

THE CORPORATION OF THE
T O W N O F P E L H A M

BY-LAW NUMBER 89-2000

A by-law regulating traffic and parking on
highways under the jurisdiction of the Town
of Pelham.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM
ENACTS AS FOLLOWS:

PART I - INTERPRETATION

General

101.01 In this by-law:

101.01.01 "Area Municipality" has the same meaning as in The
Regional Municipality of Niagara Act, R.S.O. 1980,
C. 438, as amended.

101.01.02 "Bicycle" has the same meaning as in the Highway
Traffic Act.

101.01.03 "Boulevard" means all parts of the highway save and
except any roadway, shoulder, driveway or sidewalk
and

(i) "outer boulevard" means such portions of the
highway lying between any sidewalk and the
roadway or the shoulder where such exists;

(ii) "inner boulevard" means such portion of the
highway lying between the lateral boundary and
the sidewalk and where there is no sidewalk it
means that portion of the highway lying
between the lateral boundary and the roadway
or the shoulder where such exists.

101.01.04 "Bus" has the same meaning as in the Highway Traffic
Act.

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Approved by the Council of
the Regional Municipality of
Niagara on APR 20 1989
Carla Cavasin
D. CLERK, The Regional
Municipality of Niagara

TOWN OF PELHAM
CERTIFIED A TRUE COPY
Mary J. Hackett

- 101.01.05 "Bus Stop" means a portion of a highway designated as an area at which buses will stop to receive or discharge passengers.
- 101.01.06 "Chief of Police" means the Chief of The Niagara Regional Police Force.
- 101.01.07 "Commercial Motor Vehicle" has the same meaning as the Highway Traffic Act.
- 101.01.08 "Corner" with reference to a highway intersection, means the point of intersection of the prolongation of the lateral curb lines or in the absence of curbs the prolongation of the edges of the roadways.
- 101.01.09 "Crosswalk" has the same meaning as in The Highway Traffic Act.
- 101.01.10 "Cul-de-sac" means a highway which is closed at one end where a turning circle or basin is constructed to allow a vehicle to turn around and egress at the open end.
- 101.01.11 "Driveway" means the improved land on a highway which provides vehicular access from the roadway to a laneway or parking area on adjacent land;
- 101.01.12 "Emergency Vehicle" has the same meaning as in The Highway Traffic Act.
- 101.01.13 "Farm Tractor" has the same meaning as in The Highway Traffic Act.
- 101.01.14 "Gross Weight" has the same meaning as in The Highway Traffic Act.

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- 101.01.15 "The H.T.A." or "The Highway Traffic Act" means The Highway Traffic Act, R.S.O. 1980, c. 198, as amended.
- 101.01.16 "Highway" has the same meaning as in The Highway Traffic Act.
- 101.01.17 "Holiday" includes Sunday, New Year's Day, Good Friday, Easter Monday, Victoria Day, Canada Day, the day proclaimed as a Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day, the day proclaimed as the monarch's birthday or the day fixed by proclamation of the Governor General or Lieutenant-Governor-in-Council as a public holiday or for a general feast or thanksgiving and the next following day when any such holiday falls on a Sunday.
- 101.01.18 "Intersection" has the same meaning as in The Highway Traffic Act.
- 101.01.19 "Island" means a portion of a highway so constructed as to separate or direct vehicular traffic onto specific portions of the roadway, or provided for the use or protection of pedestrians.
- 101.01.20 "Loading Zone" means the portion of a roadway set apart for the exclusive purpose of parking a commercial motor vehicle to load or unload the same.
- 101.01.21 "Median Strip" has the same meaning as in The Highway Traffic Act.
- 101.01.22 "Ministry" means the Ministry of Transportation of Ontario.

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- 101.01.23 "Mobile Canteen" includes any vehicle in or from which any food or other edible substance or any beverage is offered for retail sale or sold direct to the consumer.
- 101.01.24 "Motor Assisted Bicycle" has the same meaning as in The Highway Traffic Act.
- 101.01.25 "Motorcycle" has the same meaning as in The Highway Traffic Act.
- 101.01.26 "Motor Vehicle" has the same meaning as in The Highway Traffic Act.
- 101.01.27 "Official Sign" has the same meaning as in The Highway Traffic Act or means any sign 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.
- 101.01.28 "One-way Roadway" means a roadway or part of a roadway designated as such by by-law of the Region.
- 101.01.29 "Park" or "Parking" has the same meaning as in The Highway Traffic Act.
- 101.01.30 "Parking Meter" means a device that shall indicate thereon the length of time during which a vehicle may be parked which shall have as a part thereof a receptacle for receiving and storing coins, a slot or place in which such coins may be deposited, a timing mechanism to indicate the passage of the interval of time during which the parking is permissible and which shall also display a signal when said interval or time shall have elapsed.

