

MUNICIPALITY OF CLARINGTON TRAFFIC BY-LAW

NO. 91-58

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THE CORPORATION OF THE MUNICIPALITY OF CLARINGTON

BY-LAW 91- 58

To Regulate Traffic on Highways, Municipal and
Private Property in The Municipality of Clarington and
To Repeal By-laws 74-55, 75-21, 75-22, 75-23,
78-95, 79-1, 79-37, 79-38, 79-75,
82-56, 90-68, 90-69 as Amended

IT IS HEREBY ENACTED as a By-law of the Corporation of the Municipality of Clarington through its Council thereof as follows:

DEFINITIONS

Section 1

1. (1) Except where provided in Section 2 hereof, the definitions included in Subsection 1 of Section 1 of the Highway Traffic Act (R.S.O. 1980, Chapter 198) as amended shall apply to this By-law.

Section 2

2. For the Purpose of this by-law:
 - (1) "Authorized Sign" means any sign, other than an official sign, placed upon a highway under the authority of this by-law for the purpose of guiding and directing traffic.
 - (2) "Boulevard" means all the parts of the highway save and except any roadway, shoulder or sidewalk and,
 - (A) outer boulevard means that part of the highway lying between any sidewalk and the roadway or the near edge of the shoulder where such exists.
 - (B) inner boulevard means that part of the highway lying between the property line and the edge of the sidewalk nearest to the property line and where there is no sidewalk, it means that part of the highway lying between the property line and the roadway or the edge of the shoulder where such exists, furthest from the roadway.
 - (3) "Bus Stop" means a part of the highway designated by an authorized sign where buses will stop to take on or let off passengers.
 - (4) "Chief of Police" means the Chief of Police of the Regional Municipality of Durham, or his designate.
 - (5) "Commercial Vehicle" means a vehicle engaged in carrying goods, wares, merchandise or other commodities in the ordinary course of a business undertaking.
 - (6) "Director of Engineering Services" means the Director of Engineering Services of the Municipality of Clarington, or his designate.
 - (7) "Designated Parking Space" means an accessible parking space designated under Section 22 of this By-law for the exclusive use of a vehicle displaying a person with a disability parking permit in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder and this By-law.
 - (8) "Driveway" means improved land on a highway authorized by the Director of Engineering Services, which provides vehicular access from the roadway to a private roadway or to adjacent land.
 - (9) "Emergency Vehicle" means,
 - (A) a fire department vehicle while proceeding to a fire or responding to, but not returning from, a fire alarm or other emergency call;
 - (B) a vehicle while used by a person in the lawful performance of his duties as a police officer;
 - (C) an ambulance while responding to an emergency call or being used to transport a patient or injured person in an emergency situation, or
 - (D) a cardiac arrest emergency vehicle operated by or under the authority of a hospital.

- (10) "Entrance" means any private road, gate, entranceway or other structure or facility constructed as a means of access to a municipal road.
- (11) "Fire Route" means a private roadway designated as such by one or more authorized sign(s) erected by or on behalf of the owner or occupant.
- (12) "Footpath" means a travelled path along the side of a highway along which pedestrians commonly move.
- (13) "Heavy Traffic" means a vehicle, object or contrivance for moving loads, having a gross weight, including the vehicle, object or contrivance and load, in excess of five (5) tonnes.
- (14) "Highway" is as defined in the Highway Traffic Act (R.S.O. 1980, c.198) as amended and shall include unopened and unassumed highways.
- (15) "Holiday" includes Sunday, New Year's Day, Good Friday, Victoria Day, Canada Day, any day proclaimed as a civic holiday by the Corporation, Labour Day, Thanksgiving Day, Christmas Day, Boxing Day, and any day fixed by proclamation of the Governor General or the Lieutenant-Governor-in-Council as a public holiday or for a general fast or thanksgiving, and when any holiday falls on a Sunday, the next day following is in lieu thereof a holiday.
- (16) "Loading Zone" means the part of a highway designated by an official sign where commercial vehicles may load or unload materials.
- (17) "Motorized Snow Vehicle" means a self-propelled vehicle designed to be driven primarily on snow.
- (18) "Municipal By-law Enforcement Officer" means an officer appointed for the carrying out of the provisions of this By-law.
- (19) "Municipal Property" means property of the Corporation of the Municipality of Clarington or any board thereof.
- (20) "Park" means municipal property that is or hereinafter may be established, dedicated, set apart, or made available for use as a public park or garden by the Corporation of the Municipality of Clarington.
- (21) "Parking Meter" means a device together with its standard or other means of support, erected for the purpose of:
 - (A) controlling and regulating the parking of any vehicle in a parking space, and
 - (B) measuring the parking time for which payment has been made and the duration of such parking.
- (22) "Parking Meter Cover" means a hood, bag or other covering for a parking meter that is authorized by the Director of Engineering Services or Chief of Police for placement over a parking meter to indicate that a parking meter space is reserved or not to be used.
- (23) "Parking Meter Zone" means the part of a highway where parking is controlled and regulated by a parking meter(s).
- (24) "Parking Space" means an area designated by signs, painted lines or other markings, and which may be controlled by a parking meter, for the purpose of parking a vehicle.
- (25) "Pedestrian" means a person on foot or in a wheeled chair or baby carriage.
- (26) "Permit" means a parking permit for a person with a disability issued under the Highway Traffic Act or a permit, number plate or other marker or device issued by another jurisdiction and recognized under that Act.

