

MUNICIPALITY OF TEMAGAMI

**BY-LAW #09-826
AS AMENDED BY BY-LAW 11-993**

TABLE OF CONTENTS

SECTION	ITEM	PAGE
	Authority	3
1	Definitions	6
2	General Regulations	12
3	Powers to Enforce By-law	13
4	General Stopping or Parking Regulations	14
5	Parking Prohibited with Signs	16
6	Parking Prohibited without Signs	16
7	Stopping Prohibited – Specified Places No Signs	17
8	Parking or Stopping Prohibited with Sign	17
9	Parking Meter Zones	18
10	Parking Regulations – Highway Clearing, Snow Removal and Snow	18
11	Plowing	
11	Parking Prohibited – Specified Times and Places	19
12	Parking or Stopping Prohibited – Vending Vehicles	19
13	Parking Prohibited – Private Property and Property of the Municipality	20
14	Physically Disabled Parking Spaces – Prohibited parking With Signs	21
15	Heavy Motor Vehicle – Parking Prohibited with Signs	21
16	Defacing Signs – Traffic Signals	22
17	Freshly Painted Signs on Roadway	22
18	Parking and Stopping Prohibited – Fire Route with Signs	22
19	Through Highways, Stop Sign and Yield Signs	22
20	Turning Movements	23
21	Designated One-Way Highways	23
22	Rate of Speed & Penalties	23
23	Penalties	24

24	Voluntary Payment	24
25	Authority to Tow	24
26	Charges – re – Towing	24
27	Liability	24
28	Conflict with Other By-laws	25
29	Enactment	25
	Schedule “A” – Through Highways	
	Schedule “B” – Stop Signs at Intersections	
	Schedule “C” – Yield Right of Way at Intersections	
	Schedule “D” – Signal Light Traffic Control Devices	
	Schedule “E” – Turning Restriction on Specified Streets	
	Schedule “F” – “U” Turns Prohibited	
	Schedule “G” – One-Way Streets	
	Schedule “H” – Higher or Lower Rates of Speed Than That Prescribed by the Highway Traffic Act	
	Schedule “I” – Parking Restrictions on Specified Streets	
	Schedule “J” – Angle Parking Permitted on Specified Streets	
	Schedule “K” – Parking Meter Zones	
	Schedule “L” – Designated Municipal parking Lots – Amended by By-law 13-1142 & Repealed by By-law 19-1433	
	Schedule “M” – Designated Parking Spaces Rented on an Annual Basis and Metered Zone Fees - Repealed by By-law 19-1433	
	Schedule “N” – Permits	
	Schedule “O” – Loading Zones - Amended by By-law 10-902	
	Schedule “P” – Pedestrian Crossovers	
	Schedule “Q” – Parking Prohibited – Physically Handicapped by Permit Only	
	Schedule “R” – Designated Parking Spaces for the Physically Disabled - Repealed by By-law 19-1433	
	Schedule “S” – Designated Fire Routes	
	Schedule “T” – Parking By-law Set Fines – Urban Neighbourhoods	
	Schedule “U” – Parking By-Law Set Fines - Rural Neighbourhoods	
	Schedule “V” – Map of Urban Neighbourhood	

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 09-826

BEING a bylaw to provide for the regulating of traffic and vehicle parking, rate of speed, standing and stopping on highways or parts of highways under the jurisdiction of the Corporation of the Municipality of Temagami.

Authority:

WHEREAS according to Section 128 of the Highway Traffic Act, R.S.O. 1990, Chapter H.8 as amended, the Council of a municipality may, for motor vehicles driven on a highway or portion of a highway under its jurisdiction, by by-law prescribe a rate of speed different than the prescribed rate of speed under the Highway Traffic Act, R.S.O. 1990, Chapter H.8.

AND WHEREAS Section 137 of the Highway traffic Act, R.S.O. 1990, Chapter H.8, as amended, permits the Council of a Municipality to provide by-law for the erection of stop signs at intersections on highways under its jurisdiction.

AND WHEREAS according to Section 11(1) Paragraph 8 of the Municipal Act, 2001, S.O., c. 25, as amended, a single-tier municipality may pass by-laws respecting matters within the following spheres of jurisdiction; highways, including parking and traffic on highways and parking, except on highways.

AND WHEREAS according to Section 63 (1) of the Municipal Act, S.O., c. 25, as amended, if a municipality passes a by-law for prohibiting or regulating the placing, stopping, standing or parking of an object or vehicle on a highway, it may provide for the removal and impounding or restraining and immobilizing of any object or vehicle placed, stopped, standing or parked on a highway in contravention of the by-law and subsection 170 (15) of the Highway Traffic Act applies to the by-law.

AND WHEREAS according to Section 63 (2) of the Municipal Act, S.O., c. 25, as amended, any perishable object in the object or vehicle removed from the highway is the property of the municipality upon being moved from the highway and may be destroyed or given to a charitable institution.

AND WHEREAS according to Section 63 (3) of the Municipal Act, S.O., c. 25, as amended, subsection (2) does not apply to a perishable object that comes into the possession of a police force in the circumstances described in section 132 of the Police Services Act.

AND WHEREAS Section 137 of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, as amended, permits the Council of a Municipality to provide by-law for the erection of stop signs at intersections on highways under its jurisdiction;

AND WHEREAS according to Section 100 of the Municipal Act, 2001, S.O., 2001, c.25; 2002, c.17, Sch. A, s. 19, as amended, a local municipality may, in respect of land not owned or

occupied by the municipality that is used as a parking lot, regulate or prohibit the parking or leaving of motor vehicles on the land without the consent of the owner of the land or regulate or prohibit traffic on that land if,

- a) the owner or occupant of the land has filed with the clerk of the municipality written consent to the application of the by-law to the land; and
- b) a sign is erected at each entrance to the land clearly indicating the regulation or prohibition.

AND WHEREAS according to Section 100.1 (1) of the Municipal Act, 2001, S.O., 2002, c. 17, Sch. A, s. 20, part, as amended, a local municipality may, in respect of land not owned or occupied by the municipality, regulate or prohibit the parking or leaving of motor vehicles without the consent of the owner of the land.

AND WHEREAS according to Section 100.1 (2) of the Municipal Act, 2001, S.O., 2002, c. 17, Sch. A, s. 20, part, as amended, subsection (1) does not apply to land used as a parking lot.

AND WHEREAS according to Section 101 (1) of the Municipal Act, 2001, S.O., c. 25, s. 101 (1); 2002, c. 17, Sch. A, s. 21, if a municipality passes a by-law under section 100 or 110.1 for regulating or prohibiting the parking or leaving of a motor vehicle on land not owned or occupied by the municipality without consent of the owner, it may provide for the removal and impounding or restraining and immobilizing of any vehicle, at the vehicle owner's expense, parked or left in contravention of the by-law and subsection 170 (15) of the Highway Traffic Act applies to the by-law.

AND WHEREAS according to Section 101 (2) of the Municipal Act, 2001 S.O., c. 25, as amended, if a municipality passes a by-law for regulating or prohibiting the parking or leaving of a motor vehicle on land owned or occupied by the municipality or any of its local boards without the consent of the municipality or local board, as the case may be, it may provide for the removal and impounding or restraining and immobilizing of any vehicle, at the vehicle owner's expense, parked or left in contravention of the by-law and subsection 170 (15) of the Highway Traffic Act applies to the by-law.

AND WHEREAS according to Section 101 (3) of the Municipal Act, 2001, S.O., c. 25, as amended, if signs are erected on land specifying conditions on which a motor vehicle may be parked or left on the land or regulating or prohibiting the parking or leaving of a motor vehicle on the land, a motor vehicle parked or left on the land contrary to the conditions or prohibition shall be deemed to have been parked or left without consent.

AND WHEREAS according to Section 101 (4) of the Municipal Act, 2001, S.O., c. 25, as amended, if it is alleged in a proceeding that a by-law referred to in this section has been contravened, the oral or written evidence of a police officer, police cadet or municipal law enforcement officer is receivable in evidence as proof, in the absence of evidence to the contrary, of the facts stated in it respect of,

- (a) the ownership or occupancy of the land;
- (b) the absence of the consent of the owner or occupant; and
- (c) whether any person is an occupant or is an owner.

AND WHEREAS according to Section 101 (5) of the Municipal Act, 2001, S.O., c. 25, as amended, written evidence under subsection (4) shall be admitted without notice under the Evidence Act.

AND WHEREAS according to Section 102 of the Municipal Act, 2001, S.O., c. 25, as amended, a local municipality may require the owners or operators of parking lots or other parking facilities to which the public has access, whether on payments of a fee or otherwise, to provide designated parking spaces for vehicles displaying a disabled parking permit and if it does so, the local municipality,

- (a) shall prescribe the conditions of use of the disabled parking permit and shall prohibit the improper use of the permit; and
- (b) may provide for removal and impounding of any vehicle, at its owner's expense, parked or left in contrary to the by-law.

AND WHEREAS according to Section 425 (1) of the Municipal Act, 2001, S.O., c. 25, as amended, by-laws may be passed by all municipalities and by police services boards for providing that any person who contravenes any by-law of the municipality or of the board, as the case may be, passed under this Act, is guilty of an offence.

