedule 14	Pedestrian Crossovers
Schedule 15	Pedestrian Control Signals
Schedule 16	Fire Routes

- 4.2. The Director of Public Works is authorized to effect such modifications to Schedule 1 to Schedule 15 of this By-law as are determined to be necessary, subject to approval by a resolution of Council.
- 4.3. The Director of By-law Services and the Director of Public Works are jointly authorized to effect such modifications to Schedule 16 of this By-law as are determined to be necessary, subject to approval by a resolution of Council.
- 4.4. Where the abbreviations listed in Table 1 are used in this By-law, including all Schedules, they have the corresponding meanings set out in Table 1.

**Table 1**

Ave.	Avenue
Blvd.	Boulevard
Cir.	Circle
Crt.	Court
Cres.	Crescent
Dr.	Drive
Hwy.	Highway
Ln.	Lane
Pl.	Place
Rd.	Road
Sq.	Square
St.	Street
No.	Number
cm	Centimetre
km	Kilometre
m	Metre
mm	Millimetre
km/h	Kilometre(s) per hour
E	East
N	North
S	South
W	West

- 4.5. Distances identified in this By-law, including all Schedules, are determined by measuring from the nearest Roadway edge to the object, land, or structure to which the distance relates.
- 4.6. Expressions of time in this By-law, including all Schedules, will be construed in accordance with standard time except in periods when daylight saving time is declared to be in effect, during which time is calculated accordingly.
- 4.7. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 4.8. If there is a conflict between a provision of this By-law and a provision of any other By-law of the Town, the provision that establishes the higher standard shall prevail.
- 4.9. This By-law shall be read with all changes in number or gender as are required by context.
- 4.10. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.

## **5. General Prohibitions**

- 5.1. No Person shall operate a Vehicle in the Town except in accordance with the *Highway Traffic Act* and the provisions of this By-law.

5.2. No Pedestrian in the Town shall engage in any conduct that contravenes the *Highway Traffic Act* or the provisions of this By-law.

**6. Installation of Authorized Signs and Traffic Control Devices**

6.1. The Director of Public Works is authorized to place, install, and maintain such Authorized Signs and Traffic Control Devices as are required to give effect to the provisions of this By-law and/or that are authorized by its Schedules.

6.2. Despite any other provision of this By-law, the Director of Public Works and the Director of By-law Services are authorized to place, install, and maintain such additional Authorized Signs and/or Traffic Control Devices as are temporarily required for safety, construction, and/or emergency reasons, for the duration of the situation to which the Authorized Signs and/or Traffic Control Devices pertain.

6.3. Other than as expressly set out in this By-law, no Person shall place, install, or maintain on any Highway, Town Property, or Private Property any sign, signal, marking, or device that purports to be or resembles any Authorized Sign or Traffic Control Device.

6.4. No Person shall damage, deface, remove, move, alter, or otherwise interfere with any Authorized Sign or Traffic Control Device.

**7. Stopping, Standing, and Parking on a Highway**

7.1. No Person shall:

- a. Stop a Vehicle or permit the Stopping of a Vehicle on any Highway listed in Schedule 1 to this By-law;
- b. Stand a Vehicle or permit the Standing of a Vehicle on any Highway listed in Schedule 2 to this By-law;
- c. Park a Vehicle or permit the Parking of Vehicle on any Highway listed in Schedule 3 to this By-law; or
- d. Stop, Stand, or Park a Vehicle, or permit the Stopping, Standing, or Parking of a Vehicle on any Highway in contravention of any limitations set out in Schedule 4 to this By-law.

7.2. In addition to the prohibitions and limitations in Schedule 1 and Schedule 4 to this By-law, no Person shall Stop a Vehicle or permit the Stopping of a Vehicle on any Highway:

- a. on or partly on or over a Sidewalk;
- b. in or over an Intersection or Crosswalk;
- c. within ten (10) m of an Intersection;
- d. within ten (10) m of a Crosswalk;
- e. within thirty (30) m of a Pedestrian Crossover;
- f. in any Community Safety Zone;
- g. on or partly or over on an Island;
- h. on any Boulevard that does not have a paved or gravel surface;
- i. in any location or manner that impedes the free flow of Traffic; or
- j. in any location or manner that contravenes any Authorized Sign.