(27) "Private Property" means property on which one or more signs have been erected by or on behalf of the owner or occupant prohibiting trespassing or parking or restricting parking as set out thereon. In the application of this definition:

(A) "OWNER" means:

- (i) the registered owner of the property;
- (ii) the registered owner of a condominium unit, whose consent shall extend only to the control of the unit of which he is owner and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration or description of the property,
- (iii) the spouse of the person described in (i) or (ii) above,
- (iv) where the property is included in a description registered under "The Condominium Act", the board of directors of the condominium corporation,
- (v) a person authorized in writing by the property owner as defined in (i), (ii), (iii) or (iv) above to act on the owner's behalf for requesting the enforcement of Subsection (7) (A) or (B) of Section 4 of this By-law.

(B) "OCCUPANT" means:

- (i) the tenant of the property or part hereof whose consent shall extend only to the control of the land of which he is tenant and any parking spaces allotted to him under his lease or tenancy agreement,
- (ii) the spouse of a tenant,
- (iii) a person of a municipality, or a local board thereof, having an interest in the property under an easement or right-of-way granted to or expropriated by the person, municipality or local board whose consent shall extend only to the part of the property that is subject to the easement or right-of-way.
- (iv) a person authorized in writing by an occupant as defined in (i), (ii) or (iii) above to act on the occupant's behalf for requesting the enforcement of Subsection (7) (A) or (B) of Section 4 of this By-law.

(28) "Private Roadway" means any road, laneway, ramp or other means of unobstructed vehicular access to or egress from any land, building or structure exclusive of driveways.

(29) "School Bus Loading Zone" means a part of a highway designated by official signs in accordance with regulations made under the Highway Traffic Act.

(30) "School Purpose Vehicle" means,

- (A) a school bus as defined in Section 151 (1) of the Highway Traffic Act, R.S.O. 1980, c.198, as amended.
- (B) a station wagon, van or bus, operated by or under contract with a school board or other authority in charge of a school,

- (C) a bus or van operated on a highway;
 - (i) for the purpose of transporting, for compensation, physically disabled persons, or
 - (ii) by, for or on behalf of any person, club, agency or organization that holds itself out as providing a transportation service to physically disabled persons, for compensation or otherwise.
- (31) "Shoulder" means that part of the highway immediately adjacent to the roadway and having a surface which has been improved with asphalt, concrete or gravel.
- (32) "Sidewalk" means, for the purpose of this by-law, all such parts of a highway as are set apart by the Municipality of Clarington for the use of pedestrians.
- (33) "Special Constable" means a person appointed under Section 69 of the Police Act, R.S.O. 1980, Chapter 381, Part VI, as amended.
- (34) "Street Line" means the line dividing a lot and the road allowance.
- (35) "Structure" means anything constructed or erected, the use of which required location on the ground or attached to something having location on the ground and used for the shelter or accommodation of persons, animals, or goods.
- (36) "Taxicab Stand" means a part of a highway designated by an authorized sign where taxicabs will stop to take on or discharge passengers.
- (37) "Traffic" includes pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any highway for the purposes of travel.
- (38) "Traffic Control Signal" means any device, manually, electrically or mechanically operated for the regulation or control of traffic.
- (39) "U-turn" means the turning of a vehicle within a highway so as to proceed in the opposite direction.

GENERAL

Section 3

- 3. (1) Where any expression of time occurs or where any hour or other period of time is stated, the time referred to shall be standard time except in periods when daylight saving time is in effect, in which periods, it shall be daylight saving time.
- (2) (A) The Director of Engineering Services is authorized to place or erect and to maintain such authorized and official signs as are required to give effect to the provisions of this by-law.
- (B) The Director of Engineering Services is authorized to issue permits for the movement on highways under the jurisdiction of the Municipality of Clarington of heavy vehicles, loads, objects or structures which are in excess of the dimensional limits set out in Section 109,122, or the weight limits set out in Part VII of the Highway Traffic Act, R.S.O. 1990, c.h8, as amended.
- (C) No person shall place, maintain or display on any highway, any sign, marking or device which purports to be or is an imitation of or resembles an authorized or official sign.
- (3) No person shall drive a motor vehicle upon a sidewalk or footpath except for the purpose of directly crossing the sidewalk or footpath at a driveway.
- (4) No person shall on any highway drive any motor vehicle over any raised curb except at a place where there is a driveway opening or private roadway.

- (5) The Chief of Police and the Director of Engineering Services are hereby authorized to erect or place temporary "No Parking" and/or "No Stopping" signs on any highway.
- (6) 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.
- (7) The provisions of this By-law shall be enforced by the Chief of Police, municipal by-law enforcement officer or, where applicable, a special constable.
- (8) If any section, subsection or part of this by-law be declared by any Court of Law to be bad, illegal or ultra vires, such part of parts hereof should be declared to be separate and independent and enacted as such.