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- 101.01.31 "Parking Meter Zone" means the highways or parts of highways designated by this by-law as constituting a parking meter zone.
- 101.01.32 "Parking Space" means a portion of the surface of a highway designated by suitable markings, the use of which is controlled and regulated by a parking meter.
- 101.01.33 "Pedestrian" means a person on foot, or in a wheelchair, baby carriage, or on a child's play vehicle propelled by muscular power.
- 101.01.34 "Pedestrian Barrier" means a rail, fence or a device installed on a sidewalk or at any location within a highway at where pedestrian is prevented from crossing the roadway or entering a barricaded area.
- 101.01.35 "Pedestrian Crossover" has the same meaning as in The Highway Traffic Act.
- 101.01.36 "Police Force" means The Niagara Regional Police Force.
- 101.01.37 "Police Officer" means a constable, any municipal by-law enforcement officer or any person appointed for enforcing or carrying out the provisions of this by-law.
- 101.01.38 "Public Vehicle" has the same meaning as in The Public Vehicles Act, R.S.O. 1980, c. 425, as amended.
- 101.01.39 "Regional Council" has the same meaning as in The Regional Municipality of Niagara Act, R.S.O. 1980, c. 438, as amended.
- 101.01.40 "Regional Municipality" or "Region" means the Corporation of the Regional Municipality of Niagara.

- 101.01.41 "Roadway" has the same meaning as in The Highway Traffic Act.
- 101.01.42 "School Bus" has the same meaning as in The Highway Traffic Act.
- 101.01.43 "Shoulder" means that portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved or maintained to support a stopped vehicle.
- 101.01.44 "Side, approach" means that side closest to lawfully approaching vehicular traffic.
- 101.01.45 "Side, remote" means that side most distant from lawfully approaching vehicular traffic.
- 101.01.46 "Sidewalk" means a foot path or any portion of a highway set aside or improved for the use of pedestrians.
- 101.01.47 "Stand" or "Standing" has the same meaning as in The Highway Traffic Act.
- 101.01.48 "Stop" or "Stopping" has the same meaning as in The Highway Traffic Act.
- 101.01.49 "Taxi Cab" has the same meaning as in The Public Vehicle Act, R.S.O. 1980, c. 425, as amended.
- 101.01.50 "Through Highway" has the same meaning as in The Highway Traffic Act.
- 101.01.51 "Town Council" means the Municipal Council of the Corporation of the Town of Pelham.

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- 101.01.52 "Town of Pelham" means the Corporation of the Town of Pelham.
- 101.01.53 "Traffic" includes pedestrians, ridden, led or herded animals, vehicles, motorized snow vehicles and other conveyances, either singly or together while using any portion of a highway for the purposes of travel or movement of goods.
- 101.01.54 "Traffic Control Device" means any sign, traffic signal or other roadway, curb or sidewalk marking, or any other device erected or placed under the authority of this by-law for the purpose of regulating, warning or guiding traffic.
- 101.01.55 "Traffic Signal" means any device operated manually, electrically or mechanically for the regulation of traffic.
- 101.01.56 "Trailer" has the same meaning as in The Highway Traffic Act.
- 101.01.57 "Transit Commission" means any local board of an area municipality operating a public passenger transportation system, or any private body operating a public passenger transportation system under franchise from or agreement with an area municipality.
- 101.01.58 "U-Turn" means to turn a vehicle within a roadway in order to proceed in the opposite direction from the direction the vehicle was previously travelling.
- 101.01.59 "Vehicle" has the same meaning as in The Highway Traffic Act.

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101.01.60 "Wheelchair" has the same meaning as in The Highway Traffic Act.

101.01.61 "Works Superintendent" means the Works Superintendent of the Corporation of the Town of Pelham.

101.02 In this by-law:

101.02.01 Words importing the singular number of the masculine gender only, include more persons, parties or things of the same kind than one, and females as well as males.

101.02.02 A word interpreted in the singular number has a corresponding meaning when used in the plural.

Abbreviations

102.01 In the schedules to this by-law, the following abbreviations, definitions and symbols stand for the words respectively set forth opposite thereto as follows:

Ave.	-	Avenue
Blvd.	-	Boulevard
Cir.	-	Circle
Ct.	-	Court
Cres.	-	Crescent
Dr.	-	Drive
Hwy.	-	Highway
Pkwy.	-	Parkway
Pl.	-	Place
Regn.	-	Regional
Rd.	-	Road
St.	-	Street
Sq.	-	Square

No.	-	Number
cm	-	centimetre
km	-	kilometre
km/h	-	kilometre per hour
m	-	metre
N	-	North
S	-	South
W	-	West
E	-	East
a.m.	-	Ante Meridian
p.m.	-	Post Meridian

Distance

102.02 Where a distance is used in this by-law as from, to or within a specified distance of an object, structure, land, intersection or part of a highway, such distance shall be measured along the curb or edge of the roadway, from a point in such curb or edge or roadway opposite such object, structure, land or corner, unless the context otherwise requires.

Cumulative Effect

102.03 The various restrictions of this by-law are cumulative and not mutually self-exclusive.

Severability

102.04 It is declared that if any section, subsection, schedule or part thereof of this by-law be declared by a court of law to be bad, illegal or ultra vires, such part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

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Standard Time and Daylight Saving Time

- 103.01 Whenever in this by-law a day or hour is referred to, the same shall be construed in accordance with Standard Time or Daylight Saving Time, as may be in current official use in the Town of Pelham.

