

BY-LAW 2001 - 1

BEING A BY-LAW TO REGULATE

TRAFFIC AND PARKING

IN THE CITY OF GREATER SUDBURY

Consolidated Version - January 16, 2006

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BY-LAW 2001-1

**BEING A BY-LAW OF THE CITY OF GREATER
SUDBURY TO REGULATE TRAFFIC AND PARKING
ON ROADS IN THE CITY OF GREATER SUDBURY**

WHEREAS the Transition Board for The City of Greater Sudbury deems it desirable to enact a By-law on behalf of the City of Greater Sudbury to regulate traffic and parking in the City of Greater Sudbury;

**NOW THEREFORE THE TRANSITION BOARD FOR THE
CORPORATION OF THE CITY OF GREATER SUDBURY HEREBY ENACTS AS
FOLLOWS ON BEHALF OF THE CORPORATION OF THE CITY OF GREATER
SUDBURY:**

PART I. DEFINITIONS

1. In this By-law,

"APPROVED MOTOR VEHICLE" means:

- (i) a passenger vehicle bearing valid Ontario License plates;
- (ii) a motorcycle bearing a valid Ontario License plate; and,
- (iii) a van or truck which is licensed by the Ministry of Transportation of Ontario as a commercial motor vehicle, but is registered with the Ministry as a vehicle designated primarily for personal use;

but does not include:

- (i) a commercial motor vehicle for which the permit fee under The Highway Traffic Act is based on the weight of the vehicle and load in excess of 4 tonnes, or
- (ii) a vehicle which exceeds six and four tenths metres (6.4 m) (21 ft.) in length; or,
- (iii) a vehicle which is equipped with dual rear wheels; or,
- (iv) a vehicle which is a tow truck; or
- (v) a vehicle which is a bus, or a bus converted into a mobile home or bus otherwise used for commercial or non-commercial purposes;

"ATTENDANT-OPERATED CARPARK" means a carpark where an employee or contractor of the City is stationed to collect parking fees;

"AUTHORIZED EMERGENCY VEHICLE" includes Fire Department vehicles, Police vehicles, ambulances, and any other emergency vehicles of Federal, Provincial or Municipal Departments or of public or private utilities;

"AUTHORIZED SIGN" means any sign or other device placed or erected on a highway under the authority of this By-law for the purpose of regulating, warning or guiding traffic and includes official signs;

"BOULEVARD" means that part of the highway situate between the roadway and the property lines of the lots abutting the highway and includes a shoulder but does not include a sidewalk, if any;

"BUS STOP" means that portion of a highway designated by a municipal bus stop sign to or for the use of buses as space for loading and unloading passengers only;

"CHIEF OF POLICE" means the Chief of The Greater Sudbury Police Force;

"CITY" means the City of Greater Sudbury as defined in the City of Greater Sudbury Act, 1999, S.O. 1999, c.14, Schedule A;

"CITY PARKING ENFORCEMENT PERSONNEL" means those persons authorized by the City Council or by the City By-law Enforcement Officer for the issuance of tickets or summonses under this By-law;

"COMMERCIAL MOTOR VEHICLE" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways;

"CORPORATION" means The City of Greater Sudbury;

"CROSSWALK" means,

- (a) 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 measured from the curbs or, in the absence of curbs, from the edges of the roadway, or

- (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossings by signs or by lines or other markings on the surface;

"DISABLED PERSON PARKING PERMIT" means an valid permit issued by the Ontario Ministry of Transportation;

"DRIVER" means every person who drives a vehicle on a highway or is in actual physical control of a vehicle;

"ELIGIBLE APPLICANT" means a person who is a full-time resident of a one, two or three family dwelling abutting a highway or part highway designated as a permit parking zone, who is the registered owner of an approved motor vehicle or who has exclusive use of an approved motor vehicle by virtue of a leasing agreement with an automobile leasing company or by virtue of an agreement with his or her employer;

"GROSS WEIGHT" means the combined weight of vehicle and load;

"HEAVY VEHICLE" means a commercial motor vehicle, having a gross weight of five tonnes or more;

"HIGHWAY" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;

"HIGHWAY TRAFFIC ACT" means the Highway Traffic Act R.S.O. 1990, Chapter H.8 as amended and all regulations made thereunder;

"INTERSECTION" means the area embraced within 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;

"MOTOR VEHICLE" includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine;

"MUNICIPALITY" means The City of Greater Sudbury;

"OFFICIAL SIGN" means a sign consistent with the Canadian Manual of Uniform Traffic Control Devices or the Ontario Manual of Uniform Traffic Control Devices;

"ONE-WAY STREET" means a highway upon which vehicular traffic is limited to movement in one direction;

"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 merchandise or passengers;

"PARKING MACHINE" means a device to control and regulate the parking of any vehicle in a parking space and which, when a coin, credit card or debit card has been inserted and the machine activated, issues a receipt indicating the date and time of that activation and the duration of the parking in or on the parking space permitted;

"PARKING METER" means a device that shall indicate thereon the length of time during which a vehicle may be parked which shall have as a part thereof a receptacle for receiving and storing coins, a slot or place in which such coins may be deposited, a timing mechanism to indicate the passage of the interval of time during which the parking is permissible and which shall also display a signal when said interval of time shall have elapsed;

"PARKING METER ZONES" means those highways or parts of highways or property owned by the Municipality and established for vehicle parking, on which permitted parking is controlled and regulated by the use of parking meters or parking machines;

"PARKING PERMIT" means a permit issued by the General Manager of Public Works of the City which exempts the subject vehicle from the parking prohibition in force and effect on the identified street under the provisions of subsection 4(4) and which sets out upon its face the make of the vehicle to which it is affixed, the number of the license plate attached to the subject vehicle, the name of the street where it is valid, and the date that it expires;