GENERAL PARKING AND STOPPING REGULATIONS

Section 4

4. (1) No person shall park or stop any vehicle on any highway or portion thereof except as follows:
 - (A) where there is a curb on the right side of the travelled portion of the highway, having regard to the direction such vehicle was proceeding, with its right front and rear wheels parallel to and not more than 15 cm out from such curb;
 - (B) where there is no curb, with the right front and rear wheels parallel to and as near to the right-hand limit of the highway as is practicable without stopping or parking on or over a sidewalk, footpath or boulevard.
- (2) Where parking is permitted on the left-hand side of the travelled portion of a highway designated for one-way traffic, no person shall park or stop any vehicle on the left-hand side of the highway or portion thereof except as follows:
 - (A) where there is a curb on the left side of the travelled portion of the highway, having regard to the direction such vehicle was proceeding, with its left front and rear wheels parallel to and not more than 15 cm out from such curb;
 - (B) where there is no curb, with the left front and rear wheels parallel to and as near to the left-hand limit of the highway as is practicable without stopping or parking on or over a sidewalk, footpath or boulevard.
- (3) No person shall park a commercial motor vehicle which exceeds 2.6 m in width or 7 m in length or having a vehicle weight in excess of 5000 kilograms on any highway, except in an industrial area, unless such vehicle is actually engaged in the loading or unloading of goods, wares, merchandise or passengers to adjacent premises.
- (4) No person shall on any highway stop any vehicle:
 - (A) on or over a sidewalk or footpath;
 - (B) within an intersection or crosswalk;
 - (C) within 10 m of a crosswalk;
 - (D) in such a manner as to interfere with the movement of traffic or the clearing of snow from the highways;
 - (E) in such a manner as to interfere with a highway cleaning operation;
 - (F) on the roadway alongside of any stopped or parked vehicle;
 - (G) upon any bridge or elevated structure or within any tunnel or underpass;

- (H) on any median strip separating two roadways or adjacent to either side or ends of such median strip;
 - (I) alongside or across the highway from any excavation or obstruction in the roadway where the free flow of traffic would thereby be impeded.
- (5)
- (A) No person shall sell by retail in any highway.
 - (B) Notwithstanding (A) above, a licence may be issued to the owners or occupants of property adjoining a highway for the use of the untravelled portion of such highway abutting their property.
 - (C) The Director of Engineering Services is authorized to issue licenses as referred to in (B) above for a fee set by and subject to conditions approved by Council.
- (6) No person shall on any highway park any vehicle:
- (A) in front of or within one metre of a driveway or private roadway, or so as to obstruct vehicles in the use of a driveway or private roadway;
 - (B) within 3 m of a point on the curb or edge of the roadway adjacent to any fire hydrant;
 - (C) within 10 m of an intersection;
 - (D) for the purpose of displaying the vehicle for sale;
 - (E) for the purpose of washing, greasing or repairing the vehicle;
 - (F) within a distance of 4 m of the tracks of any railway other than a street railway;
 - (G) within 30 m in advance of, and 15 m beyond, the nearest rail of any level crossing of a railway, on both sides of a highway, measured in the direction of travel of vehicles on the highway or portion of highway;
 - (H) in such a position as will prevent the removal of any other vehicle previously parked;
 - (I) for a period longer than three (3) hours unless otherwise indicated by official signs;
 - (J) on or over any boulevard.
 - (i) Notwithstanding subsection (J) of this section, motorists are permitted to park or stop on a paved or otherwise improved boulevard with low rise curb and when official signs have been posted to that effect.
 - (K) adjacent to or within three (3) metres of any mail box or so as to interfere with other motorists or pedestrians from stopping to access such mail box.
 - (i) Notwithstanding subsection (K) of this section, motorists are permitted to stop at a mail box zone while actually engaged in delivering, posting or obtaining mail.
 - (L) between the hours of 3:00 a.m. and 5:00 a.m.
- (7)
- (A)
 - (i) No person shall park or leave any motor vehicle on private property without the consent of the owner or occupant of such property.
 - (ii) Where an owner or occupant of property has posted one or more signs stating conditions on which a motor vehicle may be parked or left on the property, a motor vehicle parked or left on the property contrary to such conditions or prohibition shall be deemed to have been parked or left without consent.
 - (iii) The driver or owner of a motor vehicle parked or left on private property is not liable to any penalty or to have the motor vehicle removed from such property or impounded except upon the written complaint of the owner or occupant of the property given to a constable or municipal by-law enforcement officer.
 - (B) Where one or more signs have been posted on municipal property, stating conditions on which a motor vehicle may be parked or left or prohibiting the parking or leaving of a motor vehicle on the property, a motor vehicle parked or left on the property contrary to such conditions or prohibition shall be deemed to have been parked or left without consent.

- (C) No person shall park any vehicle, other than an emergency vehicle, along any private roadway designated by the Fire Department and posted as a fire route.
 - (i) Notwithstanding Section 4 (7) (A) (iii), the driver or owner of a motor vehicle parked along any fire route contrary to such conditions or prohibitions is liable to a fine and such vehicle may be removed or impounded without the written complaint of the owner or occupant of the private roadway.

- (8) Where official signs to that effect are displayed, no person shall on any highway stop any vehicle:
 - (A) within 30 m in advance of, and 15 m beyond, a pedestrian crossover, on both sides of the highway, measured in the direction of travel of vehicles on the highway or portion of highway;
 - (B) any time or between the hours and on the days set out on the official signs on one or both sides of a highway or portion of a highway which is adjacent to or within 150M of school, park or playground property;
 - (C) so as to interfere with the movement of traffic by obstructing a travel or turn lane which is clearly defined by pavement markings.
 - (D) anytime or between the hours and on the days set out on the official signs on one or both sides of a highway or portion of a highway which is within 30 m of any crosswalk;
 - (E) any time or between the hours and on the days set out on the official signs on one or both sides of a highway or portion of a highway which would obstruct or restrict large commercial or recreational vehicles in the use of a private roadway or driveway.