- 7.3. Sections 7.2 b., c., d., e., f. and i. of this By-law do not apply to a School Bus that is Stopped, at a School Bus Stop or elsewhere, for the purpose of, and while actually engaged in, receiving or discharging passengers, or to a Bus that is Stopped at a Bus Stop.
- 7.4. Sections 7.2 c., d., e., f. and i. of this By-law do not apply to a Commercial Motor Vehicle that is Stopped or Parked temporarily for the purpose of, and while actually engaged in, loading or unloading freight or merchandise, provided that the Commercial Motor Vehicle is Stopped or Parked for a period of not more than thirty (30) consecutive minutes.
- 7.5. In addition to the prohibitions and limitations in Schedule 2 and Schedule 4 to this By-law, no Person shall Stand a Vehicle or permit the Standing of a Vehicle on any Highway:
  - a. in any location that Stopping is prohibited by section 7.2 of this By-law; or
  - b. within fifteen (15) m of a Bus Stop.
- 7.6. In addition to the prohibitions and limitations in Schedule 3 and Schedule 4 to this By-law, no Person shall Park a Vehicle or permit the Parking of a Vehicle on any Highway:
  - a. in any location that Stopping is prohibited by section 7.2 of this By-law;
  - b. within ten (10) m of the limits of a Property on which a fire hall is located;
  - c. within three (3) m of a fire hydrant;
  - d. in front of or within three (3) m of the main entrance to or any emergency exit from any building or enclosed space in which Persons may be expected to congregate in large numbers;
  - e. in front of or within one and one-half metres (1.5) m of a Driveway;
  - f. in any location or manner that obstructs a Vehicle from using a Driveway;
  - g. for a period of longer than twelve (12) consecutive hours;
  - h. in any Lay-by for longer than twelve (12) consecutive hours;
  - i. in a location or manner that prevents the convenient removal of any other Stopped, Standing, or Parked Vehicle;
  - j. for the purpose of displaying the Vehicle for sale or lease;
  - k. for the purpose of servicing or repairing the Vehicle, except for repairs necessitated by an emergency;
  - l. in any location or manner that interferes with the formation of a funeral procession; or
  - m. where the Vehicle is a Commercial Motor Vehicle, in any residential area of the Town.
- 7.7. The Director of By-law Services may declare that the Parking prohibitions in this By-law do not apply for a temporary period to Vehicles that are Parked for the purpose of forming a funeral cortege, provided that all such Vehicles are Parked on only one (1) side of the Highway.
- 7.8. Notwithstanding any other provision of this By-law, where Stopping, Standing, or Parking is permitted on a Highway, no Person shall Stop, Stand, or Park a Vehicle or permit the Stopping, Standing, or Parking of a Vehicle in a location or manner that interferes with, or potentially interferes with, Winter Operations.