PART II - STOPPING, STANDING AND PARKING

Two-Way Roadway and Right Side of One-Way Roadway

- 201.01 Where stopping, standing or parking is permitted, except as provided in Subsections 201.04 and 201.07, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb or no shoulder on the right side of the roadway, having regard to the direction in which such vehicle was travelling, unless the right front and rear wheels are parallel to the right curb or edge of the roadway.
- 201.02 Where stopping, standing or parking is permitted, except as provided in Subsections 201.05 and 201.07, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb or no shoulder on the right side of the roadway, having regard to the direction in which such vehicle was travelling, unless the right front and rear wheels are not more than thirty centimetres (30cm) from the right curb or edge of the roadway.
- 201.03 Where stopping, standing or parking is permitted, except as provided in Subsections 201.06 and 201.07, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is shoulder on the right side of the roadway, having regard to the direction in which such vehicle was travelling, unless the right and front wheels are parallel to and as near as is practicable to the right edge of the shoulder.

One-Way Roadway, Left Side

- 201.04 Where stopping, standing or parking is permitted on the left side of a highway designated for one-way traffic, except as provided in subsection 201.07, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb or no shoulder on the left side of the roadway, having regard to the direction in which the vehicle was travelling, unless the left front and rear wheels parallel to the left curb or edge of the roadway.
- 201.05 Where stopping, standing or parking is permitted on the left side of a highway designated for one-way traffic, except as provided in subsection 201.07, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb or no shoulder on the left side of the roadway, having regard to the direction in which the vehicle was travelling, unless the left front and rear wheels are not more than thirty centimetres (30 cm) away from the left curb or edge of the roadway.
- 201.06 Where stopping, standing or parking is permitted on the left side of a highway designated for one-way traffic, except as provided in subsection 201.07, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a shoulder on the left side of the roadway, having regard to the direction in which the vehicle was travelling, unless the left front and rear wheels parallel to and as near as is practicable to the left curb or edge of the roadway.

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Angle Parking Zones

- 201.07 Where angle parking is permitted, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked except at the angle designated by signs or markings, and with the front end of the vehicle at the curb or the edge of the designated space which is remote from the centre of the roadway.

Signed or Marked Areas

- 201.08 No person shall permit a vehicle to remain stopped, standing or parked on any portion of any highway designated by signs or markings on the highway for stopping, standing, or parking except when the said vehicle is entirely within the space or area so designated.

Double Parking Prohibited

- 201.09 No person shall stop, stand or park a vehicle or permit a vehicle to remain stopped, standing or parked on any highway on the roadway side of any stopped, standing or parked vehicle.

Shoulder and Boulevard Restrictions

- 202.01 Unless otherwise provided in this by-law, no person shall stop, stand or park a vehicle or permit a vehicle to remain stopped, standing or parked on any shoulder and boulevard contrary to the prohibition or restriction applicable to the adjacent roadway as herein provided by this by-law.

Parking Limitation Within the Same Zone

- 202.02 No person shall stop, stand or park a vehicle or permit a vehicle to remain stopped, standing, or parked on a portion of the highway within thirty metre (30 m) of or within one hour from the time of its removal from such portion of a highway where such portion is referred to in Part II to this by-law.

Stopping Prohibited - Specified Places, Without Signs

- 203.01 No person shall stop any vehicle or permit any vehicle to remain stopped on any highway:
- 203.01.01 On or partly on or over a sidewalk.
- 203.01.02 Within an intersection or crosswalk.
- 203.01.03 Adjacent to or across the roadway from any obstruction in the roadway when such action would impede the free flow of traffic.
- 203.01.04 Upon any bridge or elevated structure and within any tunnel or underpass, or within thirty metres (30 m) of either end of any such structure, except where stopping in these locations is otherwise permitted by this by-law.
- 203.01.05 On any median strip or adjacent to either side or the ends of any median strip separating two roadways, except when stopping in these locations is otherwise permitted by this by-law.
- 203.01.06 On any outer boulevard.

Stopping Prohibited - Specified Places, With Signs

- 203.02 When official signs are on display, no person shall stop a vehicle or permit a vehicle to remain stopped on a highway.
- 203.02.01 Within thirty metres (30 m) of the approach side of a crosswalk at a school crossing designated by official signs or of a pedestrian crossover, or within ten metres (10 m) of the remote side of a school crosswalk or a pedestrian crossover.

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203.02.02 Within thirty metres (30 m) of the approach side of the nearest rail of any level crossing of a railway, or within sixteen metres (16 m) of the remote side of the nearest rail of any such level crossing.

203.02.03 On either side or both sides of such highway adjacent to a school or playground at such times as displayed on the signs.

203.02.04 Within fifteen metres (15 m) of an intersection.

203.02.05 Within sixty metres (60 m) of an intersection controlled by a traffic signal.

Stopping Prohibited - Schedule "A"

203.03 When official signs are on display, no person shall stop a vehicle or permit a vehicle to remain stopped on a highway, at the side, between the limits, and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule "A" of this by-law.

203.04 The provisions of Subsections 203.02.01, 203.02.03 or 203.03, shall not apply to a school bus within a School Bus Loading Zone designated by official signs.

Standing Prohibited - Specified Places, With Signs

204.01 Subject to Section 203, when official signs are on display, no person shall stand a vehicle or permit a vehicle to remain standing on a highway.

204.01.01 Within twelve metres (12 m) of the remote side of a designated Transit Commission bus stop or within twenty-eight metres (28 m) of the approach side of such bus stop, provided such vehicle does not interfere with a bus waiting to enter or about to enter or exit from such bus stop.

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Standing Prohibited - Schedule "B"

- 204.02 Subject to Section 203, when official signs are on display, no person shall stand a vehicle for the purpose of standing or permit a vehicle to remain standing on a highway, at the side, between the limits, and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule "B" of this by-law.