- (9) Where official signs to that effect are displayed no person shall park any vehicle:
 - (A) within 30 m of a King's Highway, Region of Durham Road, or Municipality of Clarington Road on an intersecting highway under the jurisdiction of the Municipality of Clarington;
 - (B) within 30 m of an intersection controlled by a traffic signal system;
 - (C) on any highway in front of an entrance to or exit from any building or enclosed space in which persons may be expected to congregate in large numbers;
 - (D) on one or both sides of a highway or portion of highway which is immediately adjacent to property on which a fire hall is located and/or within a distance of up to 30 m of such property on one or both sides of the highway;
 - (E) anytime or between the hours and on the days set out on the official signs on one or both sides of a highways or portion of a highway which is adjacent to, or within 150 m of school, park or playground property;
 - (F) within the turning basin of a cul-de-sac;
 - (G) within 15 m of the end of the roadway on a dead end highway;
 - (H) on one or both sides of a hill or curve so as to interfere with the movement of traffic or prevent a clear view of the roadway.
 - (i) beside, across from or approaching any traffic calming feature where such parking would interfere with the movement of traffic.

- (10) Nothing in this section shall be deemed to permit the stopping or parking of a vehicle where stopping or parking is prohibited.

- (11)
 - (A) Where a vehicle owner has purchased and properly displayed a "Municipal On-street Parking Permit" on the dash of a vehicle, the said vehicle shall be exempt from the requirements of subsection 6 clauses (I) and (L).
 - (B) A "Municipal On-street Parking Permit" shall not exempt a vehicle owner from the necessity

to comply with all other provisions of this by-law.

- (C) The "Municipal On-street Parking Permit" system shall be governed by the regulations as set out in Schedule XXXIV .

STOPPING RESTRICTIONS AND PROHIBITIONS

Section 5

5. Where official signs to that effect are displayed, no person shall stop a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule I to this By-law during the prohibited times or days set out in Column 4 of the said Schedule.

PARKING RESTRICTIONS AND PROHIBITIONS

Section 6

6. (1) Where official signs to that effect are displayed, no person shall park a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule II to this By-law during the prohibited times or days set out in Column 4 of the said Schedule.
- (2) Where official signs to that effect are displayed, no person shall park a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule III to this By-law during the times or days set out in Column 4 of the said Schedule for a longer period than that set out in Column 5 of the said Schedule.
- (3) Where official signs to that effect are displayed, no person shall park a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule IV to this By-law at any time except for the person designated in Column 4 of the said schedule.

STANDING RESTRICTIONS AND PROHIBITIONS

Section 7

7. Where official signs to that effect are displayed, no person shall stand a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule V of this By-law during the prohibited times or days set out in Column 4 of the said Schedule.

ANGLE PARKING

Section 8

8. (1) Notwithstanding the provisions of Subsections (1) and (2) of Section 4 where official signs to that effect are displayed, angle parking in accordance with the provisions of Subsections (2), (3) and (4) of this Section is permitted on highways at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule VI to this By-law.
- (2) Where angle parking spaces are provided on the roadway, no person shall stop or park any vehicle except entirely within the parking space.
- (3) Where angle parking is permitted on a highway and parking spaces are not designated by lines on the roadway, no person shall stop or park any vehicle except at an angle of not less than 40 degrees and not more than 50 degrees from the curb or edge of the roadway.
- (4) Where angle parking is permitted on a highway, no person shall park a vehicle or permit a vehicle to remain parked on such highway except with the front end of the vehicle at the curb or edge of the roadway.

PARKING METERS

Section 9

9. (1) (A) The erection, maintenance and operation of a parking meter on the highway, at the sides and between the limits set out respectively in Columns 1, 2 and 3 of Schedule VII to this By-law for the purpose of controlling and regulating parking during the days and hours set out in Column 4 of the said Schedule and the designation of a parking space in connection with

such parking meter, is hereby authorized.