AND WHEREAS according to Section 425 (2) of the Municipal Act, 2002, S.O., c. 17, Sch. A, s. 80, as amended, despite subsection (1), a by-law passed for establishing a system of disabled parking shall provide that every person who contravenes the by-law is guilty of an offence and on conviction is liable to a fine of not less than \$300.

AND WHEREAS according to Section 437 (1) of the Municipal Act, 2001, S.O., c. 25, as amended, except otherwise provided in any Act, every fine imposed for a contravention of a by-law of a municipality or a local board of a municipality belongs to the municipality.

AND WHEREAS according to Section 437 (2) of the Municipal Act, 2001, S.O., c. 25, as amended, the proceeds of any fine imposed in a prosecution conducted by a municipality under section 426 shall be paid to the treasurer of the municipality, and section 2 of the Administration of Justice Act and section 4 of the Fines and Forfeitures Act do not apply in respect to that fine.

AND WHEREAS according to Section 439 (1) of the Municipal Act, 2001, S.O., c. 25; 2002, c. 17, Sch. A, s. 81, as amended, a by-law passed for the purposes of section 425 may provide that, where a vehicle has been left parked, stopped or standing in contravention of a by-law under this Act, the owner of the vehicle, even though the owner was not the driver of the vehicle at the time of the contravention of the by-law, is guilty of an 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.

AND WHEREAS according to Section 439 (2) of the Municipal Act, 2001, S.O., c. 25, as amended, a by-law passed for the purpose of section 425 may provide a procedure for the voluntary payment of penalties out of court in cases where it is alleged that a by-law related to the parking, standing or stopping of vehicles has been contravened.

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami enacts as follows:

1. DEFINITIONS

- 1.1 The meaning ascribed to any term defined in subsection 1 of section 1 of the Highway Traffic Act, R.S.O. 1990, c. H. 8, as amended from time to time, are the meanings of that term as used in this by-law, unless that term is otherwise defined in subsection 2 of this section:
- 1.2 For the purpose of this by-law:
- 1.2.1 “Adjacent” means near, nearby or bordering;
 - 1.2.2 “Authorized sign”, means a sign or other device placed or erected on a highway or elsewhere pursuant to the provisions of this by-law and approved by the Ministry;
 - 1.2.3 “Boulevard” means all parts of the highway save and except any roadway, shoulder or sidewalk;
 - 1.2.4 “Outer Boulevard” means that part of the highway save and except any roadway, shoulder, sidewalk and inner boulevard;
 - 1.2.5 “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 edge of the shoulder furthest from the roadway or where a shoulder does not exist from the edge of the roadway shoulder, where such exists, furthest from the traveled portion of the road;
 - 1.2.6 “By-law enforcement officer” mean a Municipal Law Enforcement Officer appointed by Council under the Police Services Act R.S.O. 1990 c. P. 15 of Ontario;
 - 1.2.7 “Constable” means a member of a police force appointed for the Province of Ontario in accordance with the Police Services Act R.S.O. 1990 c. P. 15;
 - 1.2.8 “Commercial motor vehicle” means any motor vehicle having permanently attached thereto a truck or delivery body licensed as such by the Ministry of Transportation and Communication and without limiting the generality of the foregoing, includes ambulance, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors use for hauling purposes on highways;
 - 1.2.9 “Corporation” means the Corporation of the Municipality of Temagami;

- 1.2.10 “Corner” means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic;
- 1.2.11 “Council” means the Council of the Corporation of the Municipality of Temagami;
- 1.2.12 “Crosswalk” means that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measure from the curbs, in the absence of curbs, from the edges of the traveled portion of the roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other marking on the surface;
- 1.2.13 “Cul-de-sac” means a street or passage closed at one end;
- 1.2.14 “Curb” shall include the edge of the roadway and gutters;
- 1.2.15 “Driver” means every person who drives or is in actual physical control of vehicle;
- 1.2.16 “Driveway” means improved land on highway which provides vehicular access from the roadway to a laneway or a parking area on adjacent land;
- 1.2.17 “Elected officials” means the Mayor and Councillors of the Municipality of Temagami;
- 1.2.18 “Emergency vehicle” includes vehicles of the police department, Fire Department, ambulance and any other emergency vehicle of Federal, Provincial or Municipal Departments or public or private utilities;
- 1.2.19 “Fire route” means a private roadway designated as a fire route by one or more signs erected by or on behalf of the owner or occupant of the private roadway;
- 1.2.20 “Gross weight” means the combined weight of the vehicle and load;
- 1.2.21 “Handicapped person” or “disabled person” means any person suffering from a permanent or temporary disability rendering it difficult or burdensome to walk;
- 1.2.22 “Highway” includes a common and public highway, street, avenue, parkway, square, place, bridge, viaduct or trestle, designed and intended for, or used by the general public for the passage of vehicles, including unopened and un-assumed highways;
- 1.2.23 “Highway maintenance” includes snow plowing, snow removal, highway sweeping, grading, sanding and any other such maintenance as required to maintain proper highway conditions;

- 1.2.24 “Highway, one way” means a highway upon which the movement of vehicular traffic is limited to one direction;
- 1.2.25 “Improved land” means land which has been constructed in such a manner using asphalt, concrete, gravel, or any suitable material, so as to permit its use by normal vehicular traffic;
- 1.2.26 “Intersection” means the area embraced with the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other;
- 1.2.27 “Laneway” means an improved land adjacent to the highway, which provides access from the highway to a parking area on adjacent land;
- 1.2.28 “leave or left when prohibited” means the parking of a motor vehicle:
- 1.2.28.1 in excess of any time limit so posted, or
 - 1.2.28.2 where a time limit is not posted in excess of two hours, or
 - 1.2.28.3 for any use other than the normal use intended for the property;
- 1.2.29 “Loading zone” means the space designated by the Corporation for the regular delivery or removal by commercial motor vehicles of goods or merchandise at the location set out in Schedule “O”;
- 1.2.30 “Minister” means the Minister of Transportation and Communications;
- 1.2.31 “Ministry” means the Ministry of Transportation and Communications;
- 1.2.32 “Motor vehicle” includes an automobile, motorcycle, motor assisted bicycle, motorized snow-vehicle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car, or other motor vehicles running only upon rails, traction engine, farm tractor, self-propelled implement of husbandry or roadbuilding machine;
- 1.2.33 “Municipal property” means the property of the Municipality of Temagami;
- 1.2.34 “Municipality” means the Corporation of the Municipality of Temagami;
- 1.2.35 “Officer” means a By-law Enforcement Officer appointed by the Municipality of Temagami for the purposes of carrying out the enforcement of this by-law or as so restricted to parts thereof;
- 1.2.36 “Official sign” means a sign or other device placed or erected on a highway or elsewhere pursuant to the provisions of this by-law and approved by the Ministry of Transportation;

- 1.2.37 “One way highway” means a highway upon which the movement of vehicular traffic is limited to one direction;
- 1.2.38 “Owner” when used with relation to property means the registered owner of the property;
- 1.2.39 “Owner” when used with relation to a vehicle means registered owner of the subject vehicle;
- 1.2.40 “Park” or “parking”, when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading;
- 1.2.41 “Parking meter” means a device which shall indicate thereon the length of time during which a vehicle may be parked, which shall have as 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 when said interval of time shall have elapsed;
- 1.2.42 “Parking space” means a portion of the surface of a street and designated municipal parking lots designated by suitable marking, the use of which is controlled and regulated by a parking meter;
- 1.2.43 “Parking space” means that part of the surface of a roadway designated for the purpose of a parking vehicle;
- 1.2.44 “Pedestrian” means a person on foot or an invalid, child or other person in a wheeled chair or baby carriage;
- 1.2.45 “Pedestrian crossover” means any portion of a roadway, designated by by-law of the Municipality, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by signs on the highway and lines or other marking on the surface of the roadway as prescribed by the regulations under the Highway Traffic Act, R.S.O. 1990, c. H.8;
- 1.2.46 “Person” means any human being, firm, association, partnership, private club, incorporated company, corporation, tenants in common, joint tenants, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law and for the purpose of this by-law including the owner or driver of a vehicle;
- 1.2.47 “Physically challenged parking space” means those parking spaces designated, and so indicated by an official sign, for the use of a vehicle displaying a proper and valid physically challenged permit;

- 1.2.48 “Police Officer” means a member of a police force appointed for the Province of Ontario in accordance with the Police Services Act, R.S.O. 1990, c. P.15;
- 1.2.49 “Private roadway” means a roadway or laneway on private property;
- 1.2.50 “Roadway” means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder and. Where a highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately and not to all of the roadways collectively;
- 1.2.51 “Rural neighbourhood” means the area of the Municipality outside the urban neighbourhood as defined in this bylaw; (Amended by By-Law 11-993)
- 1.2.52 “safety zone” means the area or space set apart within a roadway for the exclusive use of pedestrians which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone;
- 1.2.53 “School bus” means a bus that is painted chrome yellow and displays on the front and rear thereof the words “school bus” and on the rear thereof the words “do not pass when signals flashing”;
- 1.2.54 “School bus loading zone” means an area designated for the loading and unloading of passengers from an authorized school bus;
- 1.2.55 “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 for the use of vehicles;
- 1.2.56 “Sidewalk/footpaths” means that portion of a highway as is set aside by the Municipality for the use of pedestrians;
- 1.2.57 “Sign” means any sign, or any marking placed or made on any roadway, curb, sidewalk or public place, which is authorized by Council, and when required approved by the Ministry;
- 1.2.58 “Signal light traffic control system” means a signal light traffic control system as described in the Highway Traffic Act R.S.O. 1990, c. P15;
- 1.2.59 “Stand or standing” when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except for the purpose of and while actually engaged in the receiving or discharging of passengers or, when in obedience to a Police Officer, signal or sign;