Parking Prohibited - Specified Places, Without Signs

- 205.01 Subject to Sections 203 and 204, no person shall park a vehicle or permit a vehicle to remain parked on any highway:

205.01.01 Within ten metres (10 m) of an intersection.

205.01.02 Within three metres (3 m) of a fire hydrant.

205.01.03 On an inner boulevard.

205.01.04 On a driveway within thirty centimetres (30 cm) of a sidewalk, between the sidewalk and the roadway or where there is no sidewalk within three metres (3 m) of the edge of roadway or one metre (1 m) of shoulder.

205.01.05 In front of or within one and one-half metres (1.5 m) of a laneway or driveway or a curb-cut or depressed curb thereto.

205.01.06 On either side of a roadway so as to obstruct a vehicle in the use of any laneway or driveway.

205.01.07 In such a position that will prevent the convenient removal of any other vehicle previously stopped, standing or parked.

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205.01.08 For the purpose of displaying such vehicle for sale or lease.

205.01.09 For the purpose of servicing or repairing such vehicle except for repairs as have been necessitated by an emergency.

205.01.10 For a longer period than 12 hours at any one time.

205.01.11 Between the hours of 2:00 a.m. and 6:00 a.m. within the municipal boundaries set out in Schedule "C1" of this by-law.

Parking Prohibited - Specified Places, With Signs

205.02 Subject to Sections 203 and 204, when official signs are on display, no person shall park a vehicle or permit a vehicle to remain parked on any highway:

205.02.01 In front of or within eight metres (8 m) of the property limits on which a fire hall is located, or on the opposite side of the said highway, within thirty metres (30 m) of the prolonged lot limits of the said property.

205.02.02 Within twenty-two metres (22 m) of an intersection.

205.02.03 Within sixty (60 m) of an intersection controlled by a traffic signal.

205.02.04 In front of or within three metres (3 m) of the main entrance to or any emergency exit from any public house, hotel, motel, hospital, nursing home, theatre, auditorium or other building or enclosed space in which persons may be expected to congregate in large numbers.

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- 205.02.05 Within three metres (3 m) of a laneway or driveway or a curb cut or depressed curb thereto.
- 205.02.06 Having a roadway width of eight metres (8 m) or less.
- 205.02.07 Within thirty metres (30 m) of the approach side and within fifteen metres (15 m) of the remote side of a crosswalk controlled by a traffic signal and not located at an intersection.
- 205.02.08 So as to interfere with the formation of a funeral procession.
- 205.02.09 Within the turning circle or basin of a cul-de-sac.
- 205.02.10 Within fifteen metres (15 m) of the termination of a dead end roadway.
- 205.02.11 Where the Chief of Police or Works Superintendent is of the opinion that, for some temporary period, the safety of the public, the proper movement of traffic, or the proper and safe performance of some vital function of the Town of Pelham requires the prohibition or limitation of parking.

Parking Prohibited - Schedule "C"

- 205.03 Subject to Sections 203 and 204, when official signs are on display, no person shall park a vehicle or permit a vehicle to remain parked on a highway, at the side, between the limits, and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule "C" of this by-law.

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Trailer and Commercial Motor Vehicle Parking Prohibition - Schedule "D"

- 205.04 Subject to Sections 203 and 204, when official signs are on display, no person shall park a trailer or commercial motor vehicle in excess of the registered gross vehicle weight as set out in column 5 of Schedule "D" of this by-law, or permit a trailer or commercial motor vehicle to remain parked on a highway, at the side, between the limits, and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule "D" of this by-law.

Parking Restriction Exemptions - Funeral Corteges

- 206.01 If the Chief of Police is of the opinion or deems it desirable, he may declare that Subsections 205.02.03, 205.02.04, 205.02.07 and 205.03 do not apply for a temporary period to prevent the parking of vehicles forming part of any funeral cortege, provided that all such vehicles are parked on only one side of the highway at one time.

Limited Parking - Schedule "E"

- 207.01 Subject to the previous sections of Part II, when official signs are on display, no person shall park a vehicle or permit a vehicle to remain parked on a highway, at the side, between the limits, for a longer period of time and during the times and days set out respectively in columns 1, 2, 3, 4 and 5 of Schedule "E" to this by-law.

Angle Parking - Schedule "F"

- 208.01 Subject to the previous sections of Part II, angle parking is permitted on the roadways, at the sides, and between the limits set forth respectively in columns 1, 2 and 3 of Schedule "F" of this by-law.

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Parking Meters - General Regulations

- 209.01 Where parking meters have been installed under the authority of this by-law, no person shall park a vehicle or permit a vehicle to remain parked in a parking meter space unless:
- 209.01.01 Where parallel parking is permitted, the front wheels of such vehicle are adjacent to the single parking meter provided for such parking meter space.
- 209.01.02 Where parallel parking is permitted and two meters are mounted on the same standard, the rear wheels of the remote vehicle shall be adjacent to or as close as is practicable to such parking meters and the front wheels of the approach vehicle shall be adjacent to or as close as is practicable to such parking meters.
- 209.01.03 Where angle parking is permitted, the front wheels of the vehicle shall be adjacent to or as close as is practicable to the parking meter provided for such parking meter space.
- 209.02 No person shall park a vehicle or permit a vehicle to remain parked in such a manner that it is not wholly within the area designated as a parking space unless the vehicle is of such length as to render it impossible to park it in one parking space, in which case the adjoining parking space or spaces may, in addition, be used if the required coin deposits are made in the parking meters provided for all such parking spaces so used.
- 209.03 No person shall park a vehicle or permit a vehicle to remain parked in a parking meter space if:

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209.03.01 The parking meter has been covered by a parking meter cover or parking prohibition sign, or

209.03.02 Such parking meter space is presently occupied by another vehicle.

Parking Metered Space Subject to Other Provisions

209.04 The stopping, standing, and parking of a vehicle in metered spaces shall be subject to all prohibitions, restrictions, limitations and provisions of this By-law, other Town of Pelham Traffic By-laws and The Highway Traffic Act.