- (B) The erection, maintenance and operation of a parking meter at the municipal address set out in Column 1 of Schedule VIII to this By-law for the purpose of controlling and regulating parking during the days and hours set out in Column 2 of the said Schedule and the designation of a parking space in connection with such parking meter, is hereby authorized.
- (2) Where in this Section a fee is stipulated for a given parking period in a parking space, the fee shall be paid for that period or any portion thereof, and the period shall be as measured by the parking meter controlling such parking space.
 - (3) No person shall deposit or cause to be deposited in any parking meter any slug, device or other substitute for a coin of Canada.
 - (4)
 - (A) Notwithstanding the provision of any other section of this By-law, where parking meters have been erected under the authority of subsection (1) of this section, no person shall park any vehicle in a parking space on any highway, unless the parking meter controlling such parking space is used and a fee is deposited therein in accordance with the rate set out in Column 5 of the said Schedule or for a longer period than that set out in Column 6 of the said Schedule.
 - (B) Notwithstanding the provision of any other section of this By-law, where parking meters have been erected under the authority of subsection (1) of this section, no person shall park any vehicle in a parking space on said property, unless the parking meter controlling such parking space is used and a fee is deposited therein in accordance with the rate set out in Column 3 of the said Schedule or for a longer period than that set out in Column 4 of the said Schedule.
 - (C) Notwithstanding the provision of any other section of this By-law, where parking meters have been erected under the authority of subsection (1) of this section, no person shall park any vehicle in a parking space for a period longer than three (3) hours during the times or days such parking space is not controlled by a parking meter.
 - (5) Where parking meters have been installed under the authority of Subsection (1) of this Section:
 - (A) if parallel parking is permitted, no person shall park a vehicle in a parking space unless the front of such vehicle is opposite to the parking meter provided for such space except that, in any case when two meters are mounted on the same standard, the rear of the forward vehicle shall be opposite to, or as close as is practicable to, the forward parking meter and the front of the rear vehicle shall be opposite to, or as close as is practicable to, the rear meter;
 - (B) notwithstanding Subsection (A), if a single parking meter has been erected at the rear of a parking space, with respect to the direction of travel, no person shall park in such parking space unless the rear of such vehicle is opposite to the parking meter provided for such space.
 - (C) if angle parking is permitted, no person shall park a vehicle in a parking space unless the front of such vehicle is as close as is practicable to the parking meter for such space;
 - (D) If a parking space has been designated by lines painted on the roadway, no person shall park any vehicle in such a manner that it is not wholly within the area designated as a parking space unless such vehicle is of such length or width as to render it impossible to park it in one parking space in which case the adjoining parking space shall, in addition, be used and the necessary deposit of coins shall be made in the parking meters provided for both parking spaces.
 - (6)
 - (A) No person shall park a vehicle or permit a vehicle to remain parked in a parking space if the parking meter has been covered with a parking cover to indicate that is not to be used.
 - (B) Notwithstanding (A) above:
 - (i) only an authorized person shall park a vehicle or permit a vehicle to remain parked in a parking meter space where the parking meter has been covered with a parking meter cover or removed to indicate reserved parking and stating "No Parking";
 - (ii) Council, by resolution, may designate an area or areas for a certain period to be exempt from the payment of parking fees;
 - (iii) areas designated under clause (ii) shall be denoted by an unmarked parking meter cover placed over the meter;

- (vi) the area as shown in Schedule IX, attached, shall be designated as a Free Parking area for a period of time commencing on the Monday of the last full week of shopping prior to Christmas and ending on December 27 of each year.
- (7) Public Parking lots under the jurisdiction of the Municipality of Clarington, shall be used for public parking of motor vehicles except:
- (A) The space (s) which form part of a negotiated lease agreement between the Municipality of Clarington and the tenant (s) and have been posted as such.
 - (B) The number of spaces required for municipally owned vehicle (s) and has been posted as such.
 - (C) Municipality of Clarington employees issued authorization tags by the Municipality of Clarington may park in any Municipal Parking Lot or other designated areas as specified under terms of the Employee Parking Agreement.
 - (D) The Director of Engineering Services or the Municipal By-Law Enforcement Officer is Authorized to allocate temporary reserved parking in any municipal parking lot.
 - (E) Vehicles not authorized or in contravention of the by-law or posted signs at any Municipal Parking Lot will be deemed to have been parked or left without consent and are subject to the penalties pursuant to this By-law.
 - (F) Where official signs to that effect are displayed, reserved parking is permitted at the location and between the limits set out respectively in columns 1, 2, 3, and 4 of Schedule XXXIII "RESERVED OFF-STREET PARKING"

- (8) For the purpose of determining violations of the use of a parking meter, the fact that the parking meter indicates that the vehicle is unlawfully parked is prima facie evidence that such vehicle is unlawfully parked.
- (9) Notwithstanding Section 4 (6)(l), nothing in Subsections (4) and (5) of this Section shall be deemed to permit a driver to stop or park at any location where, or at any time when, stopping or parking is otherwise prohibited.
- (10) The provisions of this by-law regulating the payment of fees for parking meters on municipal roadways and parking lots, shall not apply to persons in respect to parked vehicles bearing a valid authorized Province of Ontario Veteran Licence Plate.

LOADING ZONES

Section 10

10. Where an authorized sign to that effect is displayed, no person shall stop, stand, or park any vehicle, other than a commercial vehicle, in a loading zone on any highway between the hours of 8:30 a.m. and 9:00 p.m., Monday to Saturday inclusive, except holidays, at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule X to this By-law. It shall be lawful however for the driver of a vehicle to stop in a loading zone while actually engaged in loading or unloading passengers so long as such stopping does not interfere with any commercial vehicle about to enter such loading zone.

STANDS FOR TAXICABS

Section 11

11. (1) Taxicab stands are hereby established on the highways at the sides and at the locations set out respectively in Columns 1, 2 and 3 of Schedule XI to this By-law for the permitted number of taxicabs set out in Column 4 of the said Schedule for use between the hours set out in Column 5 of the said Schedule.
- (2) No person shall stop or park a vehicle or permit a vehicle to remain stopped or parked in a taxicab stand other than a taxicab waiting for hire or engagement.
- (3) Any taxicab driver when arriving at any such taxicab stand not already fully occupied by the designated number of vehicles to be accommodated at such stand, shall stand such vehicle in the rear of the other vehicle or vehicles already occupying such stand.
- (4) When a vehicle is called or driven off any such taxicab stand, the drivers of each of the other vehicles stationed on such stand, in the rear of the vehicle so called or driven off, shall cause their respective vehicles to be moved forward so that every vehicle shall in succession fill the place which was previously occupied.