- 1.2.60 “Stop” or “stopping” when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions constable or other Police Officer or special constable or of a traffic control sign or signal;
- 1.2.61 “Taxicab stand” means the space for exclusive use by taxicab owner;
- 1.2.62 “Through highway” means a highway or part of a highway designated as such by the Minister or by by-law of a municipality, and even such highway shall be marked by a stop sign or yield right-of-way sign in compliance with the regulations of the Ministry;
- 1.2.63 “Town” means the Corporation of the Municipality of Temagami;
- 1.2.64 “Traffic” includes pedestrians, ridden or herded animals, vehicles, busses and other conveyances, either singly or together while using any street for the purpose of travel;
- 1.2.65 “Traffic control device” means any sign or roadway, curb or sidewalk marking or, other device erected or placed under the authority of Council for the purpose of guiding or directing traffic;
- 1.2.66 “Traffic control officer” means a member of the Ontario Provincial Police or an officer duly authorized by the municipality to regulate or direct traffic;
- 1.2.67 “Traffic signal” means any device manually, electrically, or mechanically operated for the regulation of traffic;
- 1.2.68 “Trailer” means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry mobile home, another motor vehicle of any device or apparatus not designated to transport person or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn;
- 1.2.69 “Urban neighbourhood” means the areas in Strathy Township known as Temagami South and Temagami North see schedule “V”; (Amended by By-Law 11-993)
- 1.2.70 “U-turn” means the turning of a vehicle within a highway so as to proceed in the opposite direction;
- 1.2.71 “Vehicle” includes a motor vehicle, trailer, commercial motor vehicle, and automobile, motorcycle, motor assisted bicycle, a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry road building machine and any other vehicle propelled or driven otherwise than by muscular power;

1.2.72 “Wheelchair” means a chair mounted on wheels driven by muscular or any other kind of power and used for the carriage of a person who has a physical disability;

1.2.73 “Zone” means an area of land designated for a specific use;

2. GENERAL REGULATIONS

- 2.1 Where any expression of time occurs or where any hour or other periods of time is stated, the time referred shall be standard time, provided however, if what is known as “daylight saving time” has been generally adopted in the Province of Ontario for any period of the year, under any statute, order-in-council, by-law, resolution or proclamation, whether the same is effective in law or not, such time shall be the time referred to during such period in any reference to time in this by-law.
- 2.2 The Public Works Superintendent, or his designate, shall have authority to place or erect signs and to maintain such authorized as are required to give effect to the provisions of this by-law. 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 resemble an authorized sign or which conceals from view or interferes with the effectiveness of an authorized sign.
- 2.3 The By-law Enforcement Officer and the Public Works Superintendent are authorized to place or erect and to maintain temporary “No Parking” signs and No “Stopping” signs on any highway.
- 2.4 The Schedules to this by-law shall form part of this by-law and each entry in a column of such Schedule shall be read in conjunction with the entry or entries across therefrom and not otherwise.
- 2.5 In the event any section, subsection, clause, paragraph or provision of this by-law, including any part of schedules be declared by a court of competent jurisdiction to be ultra vires, invalid or illegal for any reason, such declaration shall not affect the validity of the by-law as a whole.
- 2.6 A word interpreted in the singular number has a corresponding meaning when used in the plural.
- 2.7 The use of “may” shall be construed as permissive.
- 2.8 The use of “shall” shall be construed as imperative.
- 2.9 Any reference in this by-law to “he” and “she” or “his” or “her” shall be interpreted to be gender neutral and the provisions of this by-law shall be interpreted to apply equally to both male and female persons.

- 2.10 No person shall drive a motor vehicle upon a sidewalk or footpath of a highway except for the purpose of directly crossing the sidewalk or footpath.
- 2.11 No person shall drive a motor vehicle over raised curb except at a place where there is a ramp.
- 2.12 Where a distance is used in this by-law as part of a prohibition of parking or stopping within a specific distance of an object, structure, land or part of a highway, unless such distance shall be measured along the curb or edge of the roadway from a point in such curb or edge of a roadway opposite such object, structure, land or part of a highway, unless the context otherwise requires and, from such object, structure, land or part of a highway in all directions.
- 2.13 No person shall make a U-turn on any highway in the Municipality of Temagami,
- 2.13.1 when upon a curve where traffic approaching the vehicle from either direction cannot be seen by the driver of the vehicle within a distance of 150 metres (150 m)/492.0 feet; or
- 2.13.2 when on a railway crossing or within 30 metres (30 m)/98.4 feet of a railway crossing; or
- 2.13.3 when upon an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 metres (150 m)/492.0 feet; or
- 2.13.4 when within 150 metres (150 m)/492.0 feet of a bridge, viaduct or tunnel where the driver's view is obstructed within such distance; unless it can be made safely and without interfering with other traffic and provided there are no official signs so erected and displayed which indicates that the making of a U-turn on such highway is prohibited.
- 2.14 This by-law applies only to highways forming part of the road system under the jurisdiction of the municipality.
- 2.15 If compliance therewith be impractical, the provisions of this by-law shall not apply to:
- 2.15.1 ambulances, police, fire department, or public utility emergency vehicles; and
- 2.15.2 vehicles actually engaged in works undertaken for, or on behalf of the municipality.
- 2.16 Elected officials of the Corporation while engaged on Town business and employees of the Municipality, shall be permitted to park in a metered space without the deposit of coins in the parking meter for the said space provided that the employee is parked during regular Municipal office business hours and is physically at work for the Town or while engaged on Municipal business at any other time.
- 2.17 The owner or driver of a vehicle displaying a "Province of Ontario Disabled Persons Parking Permit" shall be permitted to park in a metered space without the deposit of coins in the parking meter for the said space, provided that the vehicle is at that time being used in the transportation of a physically handicapped person, provided that such parking shall not exceed a period of one hour.

3. POWERS TO ENFORCE BY-LAW

- 3.1 The Ontario Provincial Police and By-law Enforcement Officer shall enforce the provisions of this By-law.
- 3.2 Where it is necessary for the preservation of public safety, a Traffic Control Officer may direct and control traffic upon any street within the Municipality and for such purposes may divert, halt or restrain the movement of such traffic.
- 3.3 In addition to the persons authorized to enforce this By-law under clause 3.1, any other person duly appointed by Council shall enforce the parking provisions of this By-law; and within the limits of such appointment have the power of a Traffic Control Officer as provided in this section.
- 3.4 Notwithstanding anything to the contrary contained herein, the Ontario Provincial Police, By-law enforcement Officer or the Public Works Superintendent of the Municipality during any emergency or special circumstances deemed sufficient therefore, may suspend any or all parking on any highway within the area affected by these special circumstances, by authorizing the erection of “No Parking” signs, and the Ontario Provincial Police or the Public Works Superintendent, as the case may be during such emergency, may declare that any vehicle already parked is being parked illegally regardless of the time permitted for parking such vehicle under the provisions of this By-law provided, however, that the owner or driver of such vehicle is personally notified by a Police Officer or By-law Enforcement Officer that parking at such place has been suspended, and that the owner or driver of such vehicles is allowed a reasonable period of time to remove the said vehicle.
- 3.5 Every person shall promptly obey all signals given either by a Police Officer or a Traffic Control Officer or, by a traffic control device or a traffic signal.

4. GENERAL STOPPING OR PARKING REGULATIONS

- 4.1 No person in the urban neighbourhood shall park or stop any vehicle on any highway or portion thereof except as follows: (Amended by By-Law 11-993)
 - 4.1.1 where there is a raised curb on the right side of the roadway having regard to the direction such vehicle was proceeding, with its right front and rear wheels parallel to and not more than fifteen centimetres (15 cm) (5.9 inches) from such curb; or
 - 4.1.2 where there is no curb or a rolled curb, with the right front and rear wheels parallel to and as near the right-hand limit of the highway as is practical without parking or stopping over a sidewalk or footpath or over any part of a highway where grass is grown or which is not intended for use of vehicles.
- 4.2 In the urban neighbourhood the driver of a taxicab shall not stop, stand or park upon any street at any place other than at an appropriately signed taxicab stand except that this provision shall not prevent the driver of a taxicab from temporarily stopping in

accordance with this By-law at any place for the purpose of and while actually engaged in receiving or discharging passengers. (Amended by By-Law 11-993)

- 4.3 Notwithstanding the provisions of subsection 4.1 on designated one-way highways where parking or stopping is permitted on the left side of a highway, no person in the urban neighbourhood shall park or stop any vehicle on any highway or portion thereof except as follows: (Amended by By-Law 11-993)
- 4.3.1 where there is a raised curb on the left side of the roadway having regard to the direction in which the vehicle was travelling, with its left front and rear wheels parallel to, and not more than fifteen centimeters (15 cm) (5.9 inches) away from such curb; or
- 4.3.2 where there is no curb or rolled curbed, on the left side of the roadway having regard to the direction in which the vehicle was travelling with the left front and rear wheels parallel to as near to the left hand limit of the highway as is practical without parking or stopping over a sidewalk or footpath or over any part of a highway where grass is grown or which is not intended for use of vehicles.
- 4.4 In the urban and rural neighbourhoods where parallel parking spaces are designated by lines painted on the roadway, no person shall park or stop any vehicle except within the designated space. (Amended by By-Law 11-993)
- 4.5 In the urban or rural neighbourhood, unless specifically authorized under this by-law, no person, owner or driver shall park his or her vehicle on a highway or part of a highway or on municipal property or private property in such a manner as to obstruct traffic or cause a nuisance. For the purpose of the Lake Temagami Access Road (formerly the “Mine Road”) Point Parking, a vehicle shall be deemed to obstruct traffic and cause a nuisance if the vehicle is parked outside the designated areas for parking as indicated by signs except in the case, where such person, owner or driver is in the process of launching a boat. (Amended by By-Law 11-993)
- 4.6 The Council may designate parking spaces within the Municipality that can be rented on an annual basis, for which the Municipality issues an annual permit and charges an annual fee for the use of the assigned parking space. Such municipal parking and annual fees are set out in Schedule “M”.