Use of Parking Meter

209.05 No person shall deposit or cause to be deposited in any parking meter:

209.05.01 Any slug, device or other substitute for a coin of the Dominion of Canada or of the United States of America, or

209.05.02 Any coin except a one cent coin commonly referred to as a "penny", a five cent coin commonly referred to as a "nickel", a ten cent coin commonly referred to as a "dime", a twenty-five cent coin commonly referred to as a "quarter", or a dollar coin commonly referred to as a "dollar", of the Dominion of Canada or of the United States of America.

Parking Meter Zones - Schedule "G"

209.06 The highways or portions of the highways described in Schedule "G" of this by-law are hereby designated as parking meter zones.

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209.06.01 Subject to the provisions of Subsection 209.06.02, when parking meters have been erected on the highway, at the side, and between the limits set out respectively in Column 1, 2 and 3 of Schedule "G" of this by-law, no person shall park a vehicle or permit a vehicle to remain parked for a longer period of time and during the times and days set out respectively in Columns 5 and 6 of the said schedule.

209.06.02 Subject to the maximum parking time period and the hours and days of operation set out in Schedule "G" of this by-law, no person shall park any vehicle or permit a vehicle to remain parked in a parking meter space unless the fee set out in Column 4 of the said schedule is deposited in the meter controlling such parking meter space and the said meter is in operation.

Unexpired Parking Meter

209.07 The driver of a vehicle shall not be prevented from using the unexpired time remaining on a parking meter from its previous user without depositing a coin therefor.

Vehicle at Expired Parking Meter

209.08 The fact that a parking meter governing a parking meter space indicates that a vehicle is unlawfully parked is prima facie evidence that such vehicle is unlawfully parked.

Loading and Parking Permits and Parking Meter Exemptions

209.09.01 Notwithstanding other provisions of this by-law commercial vehicles may be parked in a metered zone.

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- 209.09.02 The By-law Enforcement Officer may issue commercial loading permits for not more than thirty (30) minutes to the owner of any commercial vehicle and any commercial vehicle for which such a permit has been issued may be parked in any parking space while actually engaged in loading or unloading goods, wares, or merchandise, without making use of the parking meter adjacent to such parking space.
- 209.09.03 Every commercial vehicle for which a commercial loading permit has been issued shall be identified by having affixed to the windshield thereof an official parking sticker issued by the By-law Enforcement Officer.
- 209.09.04 The fee for every commercial loading permit shall be in accordance with the Tariff contained in Schedule "G1" to this by-law. Every such permit shall expire on the 31st. day of December of the year for which it was issued.
- 209.09.05 Notwithstanding anything hereinbefore contained, drivers of the following classes of vehicles shall not be required to deposit coins in the parking meter provided for a parking space occupied by such vehicles:
- (i) Fire Department vehicles of the Town of Pelham;
 - (ii) Regional Police Force vehicles;
 - (iii) Ambulances;
 - (iv) Hearses
 - (v) Privately owned vehicles in use by employees of the Town of Pelham or Regional Municipality of Niagara on municipal business, provided that such vehicles are identified by having affixed to the windshield thereof an official parking sticker issued by the Town of Pelham or by the Regional Municipality of Niagara.

- (vi) Vehicles owned by the Region or the Town of Pelham.
- (vii) Vehicles of an area municipal Public Utilities Commission while such vehicles are being used in connection with the construction, maintenance or repair of any plant or equipment of such Commissions.

209.09.06 Commercial vehicle loading permits or parking permits issued by the Region to the owner of any commercial vehicle in the Town of Pelham shall be deemed to be permits issued under this Section.

Taxicabs Parking - Prohibited

209.10 No person shall park any taxicab in a metered parking space, whether the prescribed fee for the use thereof is paid or not, for the purpose of soliciting business; however, it shall be lawful for the driver of a taxicab to stop his taxicab in any unoccupied parking space while actually engaged in loading or unloading passengers.

PART III - SPECIAL ZONES

Bus Stops

301.01 The establishment of a bus stop for local Transit Commission buses on roadways is hereby authorized, and shall be conclusively deemed to have been established when official signs are on display.

Public Vehicle (Inter-City) Parking Zone - Schedule "H"

301.02 Subject to Part II, when official signs are on display, no person shall park a vehicle or permit a vehicle to remain parked on the highway, at the side, between the limits and during the times and days set out respectively in Columns 1, 2, 3 and 4 of Schedule "H" of this by-law, except a public vehicle.

Public Vehicle (Inter-City) Bus Stop - Schedule "I"

- 301.03 Subject to Part II, when official signs are on display, no person shall stand a vehicle or permit a vehicle to remain standing on a highway, at the side, between the limits and during the times and days set out respectively in Columns 1, 2, 3 and 4 of Schedule "I" to this by-law, other than a public vehicle taking on or discharging passengers except that the driver of a vehicle may temporarily stop in a bus stop for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with a public vehicle waiting to enter or about to enter or exit such bus stop.