ONE-WAY HIGHWAYS

Section 12

12. (1) The highways set out in column 1 of Schedule XII to this By-law between the limits set out in Column 2 of the said Schedule, during the times or days set out in Column 3 of the said Schedule, are hereby designated for one-way vehicular traffic only in the direction set out in Column 4 of the said Schedule.
- (2) The highways set out in column 1 of Schedule XXXII to this By-law having been divided into clearly marked lanes for vehicular traffic between the limits set out in Column 2 of the said Schedule, each of the said lanes indicated in Column 3 of the said schedule, during the times or days set out in Column 4 of the said schedule is hereby designated for vehicular traffic moving in the particular direction set out in Column 5 of the said schedule and such designation shall be indicated by an official sign.

TURNING MOVEMENTS PROHIBITED

Section 13

13. (1) Where official signs to that effect are displayed, no vehicle in any intersection or portion of highway set out in Column 1 of Schedule XIII to this By-law proceeding in the direction or emerging from a property set out in Column 2 of the said Schedule, shall be turned in the direction set out in Column 3 of the said Schedule, during the times or days set out in Column 4 of the said Schedule.
- (2) Where official signs to that effect are displayed, no person operating a vehicle shall at any time make a U-turn at the locations set out in Column 1 of Schedule XIV to this By-law while travelling in the direction set out in Column 2 of the said Schedule.

THROUGH HIGHWAYS

Section 14

14. (1) The highways set out in Column 1 of Schedule XV to this By-law between the limits set out in Columns 2 and 3 of the said Schedule are, except as provided in Subsection (2) of this section, hereby designated as through highways for the purposes of the Highway Traffic Act.
- (2) The designation in Subsection (1) of this Section of a highway or portion of highway as a through highway shall not include any intersection thereon where the highway intersected is a King's Highway or where traffic control signals are installed.

STOP SIGNS

Section 15

15. The erection of stop signs is hereby authorized on all highways intersecting Through Highway as authorized in Schedule XV. Where all-way stops have been authorized providing no Through Road designation the stop signs shall be listed at each of the intersections set out in Column 1 of Schedule XVI of this By-law facing traffic as set out in Column 2 of the said Schedule. Other stop sign erections may be listed in schedule XVI where necessary for additional clarity.

YIELD SIGNS

Section 16

16. Notwithstanding Section 15, the erection of yield right-of-way signs is hereby authorized at each of the intersections set out in Column 1 of Schedule XVII of this By-law facing traffic as set out in Column 2 of the said Schedule.

SPEED ZONES

Section 17

17. (1) All highways under the jurisdiction of the Municipality of Clarington are Regulatory Maximum 50 km/h in accordance with the Highway Traffic Act, R.S.O. 1990, chapter H.8 Section 128(1) as amended, except where any highway or portion of highway set out in Schedule XXII MAXIMUM RATE OF SPEED ON A HIGHWAY of this By-law, and is signed in compliance with the regulations under the Highway Traffic Act, the maximum rate of speed thereon shall be the rate of speed prescribed in the said Schedule.
- (2) The Director of Engineering Services is hereby authorized to remove any posted regulatory speed sign greater than 50 km/hr and post a roadway at 50 km/hr per the H.T.A. if such a reduction is required due to construction, road deterioration or other immediate safety concerns.
- (3) The Director of Engineering Services is hereby appointed to designate municipal roadways or portions thereof as construction zones, as well as to set the speed limit in those construction zones, as well as double the speed fine when workers are present and post signs in compliance with the regulations under the Highway Traffic Act R.S.O 1990 chapter H.8 section 128(8.1) as amended.

(4) Subject to Section 128(6) of the Highway Traffic Act, R.S.O. 1990, chapter H.8, as amended, the prescribed rate of speed for motor vehicles passing over a bridge set out in Column 1 of Schedule XXIII to this By-law, is restricted to the prescribed rate of speed set out in Column 2 of the said Schedule.

PEDESTRIAN CROSSOVERS

Section 18

18. The highways or portion of highway set out in Column 1 of Schedule XXIV of this By-law, at the locations set out in Column 2 of the said Schedule, are designated as pedestrian crossovers and shall be indicated as such as prescribed by the regulations made under the Highway Traffic Act.

HEAVY TRAFFIC

Section 19

19. (1) Where official signs to that effect are displayed, heavy traffic is prohibited on the highways or parts of highways set out in Column 1 of Schedule XXV **HEAVY TRAFFIC PROHIBITED** to this by-law between the limits set out in Column 2 of the said Schedule during the times or days set out in Column 3 of the said Schedule.