ANGLE PARKING

- 4.7 In the urban neighbourhood when angle parking is permitted with signs, no person shall:(Amended by By-Law 11-993)
- 4.7.1 when parking spaces are designed by painted lines on the roadway, park any vehicle other than within the designated spaces; or
- 4.7.2 where parking spaces are not designated by lines painted on the roadway, park or stop any vehicle except at an angle of 45 degrees to the curb or boundary of the roadway.
- 4.8 The provisions of subsection 4.1, 4.2 and 4.3 do not apply on highways where angle parking is permitted.

- 4.9 A Police Officer or By-law Enforcement Officer, upon the discovery of a motor vehicle apparently abandoned on or near a highway or on lands owned by the Corporation of the Municipality of Temagami may take or cause such vehicle to be taken to and stored in a suitable place and all costs and charges for removal, care and storage thereof shall be a lien upon such vehicle and be payable before the surrender of such vehicle, as provided in the Repair and Storage Liens Act R.S.O. 1990, c. R.25.

5. PARKING PROHIBITED WITH SIGNS

When authorized signs have been erected in the urban neighbourhood, no person shall park a vehicle or permit a vehicle to remain parked on any highway: (Amended by By-Law 11-993)

- 5.1 In front of, or within nine metres (9 m) (29.5 feet) on which there is a firehall on the side of the highway on which the firehall is located;
- 5.2 On the opposite side of a highway from that on which a firehall is located and within thirty metres (30 m) (98.4 feet) of the projected lot lines of the lot on which such firehall is located.
- 5.3 Within twenty metres (20 m) (65.6 feet) of an intersection;
- 5.4 Within thirty metres (30 m) (98.4 feet) of an intersection controlled by traffic signals;
- 5.5 In front of the main entrance to, or any emergency exit from any church, hotel, hospital, nursing home, theatre, auditorium or other building or enclosed space in which person may be expected to congregate in large numbers;
- 5.6 Within thirty metres (30 m) (98.4 feet) of the approach side of a cross walk that is not located at an intersection;
- 5.7 Within fifteen (15 m) (49.2 feet) of the departure side of a cross walk that is not located at an intersection.
- 5.8 So as to interfere with the formation of a funeral process; and
- 5.9 Park a vehicle, other than a commercial motor vehicle on pickup or delivery, in a loading zone.

6. PARKING PROHIBITED WITHOUT SIGNS

No person shall park a vehicle or permit a vehicle to remain parked on any highway:

- 6.1 Within nine metres (9m) (29.5 feet) of an intersection in the urban neighbourhood; (Amended by By-Law 11-993)
- 6.2 Within three metres (3 m) (9.8 feet) of a fire hydrant in the urban neighbourhood; (Amended by By-Law 11-993)

- 6.3 In front of or within one and one half metres (1.5 m) (4.9 feet) of a laneway or driveway in the urban neighbourhood; (Amended by By-Law 11-993)
- 6.4 So as to obstruct a vehicle in the use of any laneway or driveway in the urban or rural neighbourhood; (Amended by By-Law 11-993)
- 6.5 In such a position that will prevent the convenient removal of any other vehicle previously parked in the urban or rural neighbourhood; (Amended by By-Law 11-993)
- 6.6 For the purpose of displaying the vehicle for sale in the urban or rural neighbourhood; (Amended by By-Law 11-993)
- 6.7 For the purpose of greasing, or repairing the vehicle except for such repairs as have been necessitated by an emergency in the urban or rural neighbourhood; (Amended by By-Law 11-993)
- 6.8 On the roadway where the width of the roadway is six metres (6 m) (19.6 feet) or less in the urban neighbourhood; (Amended by By-Law 11-993)
- 6.9 On a driveway within one metre (1 m) (3.2 feet) of a sidewalk or footpath, or if there is no sidewalk or footpath within three metres (3 m) (9.8 feet) of the highway in the urban neighbourhood and, (Amended by By-Law 11-993)
- 6.10 On a boulevard in the urban or rural neighbourhood. (Amended by By-Law 11-993)

7. STOPPING PROHIBITED – SPECIFIED PLACES NO SIGNS

No person shall stop or permit a vehicle to remain stopped on any highway:

- 7.1 On, or partly on, or over a sidewalk or footpath in the urban neighbourhood; (Amended by By-Law 11-993)
- 7.2 Within an intersection or crosswalk in the urban or rural neighbourhood ;(Amended by By-Law 11-993)
- 7.3 Within thirty metres (30 m) (98.4 feet) of the approach side of a crosswalk that is not located at an intersection in the urban neighbourhood ;(Amended by By-Law 11-993)
- 7.4 Within fifteen metres (15 m) (49.2 feet) of a departure side of a crosswalk that is not located at an intersection in the urban neighbourhood; (Amended by By-Law 11-993)
- 7.5 Adjacent to, or across from an excavation or obstruction in the roadway, when the free flow of traffic would thereby be obstructed in the urban neighbourhood;(Amended by By-Law 11-993)

- 7.6 On the roadway side of any stopped or parked vehicle in the urban neighbourhood ;(Amended by By-Law 11-993)
- 7.7 Upon any bridge or elevated structure except where parking is otherwise permitted in this by-law in the urban or rural neighbourhood; (Amended by By-Law 11-993)
- 7.8 Within thirty metres (30 m) (98.4 feet) of either end of a bridge or elevated structure in the urban neighbourhood; (Amended by By-Law 11-993)
- 7.9 Within thirty metres (30 m) (98.4 feet) of the approach side of the nearest rail of any level crossing of a railway in the urban neighbourhood and, (Amended by By-Law 11-993)
- 7.10 Within fifteen metres (15 m) (49.2 feet) of the departure side of the nearest rail of any level crossing of a railway in the urban neighbourhood. (Amended by By-Law 11-993)

8. PARKING OR STOPPING PROHIBITED WITH SIGNS

When authorized signs have been erected in the urban neighbourhood, no person shall stop or park a vehicle or permit a vehicle to remain stopped or parked;(Amended by By-Law 11-993)

- 8.1 On either side of a highway adjacent to a school, park or playground between the hours of 7:30 a.m. and 7:00 p.m.; and
- 8.2 Within the turning basin of cul-de-sac;

9. PARKING METER ZONES

- 9.1 Parking meters shall be erected, maintained and operated in Designated Parking Meter Zones for the purpose of controlling and regulating the parking of a vehicles in such Zones and measuring and recording the duration of such parking.
- 9.2 The locations described in Schedule “K” hereto are hereby designated as Parking Meter Zones.
- 9.3 The locations described in Schedule “L” hereto are hereby designated as Municipal Parking Lots.
- 9.4 No person shall park a vehicle in a Parking Meter Zone,
 - 9.4.1 between the hours of 9 o’clock in the forenoon and 6 o’clock in the afternoon on Monday, Tuesday, Wednesday, Thursday, or Saturday; and
 - 9.4.2 between the hours of 9 o’clock in the forenoon and 9 o’clock in the afternoon on Friday, without first having paid for the legal parking time as described in Schedule “M”. this provision does not apply on Sundays, civic and statutory holidays.
- 9.5 No person shall deposit or cause to be deposited in any parking meter any slug device of other substitute for any coin of the Dominion of Canada or United States of America.

- 9.6 Nothing in this By-law shall prevent the driver of a vehicle from using the unexpired time remaining on a parking meter from its previous users without depositing a coin therein.
- 9.7 On the days and between the hours as specified in Section 9.4, it shall be unlawful to permit a vehicle to remain parked in a parking space, in any Designated Parking Meter Zone, while the parking meter for the said space indicated that such a vehicle is unlawfully parked, whether said indication is a result of failure to deposit a coin or the result of mechanical operation of the parking meter following the expiration of the authorized parking time such vehicle is parked. The fact that a vehicle is parked in a metered parking space showing that such parking is in accordance with the provisions of this By-law, shall be prima facie evidence that such vehicle is unlawfully parked.