School Bus Loading Zones

- 302.01 When official signs have been erected in accordance with The Highway Traffic Act, the portion of highway designated by such signs is hereby established as a "School Bus Loading Zone" and subject to the regulation under the said Act.

Vending Stops - Schedule "J"

- 303.01 No person who sells or offers for sale or takes orders for goods, wares, merchandise or produce from a vehicle shall, for the purpose of carrying on their business, stop the vehicle or permit the vehicle to remain stopped on any part of the highway in such a manner as to interfere with the movement of traffic.
- 303.02 No person shall offer for sale or take orders for goods, wares, merchandise or produce from a vehicle on a highway except from the side of such vehicle facing the closest boulevard.

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- 303.03 Subject to Part II, no person shall stop a mobile canteen on a roadway, at the side, between the limits, and during the times and days set out respectively in Columns 1, 2, 3 and 4 of Schedule "J" of this by-law.

Taxi Cab Stands - Schedule "K"

- 304.01 Subject to Part II, when official signs are on display, no person shall stand a vehicle or permit a vehicle to remain standing on the highway, at the side, between the limits and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule "K" of this by-law, except a taxi cab.

Loading Prohibited - Schedule "L"

- 305.01 Subject to Part II, when official signs are on display, no person shall stop a vehicle to load or unload freight or merchandise or permit a vehicle to stop to load or unload freight or merchandise on a highway, between the limits, at the side and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule "L" of this by-law.

Loading Zones - Schedule "M"

- 305.02 Subject to Part II and previous sections of Part III, when official signs are on display, no person shall stop a vehicle or permit a vehicle to remain stopped on a highway, between the limits, at the side and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule "M" of this by-law, except a commercial motor vehicle when parked temporarily for the purpose of and while actually engaged in loading or unloading freight or merchandise, and such parking shall not exceed a period of thirty (30) minutes.

con't.....

PART IV - TRAFFIC MOVEMENT - THROUGH HIGHWAYS - STOPS YIELDS -
URNS - ONE-WAY HIGHWAYS TRAFFIC CIRCLES - DESIGNATED LANES

Through Highways - Schedule "N"

401.01 The highways between the limits set out in columns 1 and 2 of Schedule "N" of this by-law, are, except as provided in Subsection 401.02 hereby designated as through highways.

401.02 The designation in Subsection 401.01 of a highway or part of a highway as a through highway shall not include any intersection thereon where the highway intersected is a King's Highway or Regional Road, where traffic signals are installed or where the roadway passes over land owned by the Crown or the Region.

Stop Signs at Intersections - Schedule "P"

402.01 The Town of Pelham shall erect stop signs on the highways, at the intersections set out in columns 1 and 2 of Schedule "P" of this by-law, facing traffic proceeding in the direction set out in column 3 of the said schedule.

Yield Signs at Intersections - Schedule "Q"

403.01 The Town of Pelham shall erect yield signs on the highways, at the intersections set out in columns 1 and 2 of Schedule "Q" of this by-law, facing traffic proceeding in the direction set out in column 3 of the said schedule.

Prohibited Turns - Schedule "R"

404.01 When official signs are on display, no vehicle on the highways, at the intersections or locations set out in columns 1 and 2 of Schedule "R" of this by-law, and proceeding in the direction set out in column 3 of the said schedule, shall be turned in the manner or the direction, during the times and days set out in columns 4 and 5 of the said schedule.

404.02 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 other traffic.

One Way Highways - Schedule "T"

405.01 When official signs are on display, the highways between the limits set out in Columns 1 and 2 of Schedule "T" of this by-law, are hereby designated as one-way roadways for the passage of vehicles only in the direction set out in Column 3 of the said schedule.

Traffic Circles

406.01 No person shall drive any animal or vehicle otherwise than in a counterclockwise direction in any traffic circle or turning circle of a cul-de-sac.

Designated Lanes - Schedule "U"

407.01 When official signs are on display, the portion of a highway between the limits set out in Columns 1 and 2 of Schedule "U" of this by-law, in the lane during the times set out in Columns 3 and 4 of the said schedule, shall be designated for the traffic movement set out in Column 5 of the said schedule.

407.02 The Town of Pelham shall divide the roadways between the limits set out in Columns 1 and 2 of the Schedule "U", into clearly marked lanes for traffic movements in the particular direction set out in Column 5 of the said schedule.

PART V - SPEED REGULATIONS

Speed Limits on Bridges - Schedule "V"

501.01 When any structure on a highway set out in Columns 1 and 2 of Schedule "V" of this by-law, is marked in compliance with the regulations under The Highway Traffic Act, the maximum rate of speed on such structure shall be the rate of speed set out in Column 3 of the said schedule.

Speed Limits on Highways - Schedule "W"

- 501.02 Subject to Subsection 501.01, when any highway or part of a highway between the limits set out in columns 1 and 2 of Schedule "W" of this by-law is marked in compliance with the regulations under The Highway Traffic Act, the maximum rate of speed on such highway or part of highway shall be the rate of speed set out in column 3 of the said schedule.