- 7.9. Notwithstanding any other provision of this By-law, where Stopping, Standing or Parking is permitted on a Highway, no Person shall Stop, Stand, or Park a Vehicle or permit the Stopping, Standing, or Parking of a Vehicle in a location or manner that interferes with, or potentially interferes with, Roadway Cleaning Operations.
- 7.10. For the purposes of section 7.8 and section 7.9 of this By-law, interference or potential interference occurs whenever a Motor Vehicle engaged in Winter Operations or Roadway Cleaning Operations is or may be unable to access or enter any portion of the Highway, including Lay-bys, due to the presence of a Vehicle, or is or may be required to change course or alter its path of travel due to the presence of a Vehicle on any portion of the Highway, including Lay-bys.
- 7.11. Where Stopping, Standing, or Parking is permitted on a two-way Roadway, no Person shall Stop, Stand, or Park a Vehicle or permit the Stopping, Standing, or Parking of a Vehicle except as follows:
  - a. where there is no Shoulder, the right front and rear wheels of the Vehicle shall be parallel to the right curb, or where no curb is present, the right edge of the Roadway, and shall be no more than thirty (30) cm from the right curb or edge, as the case may be; and
  - b. where there is a Shoulder, the right front and rear wheels of the Vehicle shall be parallel to the Shoulder, and shall be as near as is practicable to the Shoulder.
- 7.12. Where Stopping, Standing, or Parking is permitted on the right side of a one-way Roadway, no Person shall Stop, Stand, or Park a Vehicle or permit the Stopping, Standing, or Parking of a Vehicle except as follows:
  - a. where there is no Shoulder, the right front and rear wheels of the Vehicle shall be parallel to the right curb, or where no curb is present, the right edge of the Roadway, and shall be no more than thirty (30) cm from the right curb or edge, as the case may be; and
  - b. where there is a Shoulder, the right front and rear wheels of the Vehicle shall be parallel to the Shoulder, and shall be as near as is practicable to the Shoulder.
- 7.13. Where Stopping, Standing, or Parking is permitted on the left side of a one-way Roadway, no Person shall Stop, Stand, or Park a Vehicle or permit the Stopping, Standing, or Parking of a Vehicle except as follows:
  - a. where there is no Shoulder, the left front and rear wheels of the Vehicle shall be parallel to the left curb, or where no curb is present, the left edge of the Roadway, and shall be no more than thirty (30) cm from the left curb or edge, as the case may be; and
  - b. where there is a Shoulder, the left front and rear wheels of the Vehicle shall be parallel to the Shoulder, and shall be as near as is practicable to the Shoulder.
- 7.14. Where Stopping, Standing, or Parking is permitted on a portion of a Highway designated by pavement markings or Authorized Signs, no Person shall Stop, Stand, or Park a Vehicle or permit the Stopping, Standing, or Parking of a Vehicle such that any part or portion of the Vehicle is outside the area so designated.
- 7.15. Where Stopping, Standing, or Parking is permitted on a Roadway, no Person shall Stop, Stand, or Park a Vehicle or permit the Stopping, Standing, or Parking of a Vehicle on the Roadway side of any other Motor Vehicle that is Stopped, Standing, or Parked, commonly known as "double parking".

**8. Fire Routes**

- 8.1. All Private Roadways described in Schedule 16 are hereby designated as Fire Routes, which shall be identified by Fire Route Signs placed at the start and end of the Fire Route and at intervals of not less than fifteen (15) m and not more than thirty (30) m along the entirety of the Fire Route.
- 8.2. No Person shall Park a Vehicle, other than an Emergency Service Vehicle, on or along any Fire Route.
- 8.3. No Person shall obstruct, encumber, damage, or obscure a Fire Route or a Fire Route Sign.