10. PARKING REGULATIONS – HIGHWAY CLEARING, CLEANING, SNOW REMOVAL AND SNOW PLOWING

When authorized signs have been erected in the urban or rural neighbourhood, no person shall park a vehicle or permit a vehicle to remain parked on a highway;(Amended by By-Law 11-993)

- 10.1 so as to interfere, in any manner, with the work of clearing and/or removing snow or ice therefrom, or
- 10.2 in such a manner so as to interfere with highway cleaning operations, or
- 10.3 between the hours of 12:00 midnight and 7:30 a.m. in the urban neighbourhood from the first day of November to the fifteenth day of April in any calendar year (for the purposes of snow removal); (Amended by By-Law 11-993)
- 10.4 In the event that a vehicle is found in contravention of this section, a Police Officer or a By-law Enforcement Officer may take or cause such vehicle to be taken to and stored in a suitable place and all costs and charges for removal, care and storage thereof shall be alien upon such vehicle and be payable before the surrender of such vehicle, as provided in the Repair and Storage Liens Act R.S.O. 1990, c. R.25.

11. PARKING PROHIBITED – SPECIFIED TIMES AND PLACES

When authorized signs have been erected, in the urban or rural neighbourhood no person shall park a vehicle, or permit a vehicle to remain parked on any highway at the side and between the limits set out respectively in columns 3, and 4 of Schedule “I” of this By-law during the times or days set out in column 6 of Schedule “I”;(Amended by By-Law 11-993)

- 11.1 In the event that a vehicle is found in contravention of this section, a Police Officer of By-law Enforcement Officer may take or cause such vehicles such vehicle to be taken to and stored in a suitable place and all costs and charges for removal, care and storage thereof shall be a lien upon such vehicle and be payable before the surrender of such vehicle, as provided in the Repair and Storage Liens Act R.S.O. 1990 c. R.25.

12. PARKING OR STOPPING PROHIBITED – VENDING VEHICLES

No person shall:

- 12.1 In the urban or rural neighbourhood who is selling, or offering for sale of goods or produce from stationary vehicle on a highway, park the vehicle or permit the vehicle to remain parked in such a manner as to obstruct traffic;(Amended by By-Law 11-993)
- 12.2 In the urban neighbourhood offer for sale or sell goods or produce from a vehicle on a highway, except from the side of such vehicle facing inner or outer boulevard;
(Amended by By-Law 11-993)
- 12.3 In the urban neighbourhood who is selling or offering for sale goods or produce from a vehicle, for the purpose of carrying on his business, stop the vehicle on any part of the highway for a period of time in excess of ten (10) minutes at any one location.
(Amended by By-Law 11-993)

13. PARKING PROHIBITED – PRIVATE PROPERTY AND PROPERTY OF THE MUNICIPALITY

13.1 For the purpose of this section, the following definitions shall apply:

13.1.1 “occupant” when used in relation to property means:

- 13.1.1.1 the lawful tenant or lessee of the property;
- 13.1.1.2 the registered tenant or lessee of a condominium unit, whose consent shall extend only to the control of the unit of which he is the tenant or lessee 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;
- 13.1.1.3 the spouse of a person described in the sub-clause 13.1.1.1 or 13.1.1.2;
- 13.1.1.4 the board of directors of the condominium corporation;
- 13.1.1.5 a person authorized, in writing, by the property owner as defined in sub-clause 13.1.1.1, 13.1.1.2, 13.1.1.3 or 13.1.1.4 to act on the owner’s behalf for requesting the enforcement of a by-law passed under this paragraph.

13.1.2 “owner” when used in relation to property means:

- 13.1.2.1 the registered owner of the property;
- 13.1.2.2 the registered owner of the 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 of description of the property;
- 13.1.2.3 the spouse of a person described in sub-clause 13.1.2.1 or 13.1.2.2;

13.1.3 “private property” means all property except the property described in Section 1.2.33 of this by-law;

13.1.4 “municipal property” means all property owned or occupied by the Corporation of the Municipality of Temagami except municipal roads controlled under the Highway Traffic Act R.S.O. 1990, c. H.8 or a municipal traffic control by-law;

- 13.2 Where an owner or occupant of property has posted signs:
13.2.1 stating conditions on which a vehicle may be parked or left on the property, or
13.2.2 prohibiting the parking or leaving of a vehicle on the property; the vehicle shall be deemed to be left without consent.
- 13.3 No person in the urban or rural neighbourhood shall park or leave a vehicle on property owned or occupied by the Municipality without first having obtained written consent from the Municipality; (Amended by By-Law 11-993)
- 13.4 No person shall be charged under Section 13.1.1 of this By-law except where a signed request from the property owner or occupant has been received by the designated person enforcing this By-law;
- 13.5 No person in the urban or rural neighbourhood shall park or leave a vehicle on private property without consent of the owner or occupant of the property;
(Amended by By-Law 11-993)
- 13.6 Where a driver of a vehicle, not being the owner, has been charged under Section 13.3 of this By-law and is liable to a penalty, the owner of the vehicle is also liable to such penalty unless, at the time of the offence, the vehicle was being used without the owner's consent;
- 13.7 No person in the urban or rural neighbourhood shall park a vehicle or permit a vehicle to remain parked on the property owned by the Municipality or where; (Amended by By-Law 11-993)
13.7.1 an area that is designated by sign as reserved, unless the area is reserved for such person, and
13.7.2 an area designated by sign as an area where parking is prohibited.
- 13.8 The provision of 13.3.2 shall not apply where authorized signs have been posted indicating parking is permitted.
- 13.9 No person shall park a vehicle or permit a vehicle to remain parked on the property owned by the Municipality or where an area is designated by sign as a school bus loading zone, during the times prohibited, as set out in Schedule "O". (Amended by By-law 10-902)

14. PHYSICALLY DISABLED PARKING SPACES – PROHIBITED PARKING WITH SIGNS

- 14.1 For the purpose of this Section:
14.1.1 "authorized sign" means a sign thirty centimetres (30 cm) (11.8 inches) in width and forty-five centimetres (45 cm) (17.7 inches) in height displaying the symbols and colours shown in Schedule "Q" of this By-law, but one (1) or both of the arrows may be deleted.
- 14.2 When authorized signs have been erected, no person in the urban or rural neighbourhood shall park or stop a vehicle or allow a vehicle to remain parked or

stopped in a public parking area in a parking space reserved for physically disabled unless a valid physically disabled permit is openly displayed on the dashboard of the vehicle or licence plates issued for the physically disabled are properly attached to the front and rear of the vehicle. (Amended by By-Law 11-993)

- 14.3 Enforcement of this Section on the property other than property owned by the municipality will only be carried out upon written request by the owner.
- 14.4 Designated parking spaces shall be located as set out in Schedule “R” attached hereto and forming part of this by-law.

15. HEAVY MOTOR VEHICLE – PARKING PROHIBITED WITH SIGNS

- 15.1 For the purposes of this Section, the following definition shall apply:
 - 15.1.1 “heavy motor vehicle” means a commercial vehicle, including tractor trailers, or other vehicles having a weight when unloaded of three tons (2.7 metric tonnes) or more, or when loaded 5 tons (4.5 metric tonnes), but does not include an ambulance, police, fire, or emergency utility vehicle.
- 15.2 Except as provided in Section 15.3 of this Section, when authorized signs to that effect are displayed, no person in the urban or rural neighbourhood shall park or stop a heavy motor vehicle or permit a heavy motor vehicle to remain parked or stopped on any highway or parts of highways within the limits of the Corporation of the Municipality of Temagami. (Amended by By-Law 11-993)
- 15.3 Section 15.2 shall not apply to any vehicle actually engaged in making a delivery to, or collection from, premises which cannot be reached except by way of a highway or a portion of a highway referred to in the said section, or to prohibit the collection, the said highway or portion of a highway is traveled only in so far as is unavoidable in getting to and from such premises.

16. DEFACING SIGNS – TRAFFIC SIGNALS

No person shall move, remove, deface or in any manner interfere with any sign, traffic control signal, marking, or other traffic control device placed, erected or maintained under this By-law.

17. FRESHLY PAINTED SIGNS ON ROADWAY

No person shall drive any vehicle over any marking of the roadway where markers are in place to indicate that the marking material has been freshly applied.

18. PARKING AND STOPPING PROHIBITED – FIRE ROUTE WITH SIGNS

- 18.1 When authorized signs have been erected, no person shall park or stop a vehicle or permit a vehicle from being stopped or parked in a designated fire route
- 18.2 Fire route locations shall be as set out in Schedule “S” attached hereto and forming part of this By-law.

18.3 Where a fire route has been designated as such by this By-law, the owner of the land shall erect along such fire routes one (1) or more authorized signs in such manner and such a number as required by the Municipality of Temagami as to reasonably inform the users of such fire route that the lands concerned have been designated a fire route and parking is prohibited thereon.

19. THROUGH HIGHWAYS, STOP SIGNS AND YIELD SIGNS

19.1 THROUGH HIGHWAYS

19.1.1 The highways set out in Schedule “A” attached hereto and forming part of this By-law, between the limits set out of the said Schedule are, except as provided in subsection 19.1.2 of this By-law, hereby designated as through highways.

19.1.2 The designation in subsection 19.1.1 of this By-law of a highway or part of a highway shall not include any intersection thereon where the road intersected is a King’s Highway or where traffic control signals are installed.

19.2 STOP SIGNS

19.2.1 The intersection set in Schedule “B” attached hereto and forming part of this By-law are designated as intersections where stop signs shall be erected at the locations shown in the said Schedule “B”.