- (2) Where official signs to that effect are displayed and subject to Section 122 of the *Highway Traffic Act, R.S.O. 1990, c.H8*, as amended, there shall be a reduced load period in effect from the 1st day of January to the 31st day of December, inclusive, in each and every year and no person shall on any highway or part of a highway affected, operate or draw any vehicle having a weight which is in contravention of the *Highway Traffic Act R.S.O. 1990, c.H8*, as amended. The Director of Engineering Services is authorized to establish the specific time periods, place, erect, maintain, or remove such official signs as are required to give effect to the provisions of this subsection.
- (3) Notwithstanding Section 19(2), heavy traffic may use the highways or parts of highways set out in Column 1 of Schedule XXVI HIGHWAYS EXEMPT FROM WEIGHT RESTRICTIONS to this By-law between the limits set out respectively in Columns 2 and 3 of the said Schedule at any time.
- (4) The Director of Engineering Services is authorized to designate temporary permissive TRUCK ROUTES and authorize the erection of temporary prohibitive NO HEAVY TRUCK signs. Restricting heavy traffic to the designated roads will be in effect where official signs to that effect are displayed.
 - (a) The Director of Engineering Services is authorized to place, erect, maintain, or remove such official signs as are required to give effect to the provisions of this subsection.
 - (b) The temporary designations can be in effect for up to 12 months from date of designation and are renewable at the discretion of the Director of Engineering Services.
- (5) No person shall operate a commercial motor vehicle with a registered gross weight in excess of 5 tonnes on any street in contravention of a restriction order issued by the Director of Engineering Services pursuant to subsection 19(4).
- (6) No owner of a commercial motor vehicle with a registered gross weight in excess of 5 tonnes shall permit said vehicle to be operated on any street in contravention of a restriction order issued by the Director of Engineering Services pursuant to subsection 19(4).
- (7) The provisions of this Section shall not extend to;
 - (a) Public Transit or a school purposes bus unless otherwise specified,
 - (b) a privately-owned vehicle driven to or from the owner's residence,
 - (c) vehicles operated by or on behalf of a municipality or other authority having jurisdiction and control of a highway, where the vehicles are engaged in highway maintenance, including the carriage and application of abrasives or chemicals to the highway, the stockpiling of abrasives or chemicals for use on a highway, or the removal of snow from a highway;
 - (d) vehicles used exclusively for the transportation of milk;
 - (e) fire apparatus;
 - (f) vehicles operated by or on behalf of a municipality transporting waste; or
 - (g) public utility emergency vehicles.
- (8) The provisions of subsections 19(4) to 19(6) shall not extend to the use of said highways or parts of highways for deliveries to or removals from any premises abutting thereon where no other access or route exists.

SCHOOL BUS LOADING ZONES

Section 20

20. (1) Where official signs to that effect are displayed in accordance with the regulations made under the Highway Traffic Act, the highways or portions of highways set out in Column 1 of Schedule XXVII to this By-law on the side of the highway set out in Column 2 of the said Schedule between the limits set out respectively in Columns 3 and 4 of the said Schedule are hereby designated as school bus loading zones.
- (2) No person shall on any highway stop any vehicle, other than a school purpose vehicle, in a school

bus loading zone.

BUS STOP ZONES

Section 21

21. (1) Where official signs to that effect are displayed, no person shall on any highway stand any vehicle other than a bus within a distance of up to 18 m in advance of, or 30 m beyond, any point designated by an authorized sign or signs as a bus stop.
- (2) Notwithstanding Section 21(1), bus stop zones are hereby established, where authorized signs to that effect are displayed, on the highways and at the sides set out in Columns 1 and 2 respectively of Schedule XXVIII to this By-law within the limits set out in Columns 3 and 4 of the said Schedule.
- (3) No person shall on any highway stop any vehicle, other than a bus, in a designated bus stop zone, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus.

ON- AND OFF-STREET PARKING FOR DISABLED PERSONS

Section 22

22. (1) A designated parking space on Municipal or Private Property shall be distinctly identified by an official sign in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder and this by-law.
- (2) Designated parking spaces:
 - (a) On Municipal streets and highways are described in Schedule XXIX:
 - (b) On Municipal and private parking lots are described in Schedule XXX; and
 - (c) On Private Property where distinctly identified by an official sign in accordance with the requirements of the Highway Traffic Act and this by-law.
- (3) The driver or operator of a vehicle which displays a permit in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder and this by-law shall not be required to pay an amount in excess of the normal fee paid by other users of the same parking lots or other parking facilities to which the public has access.
- (4) No person or organization shall park a vehicle in a designated parking space, or be entitled to the benefit of an exemption under this By-law, unless a currently valid permit has been issued to that person, organization or to a passenger being picked-up or transported in the vehicle and such permit is displayed on or in the vehicle in accordance with the requirements of the Highway Traffic Act, the regulations made thereunder, and this By-law.
- (5) Exemptions for persons with a disability parking permits:

Notwithstanding the provisions of any section of this by-law, a vehicle properly displaying persons with a disability parking permit is hereby exempt from the following provisions of this by-law:

 - (a) Section 4 (6)(l) with respect to three hour parking limits;
 - (b) Section 6 (1) with respect to Schedule II, Scheduled No Parking Zones, and Section 6 (2) with respect to Schedule III, Parking for Restricted Periods; and
 - (c) Section 9 (2) with respect to payment to park at a parking meter located on a highway or in a municipal parking lot.
- (6) Notwithstanding the provisions of any section of this by-law, a vehicle properly displaying a person with a disability parking permit is hereby permitted to park one (1) vehicle immediately adjacent to the open end of a row of parking spaces when no other location is readily available.
- (7) Limitations of exemptions of persons with a disability parking permit:

It shall constitute an offence for a person who owns or operates a vehicle on which a permit is displayed in accordance with the requirements of the Highway Traffic Act and this by-law to park said vehicle:

- (a) On any highway or municipal parking lot for a period longer than twenty-four (24) hours; and
- (b) On any highway in such a manner as to interfere with the movement of traffic, public safety or the clearing of snow from the highway.

BICYCLES

Section 23

- 23. (1) No person shall ride a bicycle or other vehicle whatever the motive power along or upon any sidewalk, or parts of sidewalks as prohibited by Schedule XXXI or ride such bicycle or other vehicle upon a pathway or foot path, used or set apart for the use of pedestrians and forming part of any highway or bridge, boulevard, park, park lot, garden, or other place set apart for ornament or embellishment or for public recreation, within the limits of the Municipality of Clarington.
- (2) No person riding a bicycle designed to carry anything thereon shall do so in such a manner as to prevent, or interfere with, full control of such bicycle while upon any public highway within the Municipality of Clarington.
- (3) No person shall leave a bicycle lying on any public sidewalk, or park, or leave such bicycle against any window, or in front of or across any door, stairs or entranceway to any building so as to obstruct or interfere with ingress to and from such building.
- (4) This By-law shall not apply to handicapped or other persons requiring the use of such vehicles as may be necessary for their means of transportation.