Speed Limits in School Zones - Schedule "X"

- 501.03.01 Subject to Subsections 501.01 and 501.02, when official signs and the flashing amber beacons are on display in compliance with the Highway Traffic Act, the maximum rate of speed on the highway or part of a highway between the limits set out in columns 1, 2 and 3 of Schedule "X", shall be 40 kilometres per hour during the days and hours set out in columns 4 and 5 of the said schedule.
- 501.03.02 Subject to Subsection 501.03.01 and where required on any school day to accommodate variations from normal school hours or a school emergency, the flashing amber beacons may be actuated and the speed limit reduced to 40 km\h for any period, between 8:00 a.m. and 5:00 p.m., and not provided under Subsection 501.03.01.

PART VI - LOAD RELATED RESTRICTIONS

Reduced Load on Highways (5 tonnes per axle) During March and April - Schedule "Y"

- 601.01 When official signs are on display, the reduced load restriction provisions of The Highway Traffic Act are declared to be in force with respect to the highways and between the limits set out in columns 1 and 2 of Schedule "Y" of this by-law, during the period from the 1st. day of March to the 30th. day of April inclusive in each and every year.

Reduced Load on Highways (5 tonnes per axle) During Entire Year - Schedule "Z"

- 601.02 When official signs are on display, the reduced load restriction provisions of The Highway Traffic Act are declared to be in force with respect to the highways and between the limits set out respectively in columns 1 and 2 of Schedule "Z" of this by-law, during the period from the 1st. day of January to the 31st. of December inclusive in each and every year.

Oversize and Overweight Load Permits

- 602.01 The Works Superintendent or any person authorized by him is hereby authorized to grant or refuse permits for the moving of heavy vehicles, loads, objects or structures in excess of the otherwise lawful limits, pursuant to The Highway Traffic Act.

PART VII - DRIVING AND RELATED RULES

Yielding to Pedestrian at Sidewalk

- 701.01 The driver or operator of a vehicle emerging from a driveway, laneway, building or lot onto a highway shall bring the vehicle to a full stop immediately before driving onto a sidewalk and upon proceeding shall yield the right-of-way to pedestrians upon the sidewalk.

Barricaded Highways

- 702.01 No person shall drive, operate or park a vehicle or permit a vehicle to remain parked on any part of any highway barricaded and marked by signs showing that its use is prohibited or restricted.

con't.....

Vehicles Crossing Sidewalks, Boulevards & Curbs

- 703.01 In this section, bicycle shall include any such vehicle having a wheel in excess of 50 cm in diameter.
- 703.02 No person shall drive a vehicle upon a sidewalk on a highway except for the purpose of directly crossing the sidewalk.
- 703.03 No person shall drive any motor vehicle over a raised curb or a wheelchair ramp at a crosswalk or sidewalk except at a place where there is a driveway ramp, mountable curb or depressed curb intended for vehicular access.
- 703.04 No person shall drive any motor vehicle on any boulevard except for the purpose of directly crossing the boulevard at a driveway or other designated vehicular crossing.

Boarding or Alighting from Moving Vehicle

- 704.01 No person shall board or alight from any vehicle while such vehicle is in motion.

PART VIII - PEDESTRIANS

Pedestrian Barriers

- 801.01 No pedestrians shall proceed over or under a pedestrian barrier, or within a barricaded area, installed on a sidewalk or at any other location within a highway.

con't.....

Playing on Roadway Prohibited

- 802.01 No person shall play or take part in any game or sport upon a roadway.
- 802.02 No person upon roller skates, or riding in or by means of any coaster or similar device shall go upon a roadway except for the purpose of crossing the roadway, and when so crossing such person shall have the rights and be subject to the obligations of a pedestrian.

Pedestrian Crossing Prohibited - Schedule "AA"

- 803.01 Where official signs are on display, no pedestrian on the highways at the locations set out in columns 1 and 2 of Schedule "AA" of this by-law shall enter onto or cross the roadway approach set out in column 3 of the said by-law.

Pedestrian Crossovers - Schedule "AB"

- 804.01 When official signs are on display in compliance with the Highway Traffic Act, the highways at locations set out in Column 1 and 2 of Schedule "AB" of this by-law are thereby designated as pedestrian crossovers.

PART IX - ERECTION OF SIGNS

Authorization

- 901.01 The Works Superintendent is hereby authorized to apply, erect and maintain such traffic control devices and other structure, plant and equipment as required to give effect to this by-law.

con't.....

Conflicting Private Signs

- 902.01 Subject to the provisions of other by-laws controlling signs, no unauthorized person shall place, maintain or display upon any sign, signal, marking, or device visible from any highway which:
- 902.01.01 Conceals a traffic control device or parking meter from view;
- 902.01.02 Interferes with the effectiveness of a traffic control device or parking meter; or
- 902.01.03 Purports to be, is an imitation of, or resembles any official sign or any regulatory or traffic control device.

Damage to Traffic Control Devices

- 903.01 No person shall move, deface, damage, remove, or in any manner interfere with any traffic control device placed, erected or maintained by the Town of Pelham.
- 903.02 No person shall drive any vehicle on or over any pavement marking, line or strip on the roadway where markers are in place, or signs are on display to indicate that the marking material has been freshly applied, nor shall any person drive any vehicle into or over any such marker so placed, or move or remove such marker unless authorized to do so.

PART X - OFFENCES AND PENALTIES

Subject to Provincial Offences Act

- 1001.01 Any fine imposed or offence created by this by-law is subject to the provisions of the Provincial Offences Act.

con't.....