19.2.2 Each designation made by subsection 19.2.1 shall not become effective until stop signs have been erected in accordance with the regulations of the Highway Traffic Act R.S.O. 1990, c. H.8.

20. TURNING MOVEMENTS

Where official signs in accordance with the regulations of the Highway Traffic Act R.S.O. 1990, c. H.8 are erected and are on display, no vehicle in any intersections of portion of highways set out in Schedule “E” attached hereto and forming part of this by-law, proceeding in the direction or emerging from a property set out in the said Schedule , shall be turned in the direction set out in the said Schedule, during the times or days set out in Column 4 of the said Schedule “E”.

21. DESIGNATED ONE-WAY HIGHWAYS

21.1 The highways set out in Schedule “G” attached hereto and forming part of this By-law, between the limits set out in the said Schedule, are hereby designated for one-way traffic only in the direction set out in the said Schedule “G”.

21.2 Each designation made by subsection 21.1 shall be effective upon erection of official signs.

22. RATE OF SPEED & PENALTIES

In accordance with Section 128 of the Highway Traffic Act, R.S.O. 1990, Chapter H.8 as amended, the highways or portions of a highway under the Municipality's jurisdiction as set out under Schedule "H", shall have the maximum rate of speed as prescribed by this By-law under Schedule "H". No person shall drive a motor vehicle at a rate of speed greater than the maximum rate of speed prescribed under Schedule "H" for the specified highways. Every person who contravenes this Section of the By-law is guilty of an offence and on conviction is liable to a fine, as per the penalties set forth in section 128 (14) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8.

23. PENALTIES

Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided in the Provincial Offences Act.

The Set Fines for offences or contraventions other than speeding are found in the attached Schedules "T" and "U" under Column 4.

24. VOLUNTARY PAYMENT

Notwithstanding the provisions of Section 23 of this By-law, any person may, upon presentation of Parking Infraction Notice, pay early payment in the manner shown in option 1 or 2 on the reverse side of the certificate of parking infraction, if such notice:

- 24.1 is issued by an officer, constable, or by-law enforcement officer;
- 24.2 indicates the commission of an offence as set out in Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 18 of this By-law, and
- 24.3 indicates the voluntary payment payable within 7 days, as set out in Column 3 of the attached Schedule "T".

25. AUTHORITY TO TOW

Notwithstanding any other penalty imposed by this By-law, the officer, constable, or by-law enforcement officer so appointed by the Municipality of Temagami may have the vehicle towed away and impounded at the owner's expense.

26. CHARGES – RE – TOWING

All towing and impounding charges incurred under Section 25 shall become a lien against the vehicle and are collectible under the Repair and Storage Liens Act R.S.O. 1990, c. R.25.

27. LIABILITY

The Corporation of the Municipality of Temagami will not be liable for any damage done by highway maintenance equipment to vehicles parked on Municipal highways or for any damage caused to a vehicle due to Towing away and impounding of same.

28. CONFLICT WITH OTHER BY-LAWS

Any by-laws or parts of any by-laws passed by the Corporation of the Municipality of Temagami which are in conflict with the provisions of this By-law are hereby repealed.

29. ENACTMENT

This By-law shall take effect on the final passing thereof.

READ A FIRST TIME this 8th day of January 2009.

READ A SECOND TIME this 22nd day of January 2009.

READ A THIRD TIME AND FINALLY PASSED this 26th day of February 2009.

Mayor

CAO/Clerk

**BY-LAW NO. 09-826
SCHEDULE "A"**

THROUGH HIGHWAYS

HIGHWAY FROM TO

There are no through signs.

BY-LAW NO. 09-826

SCHEDULE “B”

STOP SIGNS AT INTERSECTIONS

	STREET	DIRECTION OF TRAVEL	INTERSECTION	NUMBER OF SIGNS
1.	Ojibway Lane	W	Highway #11	1
2.	Mountainview Avenue	W	Highway #11	2
3.	Village Lane	W	Highway #11	1
4.	Springgarden Avenue	W	Highway #11	1
5.	Wildflower Avenue	W	Highway #11	1
6.	O’Connor Drive	E	Highway #11	1
7.	Sunset Crescent	E	Highway #11	2
8.	Harmony Avenue	E	Highway #11	1
9.	Parkwood Lane	E	Highway #11	1
10.	Railway Road	W	Highway #11	1
11.	Memory Lane	E	Highway #11	1
12.	Lakeshore Drive	E	Highway #11	1
13.	Lakeshore Drive	W	Wildflower Avenue	1
14.	Stevens Road	S	O’Connor Drive	1
15.	Jack Guppy Way	N	O’Connor Drive	1
16.	Old Dump Road	W	Highway #11	1
17.	Milne Sherman Road	E	Highway #11	1
18.	Spruce Drive	E	Birch Crescent	1
19.	Spruce Drive	W	Highway #11	1
20.	Goward Avenue	N	Spruce Drive	1
21.	Hillcrest Drive	W	Goward Avenue	1
22.	Birch Crescent	S	Spruce Drive	2
23.	Hazel Circle	E	Spruce Drive	1
24.	Cedar Avenue	N	Spruce Drive	1
25.	Poplar Drive	E	Cedar Avenue	1
26.	Lake Temagami Access Road	E	Highway #11	1
27.	Wilson Lake Road	E	Highway #11	1
28.	Lowell Lake Road	W	Highway #11	1
29.	Tonomo Road	E	Highway #11	1
30.	Stevens Road	E	Causeway	1
31.	Fox Run	W	Causeway	1
32.	Fox Run	N	White Bear Court	1
33.	Fox Run	S	White Bear Court	1

Amended by By-law 10-902

BY-LAW NO. 09-826

SCHEDULE “C”

YIELD RIGHT-OF-WAY AT INTERSECTIONS

	STREET	DIRECTION OF TRAVEL	INTERSECTION	NUMBER OF SIGNS
1.	Stevens Road	S	Stevens Road and Fox Run	1
2.	Mountainview Avenue	E	Mountainview Avenue and Railway Road	1
3.				
4.				
5.				

BY-LAW NO. 09-826

SCHEDULE “D”

SIGNAL LIGHT TRAFFIC CONTROL DEVICE

	STREET	DIRECTION OF TRAVEL	INTERSECTION	NUMBER OF SIGNS
1.	NIL	NIL	NIL	NIL
2.				
3.				
4.				
5.				

BY-LAW NO. 09-826

SCHEDULE “E”

TURNING RESTRICTION ON SPECIFIED STREETS

	STREET	DIRECTION OF TRAVEL	DIRECTION	TIMES AND/OR DAY
1.	NIL	NIL	NIL	NIL
2.				
3.				
4.				

BY-LAW NO. 09-826

SCHEDULE “F”

“U” TURNS PROHIBITED

INTERSECTION

NIL

BY-LAW NO. 09-826

SCHEDULE “G”

ONE-WAY STREETS

	STREET	FROM	TO	DIRECTION
1.	NIL	NIL	NIL	NIL
2.				
3.				
4.				

BY-LAW NO. 09-826

SCHEDULE “H”

**HIGHER OR LOWER RATES OF SPEED THAN THAT PRESCRIBED IN THE
HIGHWAY TRAFFIC ACT**

	STREET	FROM	TO	MAXIMUM RATE OF SPEED IN KM / HOUR
1.	Ojibway Lane	Ojibway Lane	Highway #11	30 km
2.	Sunset Crescent	Highway #11	Highway #11	30 km
3.	Harmony Avenue	Harmony Avenue	Highway #11	30 km
4.	O’Connor Drive	O’Connor Drive	Highway #11	30 km
5.	Mountainview Avenue	Mountainview Avenue	Highway #11	30 km
6.	Village Lane	Village Lane	Highway #11	30 km
7.	Springgarden Avenue	Springgarden Avenue	Highway #11	30 km
8.	Parkwood Lane	Parkwood Lane	Highway #11	30 km
9.	Railway Road	Railway Road	Highway #11	30 km
10.	Memory Lane	Memory Lane	Highway #11	30 km
11.	Lakeshore Drive	Lakeshore Drive	Highway #11	30 km
12.	Wildflower Avenue	Lakeshore Drive	Highway #11	30 km
13.	Stevens Road	Stevens Road	O’Connor Drive	40 km
14.	Fox Run	Fox Run	Stevens Road	40 km
15.	Jack Guppy Way	Jack Guppy Way	O’Connor Drive	40 km
16.	Old Dump Road	Old Dump Road	Highway #11	50 km
17.	Milne-Sherman Road	Milne-Sherman Road	Highway #11	70 km
18.	Spruce Drive	Spruce Drive	Highway #11	30 km
19.	Goward Avenue	Goward Avenue	Spruce Drive	30 km
20.	Hillcrest Drive	Hillcrest Drive	Goward Avenue	30 km
21.	Alder Lane	Alder Lane	Goward Avenue	30 km
22.	Birch Crescent	Spruce Drive	Spruce Drive	30 km
22.	Hazel Circle	Hazel Circle	Spruce Drive	30 km
23.	Cedar Avenue	Cedar Avenue	Spruce Drive	30 km
24.	Poplar Crescent	Poplar Crescent	Cedar Avenue	30 km
25.	Lake Temagami Access Rd	Lake Temagami Access Rd	Highway #11	50 km
26.	Wilson Lake Road	Wilson Lake Road	Highway #11	40 km
27.	Lowell Lake Road	Lowell Lake Road	Highway #11	50 km
28.	Tonomo Road	Tonomo Road	Highway #11	40 km
29.	Marten River Dump Road	Marten River Dump Rd	Highway #11	30 km
30.	Bayview Lane	Wildflower	Highway #11	30 km
31.	School Road	School Road	Ojibway Lane	30 km
32.	Woodcrest Street	Woodcrest Street	Lakeshore Dr.	30 km
33.	Shoreline Road	Shoreline Road	Woodcrest St.	30 km
34.	Ridgeway Lane	Ridgeway Lane	Woodcrest St.	30 km
35.	Temagami Marine Road	Temagami Marine Road	Highway #11	50 km

BY-LAW NO.