MOTORIZED SNOW VEHICLES

Section 24

- 24. (1) No person shall drive a motorized snow vehicle along any highway under the jurisdiction of the Municipality of Clarington, or on any municipal property, including parks unless he is licensed pursuant to Section 8 of The Motorized Snow Vehicle Act, R.S.O. 1980, Chapter 301, as amended.
- (2) No person shall drive a motorized snow vehicle along any sidewalk in the Municipality of Clarington except when in the act of crossing over such sidewalk and such crossing shall be at an angle of approximately 90 degrees to the direction of the sidewalk.
- (3) (A) Any person licensed to drive a motorized snow vehicle may drive a motorized snow vehicle in a public park in the municipality except upon roadways where public vehicular use is prohibited and except in those areas where driving of motorized snow vehicles is prohibited by signs or posters.
- (B) Save and except as noted in Subsection (2) hereof; no person shall drive a motorized snow vehicle on municipal property except where, by means of one or more signs, it is indicated that the operation of a motorized snow vehicle is permitted.
- (4) No person shall drive a motorized snow vehicle at a greater rate of speed than:
 - (A) 20 kilometres per hour in any public park in the Municipality of Clarington;
 - (B) 50 kilometres per hour upon any highway or part thereof under the jurisdiction of the Municipality of Clarington.
- (5) No person shall drive a motorized snow vehicle in the Municipality of Clarington between the hours of 12:00 midnight and six o'clock a.m..
- (6) No person shall drive a motorized snow vehicle in the Municipality of Clarington, unless it is equipped with a muffler in good working order and in constant operation and no person shall drive a motorized snow vehicle which has a muffler cut-out, straight exhaust, gutted muffler, hollywood muffler, by-pass or similar device upon the motorized snow vehicle.
- (7) The owner of a motorized snow vehicle shall incur the penalties provided for any contravention of this By-law unless at the time of the contravention the motorized snow vehicle was in the possession of some person other than the owner without the owner's consent, and the driver or operator of the motorized snow vehicle, not being the owner, shall also incur the penalties provided for any such

contravention.

PENALTIES

Section 25

25. (1) Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction, where a penalty for the offence is not otherwise provided, is liable to a fine of not less than \$5.00 and not more than \$200.00, excluding costs, recoverable under the Provincial Offenses Act.
- (2) Notwithstanding Subsection (1) of this section, any person who contravenes any of the provisions of Subsection (5)(A) of Section 4; Subsection (1) of Section 10; or of Subsection (5) of Section 22 of this By-law is guilty of an offence and shall be liable, upon conviction thereof, to a fine of not less than \$50.00 and not more than \$300.00 excluding costs, recoverable under the Provincial Offenses Act.
- (3) Any person violating any of the provisions of Sections 12, 13, 14, 15, 16, 17 or 19 of this By-law shall be subject to the penalty provided for such violation in the Highway Traffic Act.
- (4) A provincial offences officer, upon discovery of any vehicle parked, stopped or standing 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 removing, care and storage thereof are a lien upon the vehicle, which may be enforced in the manner provided by Part III of the Repair and Storage Liens Act, S.O. 1989, as amended.
- (5) Where a vehicle has been left parked, stopped or standing in contravention of this By-law, the owner of the vehicle, notwithstanding that he was not the driver of the vehicle at the time of the contravention of the By-law is guilty of an offence and is liable to the fine prescribed for the offence unless, at the time of the offence, the vehicle was in the possession of some person other than the owner without the owner's consent.

APPLICATION

Section 26

26. (1) This By-law applies to all highways under the jurisdiction of the Municipality of Clarington and, where applicable, to municipal and private property.
- (2) Sections 4, 5, 6, 7, 8, 9, 10 or 11 of this by-law shall not, if compliance therewith would be impracticable, apply to:
 - (A) emergency vehicles or public utility emergency vehicles; or
 - (B) vehicles actually engaged in works undertaken for or on behalf of any municipal corporation; or
 - (C) vehicles actually forming part of a funeral procession for as long as may reasonably be required for the purpose of such funeral.
- (3) Bylaws 74-55, 75-21, 75-22, 75-23, 78-95, 79-1, 79-37, 79-38, 79-75, 82-56, 90-68, and 90-69, and all amendments thereto, are hereby repealed.
- (4) This By-law shall come into force on the date that it is approved by the Council of Corporation of the Municipality of Clarington and, where applicable, when signs to the effect are erected.

By-law read a first time this _____ day of _____ 1991.

By-law read a second time this _____ day of _____ 1991.

By-law read a third time and passed on this _____ day of _____ 1991.

Mayor

Municipal Clerk

includes amendments:

92-169, 95-130, 97-8, 97-101, 97-140

99-59, 99-81, 2000-69, 2000-118, 2005-148

2005-187, 2006-181

(2007-018 REVISE Thru Rd/STOP /YIELD FORMAT)

(HEAVY TRAFFIC SECTION 2007-166 JUNE 25 EGD-047-07 res C-366-07) 2008-194 speed limits