**9. Parking on Town Property**

- 9.1. No Person shall Park a Vehicle on Town Property or permit a Vehicle to be Parked on Town Property without the consent of the Town.
- 9.2. A Vehicle that is Parked on Town Property contrary to any provision of this By-law shall be deemed to have been Parked without the consent of the Town.
- 9.3. Where one (1) or more Authorized Signs states conditions on which a Vehicle may be Parked on Town Property, a Vehicle that is Parked on Town Property contrary to any such conditions shall be deemed to have been Parked without the consent of the Town.
- 9.4. No Person shall Park a Motor Vehicle or Trailer on Town Property or permit a Motor Vehicle or Trailer to be Parked on Town Property other than in a Parking Space and in conformity with Authorized Signs and markings.
- 9.5. No Person shall Park a Motor Vehicle or Trailer on Town Property or permit a Motor Vehicle or Trailer to be Parked on Town Property in such a manner that it is not wholly within a Parking Space.
- 9.6. No Person shall Park a Motor Vehicle or Trailer on Town Property or permit a Motor Vehicle or Trailer to be Parked on Town Property in any Parking Space that is occupied by another Motor Vehicle.
- 9.7. No Person shall Park a Motor Vehicle or Trailer on Town Property or permit a Motor Vehicle or Trailer to be Parked on Town Property in any Parking Space that is temporarily closed.
- 9.8. Where an Authorized Sign prohibits overnight parking on Town Property, no Person shall Park a Vehicle on Town Property or permit a Vehicle to be Parked on such property at any time between the hours of 1:00 a.m. and 5:00 a.m. daily.
- 9.9. No Person shall Park a Vehicle on Town Property or permit a Vehicle to be Parked on Town Property in a location or manner that interferes with, or potentially interferes with, Winter Operations on Town Property. For greater certainty, interference or potential interference occurs whenever a Motor Vehicle engaged in Winter Operations is or may be unable to access or enter any portion of Town Property due to the presence of a Vehicle, or is or may be required to change course or alter its path of travel due to the presence of a Vehicle on Town Property.
- 9.10. No Person shall Park a Vehicle on Town Property or permit a Vehicle to be Parked on Town Property in such a manner as to obstruct or interfere with the ability of other Vehicles to access or travel through the Town Property.

- 9.11. No Person shall Park a Vehicle on Town Property or permit a Vehicle to be Parked on Town Property in any Parking Space for which the Town has posted signs reserving the use of the Parking Space for specific Persons or Vehicles.
- 9.12. The Town may from time to time establish such fees or charges as may be deemed necessary and appropriate for the use of Town Property. Where the Town has established a fee or charge for the use of Town Property and has posted one or more signs stating the applicable fee or charge, no Person shall Park a Vehicle on Town Property or permit a Vehicle to be Parked on Town Property without paying the applicable fee or charge.
- 9.13. No Person that Parks a Vehicle on Town Property or that permits a Vehicle to be Parked on Town Property shall injure, encumber, obstruct or foul the Town Property, or permit it to be injured, encumbered, obstructed, or fouled, by placing, discarding or leaving any object, material, substance, debris, item or thing in or upon the Town Property.

## 10. Accessible Parking

- 10.1. No Person shall establish or operate a Parking Lot except in accordance with this section.
- 10.2. Every owner and/or operator of a Parking Lot shall provide a minimum number of Accessible Parking Spaces in accordance with Table 2.

**Table 2**

Total Number of Parking Spaces	Total Number of Accessible Parking Spaces Required
1 to 12	1
13 to 100	4% of Total Number of Parking Spaces
101 to 200	3% of Total Number of Parking Spaces + 1
201 to 1000	2% of Total Number of Parking Spaces + 2

- 10.3. Nothing in this By-law prohibits the owner or operator of any Parking Lot from providing more than the minimum number of Accessible Parking Spaces required by Table 2.
- 10.4. Every Accessible Parking Space shall:
  - a. have an unobstructed rectangular area with a minimum width of 3400 mm and a minimum length of six (6) m;
  - b. be level;
  - c. have a stable surface such as asphalt, concrete, or other hard-surfaced material;
  - d. be identified by pavement markings in accordance with the *Highway Traffic Act* and the AODA;
  - e. be identified by an Accessible Parking Sign that conforms with the *Highway Traffic Act* and the AODA;
  - f. be located so as to be readily accessible to a Person with a disability, as defined and described in the AODA;

- g. where the Parking Lot is intended to serve a particular building or complex, be located within easy access of said building or complex;
- h. have an accessible Pedestrian space/aisle on each side in accordance with the AODA; and
- i. be kept free and clear of snow, ice, obstructions, and other material that could impede the use of the Accessible Parking Space.

10.5. Every owner and/or operator of a Parking Lot shall be responsible for the procurement, installation, and maintenance of Accessible Parking Signs and the pavement markings for all Accessible Parking Spaces in the Parking Lot.