Offences Punishable by The Highway Traffic Act

- 1001.02 Any person who contravenes any section of this by-law for which a penalty is provided by The Highway Traffic Act is subject to such penalties.

Voluntary Penalties - Schedule "AC"

- 1001.03 Any person who contravenes any of the provisions of the sections or subsections of this by-law set out in column 1 of Schedule "AC" of this by-law and wishes to make a voluntary payment pursuant to the by-law, may pay the amount set out in column 2 of the said schedule, such amount to be payable in lawful money of Canada, and all such penalties are exclusive of costs.

General Penalty

- 1001.04 Any person who contravenes any of the provisions of this by-law for which a penalty for the contravention thereof has not otherwise been provided, is liable upon conviction therefor to a fine of not less than five dollars (\$5.00) and not more than two thousand dollars (\$2,000.00).
- See BL #1978(1998) attached*

Voluntary Payment of Parking Penalties

- 1002.01 Notwithstanding all other provisions of this by-law in respect to penalties, for violations of provisions of Parts II and III of this by-law, any person may, upon presentation of a parking infraction notice at the office listed on such notice issued alleging commission of any of the offences provided in the said sections, pay out of court, within seven days (exclusive of Sundays, Saturdays, and public holidays) from the date of issue of the said notice, the specific penalty provided for such offence by this by-law at the said office, and upon such payment no further proceedings shall be taken under this by-law in respect to the said offence alleged in the notice.

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 1978 (1998)

Being a by-law to amend By-law No. 89-2000, a by-law to regulate traffic and parking on highways under the jurisdiction of the Town of Pelham


WHEREAS it is deemed necessary and desirable to amend By-law No. 89-2000 to regulate parking on various highways within the Town of Pelham;

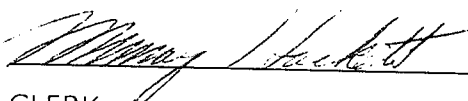
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

1. THAT Town of Pelham By-law No. 89-2000 be amended by deleting Section 1001.4 in its entirety and substituting the following thereto:

"1001.04 Everyone who contravenes any of the provisions of this By-law is guilty of an offence and subject to penalties as provided for under the Provincial Offences Act."

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
16th DAY OF FEBRUARY, 1998 A.D.


MAYOR


CLERK

Exemptions - Municipal Vehicles

- 1003.01 The provisions of Parts II and III of this by-law, except Section 209 thereof, do not apply to:
- 1003.01.01 Vehicles operated by or on behalf of the Region, the Town of Pelham, or any municipal utility while engaged in the performance of cleaning, clearing, maintenance, repair, construction or other work on any highway;
- 1003.01.02 Vehicles operated by or on behalf of the Region or the Town of Pelham while in official business.
- 1003.02 Parts II and III of this by-law shall not, in the case of emergency, apply to an emergency vehicle.

PART XI - APPLICATION, ADMINISTRATION AND ENFORCEMENT

Enforcement

- 1101.01 This by-law shall be enforced by the Police Force and by any officer appointed for the enforcing or carrying out of the provisions of this by-law.

Removal of Vehicles

- 1102.01 A Police Officer, upon discovery of any vehicle parked or standing in contravention of this by-law, of any vehicle apparently abandoned or of any vehicle without proper number plates on a highway, may cause such vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon such vehicle, which may be enforced in the same manner provided in the Mechanic's Lien Act.

con't.....

Application of By-law

- 1103.01 This by-law applies to all highways and parts of highways under the jurisdiction of the Town of Pelham.

By-law Subject to The Highway Traffic Act

- 1104.01 The provisions of this by-law are subject to the provisions of The Highway Traffic Act.

Schedules Adopted

- 1105.01 The Schedules referred to in this by-law shall form part of this by-law, and each entry in a column of such a schedule shall be read in conjunction with the entry or entries across therefrom and not otherwise.

Former By-laws Repealed

- 1106.01 The following by-laws are hereby repealed: Former Township of Pelham By-laws #1620, #1654, #1655, #1675, #1735 and #1736; Former Village of Fonthill By-law #825 (1967), Town of Pelham By-laws #96 (1971), #98 (1971), #199 (1973), #219 (1973), #359 (1976), #360 (1976), #499 (1978), #560 (1979), #582 (1980), #607 (1980), #645 (1980), #666 (1980), #677 (1981), #707 (1981), #708 (1981), #713 (1981), #723 (1981), #797 (1982), #816 (1982), #822 (1982), #823 (1982), #850 (1983), #928 (1984), #929 (1984), #955 (1984), #1020 (1985), #1021 (1985), #1081 (1986), #1088 (1986), #1117 (1987), #1161 (1987), #1185 (1988), #1189 (1988), #1202 (1988), #1203 (1988), #1213 (1988), #1220 (1988), #1229 (1989) and #1230 (1989) and any other by-law that is found to be inconsistent with this by-law is hereby repealed in whole or in part on the passing of this by-law.

con't.....

By-law Effective Date

1107.01 The provisions of this by-law shall take effect on September 1st., 1989, after approval of this by-law, save and except Parts II and III thereof, by the Regional Municipality of Niagara.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
17th. DAY OF APRIL, 1989 A.D.

"MARDI COLLINS"

Mayor

"MURRAY HACKETT"

Clerk