09-826

SCHEDULE “I”

**PARKING RESTRICTIONS ON SPECIFIED
STREETS**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
No.	LOCATION	FROM	TO	SIDE	TIME
1.	Ojibway Lane	Highway #11	Dead End	N & S	Any Time
2.	Village Lane	Highway #11	Dead End	N & S	Any Time
3.	Sunset Crescent	Highway #11	Lot 128, Plan M-66, Pcl 14938	N & S	Any Time
4.	Parkwood Lane	Highway #11	Dead End	N & S	Any Time
5.	Wildflower Avenue	Lot 253, Plan M-66, Pcl 21158	Lot 252, Plan M-66	N & S	Any Time
6.	Bayview Lane	Wildflower Avenue	Lakeshore Drive	E & W	Any Time
7.	Memory Lane	Highway #11	Lots 364 & 365, Plan M-66 (Don Miller’s)	West	Any Time
8.	Lakeshore Drive	Lot 419, Plan M-66 (West End of Ronnoco House)	NR 1178, Part 3 (OPP Laneway)	N & S	Any Time
9.	Lakeshore Drive	Third Street (West End of Pumphouse)	Lot 356, Plan M-66 (Old Town Office)	N & S	Any Time
10.	O’Connor Drive	Highway #11	Stevens Road	East	Any Time
11.	Lakeshore Drive	West end Pt. Lots 418 & 419 Plan M-66 (6 Lakeshore Drive)	East end Pt. Lots 418 & 419 Plan M-66 (6 Lakeshore Drive)	N	Any Time
12.	Lake Temagami Access Road	Tetapaga Creek Bridge	West for four hundred (400) feet	N & S	Any Time

BY-LAW NO. 09-826 SCHEDULE “J”

ANGLE PARKING PERMITTED ON SPECIFIED STREETS

	STREET	FROM	TO	SIDE
1.	NIL	NIL	NIL	NIL
2.				
3.				
4.				
5.				

BY-LAW NO. 09-826
SCHEDULE “K”
PARKING METER ZONES

There are no Parking Meter Zones.

BY-LAW NO. 09-826
SCHEDULE “L”
DESIGNATED MUNICIPAL PARKING LOTS

Amended by By-Law 13-1142 & Repealed by By-law 19-1433

BY-LAW NO. 09-826
SCHEDULE “M”
**DESIGNATED PARKING SPACES RENTED ON AN ANNUAL BASIS AND METERED
ZONE FEES**

Repealed by By-law 19-1433

BY-LAW NO. 09-826
SCHEDULE “N”
PERMITS

1. Permits may be issued to authorized vehicles Parking for those vehicles charged an annual fee at the Lake Temagami Mine Landing (LUP # LTE 397). designated signed parking stalls.
2. The authorized vehicle shall display in the window of the vehicle a sign issued by the Municipality of Temagami.

BY-LAW NO. 09-826
SCHEDULE “O”

LOADING ZONES

The area in the Temagami Train Station parking lot between O'Connor Drive and the south side of the Temagami Train Station, with the westerly limit being 20 feet out from the south east corner of the station building then running parallel to the tracks to O'Connor Drive, is designated as a "School Bus Loading Zone". No parking is permitted in this area during the hours of 7:00 a.m. to 9:00 a.m. and between the hours of 3:00 p.m. to 5:00 p.m. Monday to Friday, September to June. (Amended by By-law 10-902)

BY-LAW NO. 09-826

SCHEDULE "P"

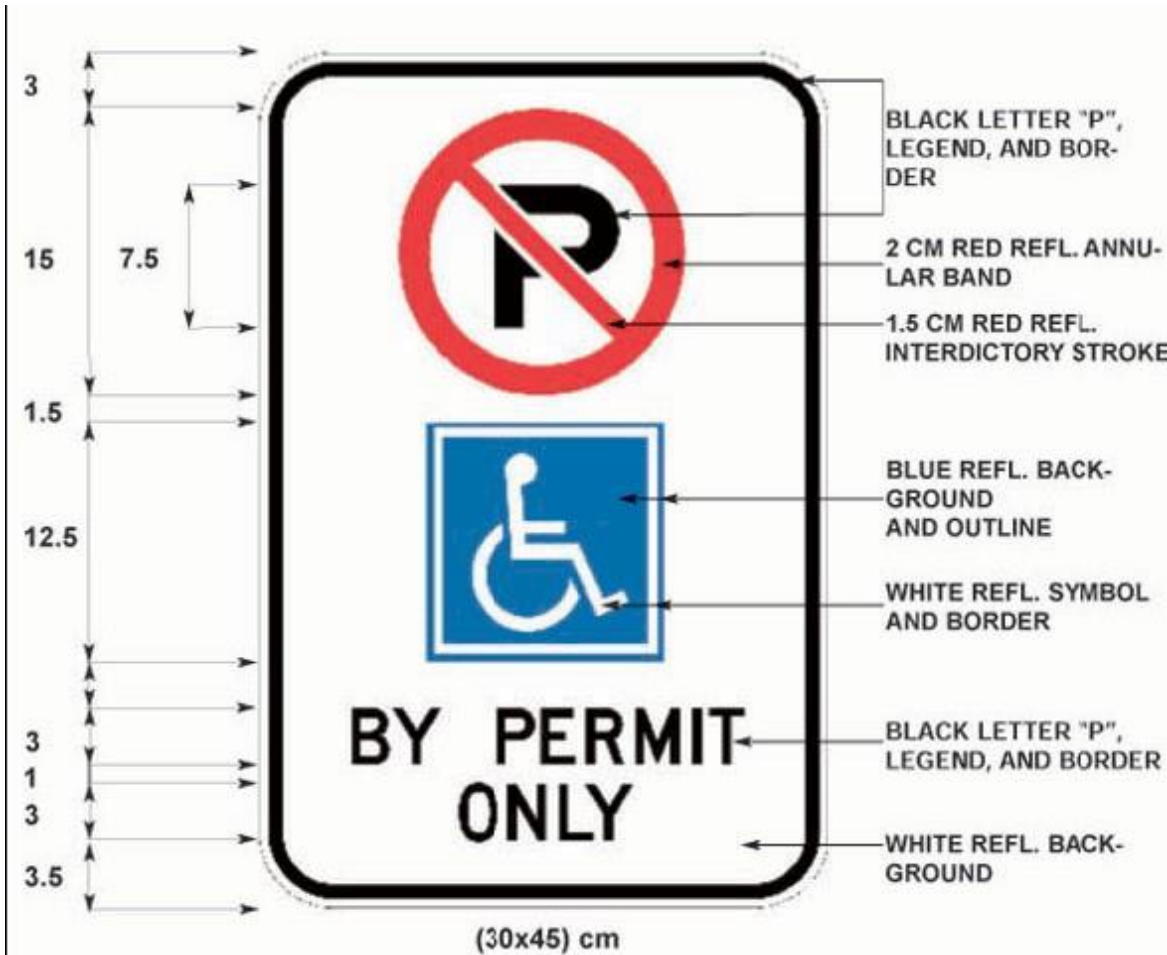
PEDESTRIAN CROSSOVERS

There are no designated Pedestrian Crossovers.

BY-LAW NO. 09-826

SCHEDULE "Q"

PARKING PROHIBITED



BY-LAW NO. 09-826

SCHEDULE “R”

DESIGNATED PARKING SPACES FOR THE PHYSICALLY DISABLED

Repealed by By-law 19-1433

BY-LAW NO. 09-826

SCHEDULE “S”

DESIGNATED FIRE ROUTES

There are no designated fire routes.