10.6. No Person shall Stop, Stand, or Park a Motor Vehicle in an Accessible Parking Space except as follows:

- a. a valid Accessible Parking Permit is displayed in the Motor Vehicle such that the permit number and expiry date are clearly visible from outside the Motor Vehicle;
- b. the Accessible Parking Space is vacant of any other Motor Vehicle;
- c. the Motor Vehicle is positioned fully within the Accessible Parking Space; and
- d. the Motor Vehicle does not encroach upon the accessible Pedestrian space/aisle on either side of the Accessible Parking Space.

10.7. No fee shall be charged for the use of an Accessible Parking Space in excess of any fee charged for the use of the abutting non-Accessible Parking Spaces in the Parking Lot.

## **11. Electric Vehicle Parking**

11.1. No Person shall Park a Motor Vehicle in an Electric Vehicle Parking Space except as follows:

- a. the Motor Vehicle is an Electric Vehicle;
- b. the Electric Vehicle is plugged into the Electric Vehicle Charging Station; and
- c. the Electric Vehicle is actively charging.

11.2. Where an Electric Vehicle Parking Space is on Town Property, the Town may, in its sole discretion, make the Parking Space available for use by non-Electric Vehicles for a temporary period, during which time the Town shall ensure that all Authorized Signs designating the Parking Space as an Electric Vehicle Parking Space are fully covered or removed.

## **12. Traffic Movement: Through Highways and One-Way Highways**

12.1. Subject to section 12.2, all Highways described in Schedule 5 to this By-law are hereby designated as through Highways, as defined and described in the *Highway Traffic Act*.

12.2. The designation of all or part of a Highway as a through highway shall not include any Intersection where a Traffic Signal is installed, where the Highway intersects with a road under the jurisdiction of the Regional Municipality of Niagara, the Province of Ontario, or Canada, or where the Highway passes over land owned by the Regional Municipality of Niagara, the Province of Ontario, or Canada.

12.3. All Highways described in Schedule 6 to this By-law are hereby designated as one-way Highways for the passage of Vehicles only in the direction set out in Schedule 6.

- 12.4. No Person shall travel on any one-way Highway in the direction opposite to that set out in Schedule 6.
- 12.5. No Person shall make a U-turn on a one-way Highway or on any Highway on which Authorized Signs prohibiting a U-turn are on display.
- 12.6. Where a U-turn is not otherwise prohibited under this By-law or the *Highway Traffic Act*, such a turn shall be made only where it can be made in safety and without interfering with Traffic.
- 12.7. No Person shall operate a Vehicle in a traffic circle in any direction other than a counterclockwise direction.

**13. Stop Signs and Yield Signs**

- 13.1. The Town shall install stop signs at the Intersections described in Schedule 7 to this By-law, facing Traffic proceeding in the direction set out in Schedule 7.
- 13.2. The Town shall install yield signs at the Intersections described in Schedule 8 to this By-law, facing Traffic proceeding in the direction set out in Schedule 8.

**14. Bus Stops and Loading Zones**

- 14.1. The Town may designate a Bus Stop or a School Bus Stop on a Highway, which designation is confirmed and comes into effect upon the installation of Authorized Signs identifying the Bus Stop or School Bus Stop, as the case may be.
- 14.2. The Town may designate a Loading Zone on any Highway or Town Property, which designation is confirmed and comes into effect upon the installation of Authorized Signs identifying the Loading Zone.

**15. Community Safety Zones and School Zones**

- 15.1. The Highways or portions thereof described in Schedule 9 to this By-law are designated as Community Safety Zones as defined in the *Highway Traffic Act*, which designations are confirmed and come into effect upon the installation of Authorized Signs identifying the Community Safety Zones.
- 15.2. The Highways or portions thereof described in Schedule 10 to this By-law are designated as School Zones as defined in the *Highway Traffic Act*, which designations are confirmed and come into effect upon the installation of Authorized Signs identifying the School Zones.

**16. Speed Limits**

- 16.1. Subject to section 16.2, no Person shall operate a Vehicle at a rate of speed greater than 50 km/h.
- 16.2. Notwithstanding section 16.1, where any Highway or portion of a Highway described in Schedule 11 to this By-law is signed in accordance with the *Highway Traffic Act*, the maximum rate of speed on the said Highway or portion of the Highway shall be the rate of speed set out in Schedule 11.
- 16.3. No Person shall operate a Vehicle on any Highway or portion of a Highway at a rate of speed greater than provided for in this By-law.

**17. Load Restrictions**

- 17.1. The Highways described in Schedule 12 to this By-law are designated as being subject to the reduced load restrictions in section 122 of the *Highway Traffic Act* from the 1<sup>st</sup> day of March to the 30<sup>th</sup> day of April each year, which designations are confirmed and come into effect upon the installation of Authorized Signs identifying the reduced load restriction.

- 17.2. The Highways described in Schedule 13 to this By-law are designated as being subject to the reduced load restrictions in section 122 of the *Highway Traffic Act* from the 1<sup>st</sup> day of January to the 31<sup>st</sup> day of December each year, which designations are confirmed and come into effect upon the installation of Authorized Signs identifying the reduced load restriction.
- 17.3. The Director of Public Works is authorized to grant or refuse permits for the operation of a Vehicle or the moving of a Vehicle, load, object, or structure that exceeds the maximum dimensions or weight permitted under the *Highway Traffic Act*.
- 17.4. No Person shall operate or move on any Highway a Vehicle, load, object, or structure that exceeds the maximum dimensions or weight permitted under the *Highway Traffic Act* without first having obtained a permit from the Director of Public Works.

**18. Operation of Motor Vehicles**

- 18.1. No Person shall operate a Motor Vehicle on any Sidewalk except for the purpose of directly crossing the Sidewalk.
- 18.2. Other than where Parking on a Boulevard is permitted under this By-law, no Person shall operate a Motor Vehicle on any Boulevard except for the purpose of directly crossing the Boulevard.
- 18.3. The operator of a Motor Vehicle emerging from a Driveway or other Property onto a Highway shall bring the Motor Vehicle to a full stop immediately before proceeding onto any Sidewalk and shall yield the right-of-way to any Pedestrians on the Sidewalk.
- 18.4. No Person shall operate or Park a Motor Vehicle on any part of a Highway that is barricaded and marked by Authorized Signs showing that the use of the Highway is prohibited or restricted.
- 18.5. No Person shall drive a Motor Vehicle over a raised curb except at a place where there is a ramp or depressed curb intended for Vehicular access.
- 18.6. No Person shall board or alight from a Motor Vehicle while such Motor Vehicle is in motion.

**19. Pedestrians and Bicyclists**

- 19.1. No Pedestrian shall proceed over or under a Pedestrian barrier, or within any area that is barricaded and/or marked by Authorized Signs showing that the use of a Sidewalk or Highway by Pedestrians is prohibited or restricted.
- 19.2. The locations described in Schedule 14 to this By-law are designated as Pedestrian Crossovers, which designations are confirmed and come into effect upon the installation of Authorized Signs identifying the Pedestrian Crossover.
- 19.3. The locations described in Schedule 15 to this By-law are designated as Pedestrian Control Signal locations, which designations are confirmed and come into effect upon the installation of Authorized Signs identifying the Pedestrian Control Signal.
- 19.4. No Person shall play or take part in any game or sport upon a Roadway, including the placement or storage of sports equipment upon a Highway.
- 19.5. No Person wearing roller skates, inline skates, or similar equipment, or riding in or by means of any skateboard, coaster, toy vehicle or similar device, shall go upon a Roadway except for the purpose of directly crossing the Roadway and while so doing shall have the rights and be subject to the obligations of a Pedestrian under the *Highway Traffic Act*.