**BY-LAW NO. 09-826 as amended
The Municipality of Temagami
Part II Provincial Offences Act
Parking By-law**

SCHEDULE “T”

Urban Neighbourhood - (Amended by By-Law 11-993)

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	SHORT FORM WORDING - (Amended by By-Law 11-993) (#15, 39, 69 & 70 were deleted and renumbered accordingly as per by-law 11-993)	PROVISION CREATING OR DEFINING OFFENCE	VOLUNTARY PAYMENT WITHIN 7 DAYS	SET FINE
1.	Parked facing wrong way	4.1.1	30.00	42.00
2.	Stop facing wrong way	4.1.1	30.00	42.00
3.	Parked too far from curb	4.1.1	30.00	42.00
4.	Stop too far from curb	4.1.1	30.00	42.00
5.	Parked too far from right limit of highway	4.1.2	30.00	42.00
6.	Stopped too far from right limit of highway	4.1.2	30.00	42.00
7.	Taxi-cab illegally stopped, standing or parked	4.2	30.00	42.00
8.	Parked facing wrong way on one- way-traffic	4.3.1	30.00	42.00
9.	Stopped facing wrong way on one-way-traffic	4.3.1	30.00	42.00
10.	Parked too far from left limit of highway	4.3.2	30.00	42.00
11.	Stopped too far from right limit of highway	4.3.2	30.00	42.00
12.	Parked other than designated space	4.4	30.00	42.00
13.	Stopped other than designated space	4.4	30.00	42.00
14.	Parked other than in (angle) designated space (parking)	4.7.1	30.00	42.00
15.	Parked not at 45 degree angle	4.7.2	30.00	42.00
16.	Stopped not at 45 degree angle	4.7.2	30.00	42.00
17.	Park within (9 m) of firehall same side	5.1	30.00	42.00
18.	Park within (30 m) of firehall opposite side	5.2	30.00	42.00
19.	Park within (20 m) of intersection	5.3	30.00	42.00

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	SHORT FORM WORDING - (Amended by By-Law 11-993) (#15, 39, 69 & 70 were deleted and renumbered accordingly as per by-law 11-993)	PROVISION CREATING OR DEFINING OFFENCE	VOLUNTARY PAYMENT WITHIN 7 DAYS	SET FINE
20.	Park within (30 m) of intersection controlled traffic signal	5.4	30.00	42.00
21.	Park in front of main entrance to or exit from (hotel, hospital, nursing home, theatre, auditorium or public building)	5.5	30.00	42.00
22.	Park within (30 m) approach side of crosswalk not located at intersection	5.6	30.00	42.00
23.	Park within (15 m) departure side of crosswalk not located at intersection (Amended by By-Law 11-993)	5.7	30.00	42.00
24.	Park – interfere with forming of funeral procession	5.8	30.00	42.00
25.	Park within (9 m) of intersection	6.1	30.00	42.00
26.	Park within (3 m) of fire hydrant	6.2	30.00	42.00
27.	Park in front of (laneway or driveway)	6.3	30.00	42.00
28.	Park within (1.5 m) of (laneway or driveway)	6.3	30.00	42.00
29.	Park – obstruct (laneway or driveway)	6.4	30.00	42.00
30.	Park – obstruct parked vehicle leaving	6.5	30.00	42.00
31.	Park – to display vehicle for sale	6.6	30.00	42.00
32.	Park – greasing vehicle	6.7	30.00	42.00
33.	Park – repairing vehicle	6.7	30.00	42.00
34.	Park – on roadway (6 m) or less in width	6.8	30.00	42.00
35.	Park on driveway within (1 m) of sidewalk	6.9	30.00	42.00
36.	Park on driveway within (1 m) of footpath	6.9	30.00	42.00
37.	Park on driveway within (3 m) of roadway	6.9	30.00	42.00
38.	Park – on any boulevard	6.10 - (Amended by By-Law 11-993)	30.00	42.00
39.	Stop on, partly on, or over sidewalk	7.1	30.00	42.00
40.	Stop within an intersection	7.2	30.00	42.00

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	SHORT FORM WORDING - (Amended by By-Law 11-993) (#15, 39, 69 & 70 were deleted and renumbered accordingly as per by-law 11-993)	PROVISION CREATING OR DEFINING OFFENCE	VOLUNTARY PAYMENT WITHIN 7 DAYS	SET FINE
41.	Stop within a crosswalk	7.2	30.00	42.00
42.	Stop within (30 m) of approach side of crosswalk (not located at intersection)	7.3	30.00	42.00
43.	Stop within (15 m) of departure side of crosswalk (not located at an intersection)	7.4	30.00	42.00
44.	Stop adjacent to excavation	7.5	30.00	42.00
45.	Stop adjacent to obstruction	7.5	30.00	42.00
46.	Stop – double stopping	7.6	30.00	42.00
47.	Stop beside parked vehicle	7.6	30.00	42.00
48.	Stop on bridge	7.7	30.00	42.00
49.	Stop on elevated structure	7.7	30.00	42.00
50.	Stop within (30 m) of bridge	7.8	30.00	42.00
51.	Stop within (30 m) of elevated structure	7.8	30.00	42.00
52.	Stop within (30 m) approach side of railway	7.9	30.00	42.00
53.	Stop within (15 m) departure side of railway	7.10	30.00	42.00
54.	Stop adjacent to school when prohibited	8.1	30.00	42.00
55.	Stop adjacent to park when prohibited	8.1	30.00	42.00
56.	Stop adjacent to playground when prohibited	8.1	30.00	42.00
57.	Park adjacent to school when prohibited	8.1	30.00	42.00
58.	Park adjacent to park when prohibited	8.1	30.00	42.00
59.	Park adjacent to playground when prohibited	8.1	30.00	42.00
60.	Park within turning basin of cul- de-sac	8.2	30.00	42.00
61.	Stop within turning basin of cul- de-sac	8.2	30.00	42.00
62.	Park – interfere with clearing and removing snow	10.1	30.00	42.00
63.	Park – interfere with highway cleaning	10.2	30.00	42.00

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	SHORT FORM WORDING - (Amended by By-Law 11-993) (#15, 39, 69 & 70 were deleted and renumbered accordingly as per by-law 11-993)	PROVISION CREATING OR DEFINING OFFENCE	VOLUNTARY PAYMENT WITHIN 7 DAYS	SET FINE
64.	Park – interfere with snow removal when prohibited	10.3	30.00	42.00
65.	Park – where prohibited by sign	11	30.00	42.00
66.	Park – obstructing traffic selling from vehicle	12.1	30.00	42.00
67.	Park in excess of 10 minutes (selling or offering for sale of goods)	12.3	30.00	42.00
68.	Stop in excess of 10 minutes (selling or offering for sale of goods)	12.3	30.00	42.00
69.	Parking on private property without consent	13.5	30.00	42.00
70.	Parking – municipal property without consent	13.3 - (Amended by By- Law 11-993)	30.00	42.00
71.	Park on municipal property where prohibited	13.7.1 - (Amended by By-Law 11-993)	30.00	42.00
72.	Park on municipal property in reserved area	13.7.2 - (Amended by By-Law 11-993)	30.00	42.00
73.	Park in space reserved for physically disabled – no permit	14.2	300.00	350.00
74.	Stop in space reserved for physically disabled – no permit	14.2	300.00	350.00
75.	Park heavy motor vehicle where prohibited	15.2	30.00	42.00

**The general penalty provision for the offences listed above is section 23 of
by-law no. 09-826, as amended, a certified copy of which has been filed.
(Amended by By-Law 11-993)**

BY-LAW NO. 09-826 as amended
The Municipality of Temagami
Part II Provincial Offences Act
Parking By-law

SCHEDULE “U”

Rural Neighbourhood - (Amended by By-Law 11-993)

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	SHORT FORM WORDING - (Amended by By-Law 11-993) (#8 was deleted and renumbered accordingly as per by-law 11-993)	PROVISION CREATING OR DEFINING OFFENCE	VOLUNTARY PAYMENT WITHIN 7 DAYS	SET FINE
1	Parked other than designated space	4.4	70.00	82.00
2	Stopped other than designated space	4.4	70.00	82.00
3	Park – obstruct (laneway or driveway)	6.4	70.00	82.00
4	Park – obstruct parked vehicle leaving	6.5	70.00	82.00
5	Park – to display vehicle for sale	6.6	70.00	82.00
6	Park – greasing vehicle	6.7	70.00	82.00
7	Park – repairing vehicle	6.7	70.00	82.00
8	Stop within an intersection	7.2	70.00	82.00
9	Park on bridge	7.7	70.00	82.00
10.	Park adjacent to school when prohibited	8.1	70.00	82.00
11.	Park – interfere with clearing and removing snow	10.1	70.00	82.00
12.	Park – interfere with highway cleaning	10.2	70.00	82.00
13.	Park – interfere with snow removal when prohibited	10.3	70.00	82.00
14.	Park – where prohibited by sign	11	70.00	82.00
15.	Park – obstructing traffic selling from vehicle	12.1	70.00	82.00
16.	Parking on private property without consent	13.5	70.00	82.00
17.	Parking – municipal property without consent	13.3	70.00	82.00

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	SHORT FORM WORDING – (Amended by By-Law 11-993)	PROVISION CREATING OR DEFINING OFFENCE	VOLUNTARY PAYMENT WITHIN 7 DAYS	SET FINE
18.	Park on municipal property where prohibited	13.3 - (Amended by By-Law 11-993)	70.00	82.00
19.	Park on municipal property in reserved area	13.7	70.00	82.00
20.	Park in space reserved for physically disabled – no	14.2	300.00	350.00
21.	Stop in space reserved for physically disabled – no	14.2	300.00	350.00
22.	Park heavy motor vehicle where prohibited	15.2	70.00	82.00
23.	Stop heavy motor vehicle where prohibited	15.2	70.00	82.00

**The general penalty provision for the offences listed above is section 23 of by-law no. 09-826, as amended, a certified copy of which has been filed.
(Amended by By-Law 11-993)**

(Amended by By-Law 11-993)

BY-LAW NO. 09-826

SCHEDULE "V"

URBAN NEIGHBORHOOD MAP