- 19.6. Pedestrians shall utilize Sidewalks whenever they are provided adjacent to a Roadway.
- 19.7. No Person shall obstruct or impede Pedestrians on a Sidewalk.
- 19.8. No Person shall operate a Bicycle upon a Sidewalk except for the purpose of directly crossing the Sidewalk.
- 19.9. The operator of a Bicycle emerging from a Driveway or other Property onto a Highway shall bring the Bicycle to a full stop immediately before proceeding onto any Sidewalk and shall yield the right-of-way to any Pedestrians on the Sidewalk.
- 19.10. Persons operating Bicycles upon a Roadway or Shoulder shall ride single file.
- 19.11. Any Person operating a Bicycle upon a Roadway shall ride as close to the right side of the Roadway as is practicable and shall exercise due care when passing a Vehicle that is Standing or proceeding in the same direction.
- 19.12. No Person shall Park a Bicycle upon any Roadway or Shoulder, but may Park a Bicycle on a Boulevard or Sidewalk, provided that the Bicycle is in an upright position and is Parked so as to minimize interference with Pedestrians.

**20. Enforcement**

- 20.1. This By-law shall be enforced by Municipal Law Enforcement Officers.
- 20.2. A Municipal Law Enforcement Officer may, for the purpose of enforcing this By-law, exercise any power, authority or remedy granted to the Town pursuant to the *Municipal Act, 2001* and/or the *Highway Traffic Act*.
- 20.3. A Municipal Law Enforcement Officer may, at all reasonable times, enter and inspect Property to determine if this By-law is being complied with and, for the purposes of such an inspection, may require production of documents and/or information from a Person concerning a matter related to the inspection.
- 20.4. No Person shall obstruct or hinder, or attempt to obstruct or hinder, any Municipal Law Enforcement Officer in the exercise of a power or the performance of a duty under this By-law.

**21. Penalty**

- 21.1. Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such penalties as may be provided for in the *Municipal Act, 2001*, the *Highway Traffic Act*, and/or the *Provincial Offences Act*, R.S.O. 1990, c. P.33.
- 21.2. Each day on which a Person contravenes any provision of this By-law shall be deemed to constitute a separate offence as provided for in section 429 of the *Municipal Act, 2001*.
- 21.3. Every Person who contravenes any provision of this By-law is, upon issuance of a penalty notice in accordance with the Administrative Penalty Process By-law for Traffic and Parking By-laws No. 69-2023, liable to pay to the Town an administrative penalty in accordance with that By-law.
- 21.4. For greater certainty, both the driver and the owner of a Motor Vehicle are liable to the penalties prescribed by subsections 21.1, 21.3, and 21.3 of this By-law unless, at the time of the offence or By-law contravention, the Motor Vehicle was in the possession of a Person other than the owner without the consent of the owner.

- 21.5. A Municipal Law Enforcement Officer, upon discovery of any Vehicle Parked or Stopped 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 the removal, care, and storage thereof, if any, are a lien upon the Vehicle that may be enforced in the manner provided by the *Repair and Storage Liens Act*.
- 21.6. Despite any other provision of this By-law, a Municipal Law Enforcement Officer may, before removing or causing to be removed the Vehicle as provided for in subsection 21.5 of this By-law, issue and attach to the Vehicle a Town parking infraction notice alleging that the provisions of this By-law have been contravened.

**22. General**

- 22.1. The short title of this By-law is the "Traffic and Parking Regulation By-law".
- 22.2. The Town Clerk is authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

**23. Enactment**

- 23.1. By-law No. 89-2000, By-law No. 97-2020, By-law No. 4462-2022, and By-law No. 4483-2022, together with all amendments to the said By-laws, are hereby repealed and replaced.
- 23.2. This By-law shall come into force on the date it is signed.

Read, enacted, signed and sealed this 18th day of February, 2026.



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Marvin Junkin, Mayor



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Sarah Leach, Acting Town Clerk