"PARKING SPACE" means a portion of the surface of the roadway which for parking use is controlled and regulated by a parking meter or parking machine;

"PEDESTRIAN" means a child in a carriage, or a person afoot or in a wheelchair or on a conveyance with wheels of a diameter of 45 cm or less;

"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 markings on the surface of the roadway as prescribed by the regulations under the Highway Traffic Act, R.S.O. 1990, Chapter H.8 as amended;

"PERMIT PARKING SPACE" means a space on a highway or part highway designated as a permit parking zone, whereby parking is prohibited except by a permit issued by the General Manager of Public Works of the City;

"PERMIT PARKING ZONE" is a highway or part highway where parking is prohibited under the provisions of subsection 4(4), except by a valid parking permit issued by the General Manager of Public Works of the City whereby the vehicle displaying said permit is exempted from the parking prohibition;

"PERSON" includes every natural person, firm, partnership, association or corporation;

"PERSON IN CHARGE OF THE MARRIAGE CEREMONY" means any person permitted to solemnize a marriage ceremony under the Marriage Act, R.S.O. 1990, Chapter M.3;

"POLICE OFFICER" means a sworn member of The City of Greater Sudbury Police Force, the Ontario Provincial Police, or the Royal Canadian Mounted Police; and Regulations thereto;

"THE PROVINCIAL OFFENCES ACT" means the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended,

"PUBLIC LANE" OR "PUBLIC LANEWAY" means a lane not exceeding thirty-three feet (10m) in width that is owned by the municipality and has been opened for use by the general public;

"ROADWAY" means the 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 the roadways collectively;

"SIDEWALK" means a part or strip of land, paved or otherwise, in, on, or alongside a highway and designed and intended for, or used by, the general public for pedestrian travel, and includes any structure above or below ground designed or intended for the use of pedestrians even if said structure is not wholly or partially above or below a highway;

"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 of a police officer or of a traffic control sign or signal;

"TRAFFIC" includes pedestrians, ridden or herded animals, vehicles, buses and other conveyances, either singly or together while using any highway for the purpose of travel;

"TRAFFIC CONTROL DEVICE" means any sign, signal-light traffic control system, traffic signal, marking, or device, placed or erected by the authority of Council for the purpose of regulating, warning or guiding traffic;

"TRAFFIC CONTROL SIGNAL SYSTEM" means a traffic control signal system as described in Section 133 of the Highway Traffic Act;

"TRANSIT VEHICLE" means a motor vehicle operated on a highway by, for or on behalf of any person for the transportation for compensation of passengers, but does not include taxicabs or car pool vehicles;

"U-TURN" means to turn a vehicle within a roadway in order to proceed in the opposite direction to the direction in which the said vehicle was proceeding immediately prior to the said turn;

"VEHICLE" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a pedestrian, a motorized snow vehicle or the cars of electric or steam railways.

PART II. AUTHORIZED SIGNS AND TRAFFIC CONTROL DEVICES

2. - (1) The General Manager of Public Works is hereby authorized to place or erect, and to maintain such authorized signs and traffic control devices as may be necessary to give effect to the provisions of this By-law or as are required to warn or guide traffic for the safety or convenience of the public.

(2) Unless otherwise permitted herein, no person shall place, maintain or display upon or in view of any highway any sign, signal, marking or device which purports to be or is an imitation of or resembles any authorized sign or traffic control device, or which conceals from view or interferes with the effectiveness of any authorized sign or traffic control device.

(3) All traffic control signal system devices heretofore or hereafter erected on a highway under the jurisdiction and control of The City of Greater Sudbury shall be erected and operated in the manner prescribed by Section 133 of the Highway Traffic Act.

(4) Traffic control signal system devices shall be erected and used at the intersections and places named and described in Schedule "A" to this By-law.

PART III. PARKING AND STOPPING

3. - (1) No person shall park or stop any vehicle on any highway or portion thereof unless that parking or stopping is on the right side of the highway having regard to the direction in which the vehicle has been proceeding;

- (a) with the right front and right rear wheels or runner not more than fifteen centimetres (15cm) from the curb or edge of the roadway, but this provision shall not apply to prevent the parking of a vehicle on the left side of a one-way street, nor to prevent the angle parking of a vehicle on highways or parts of highways where angle parking is permitted; or,
- (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 practical without stopping or parking on a sidewalk, footpath or on any part of the highway where grass is grown or which is not intended for the use of vehicles.

(2) Where parking is permitted on a one-way street, no person shall park a vehicle facing otherwise than in the direction in which it was proceeding and parallel to and distant not more than fifteen centimetres (15cm) from the curb edge of the roadway.

(3) Where angle parking is permitted, no person shall park a vehicle except at an angle with the roadway, indicated by appropriate markings or signs, and no vehicle of an overall length of more than six metres (6m) shall be angle parked.

(4) Entry to an angle parking space of forty-five degrees (45°) or less shall be made from the lane of the highway immediately adjacent to the said angled parking space, having regard for the direction in which the vehicle has been travelling. On emerging from such a space, no person driving any vehicle will proceed in a direction other than the same forward direction used to enter the parking space.

Parking Prohibited

4. - (1) No person shall, at any time, park a vehicle in any of the following places:
- (a) on or overhanging a sidewalk;
 - (b) on a boulevard;
 - (c) within an intersection;
 - (d) on a crosswalk;
 - (e) within a designated pedestrian cross-over or within nine metres (9m) of a pedestrian crossover;

- (f) within three metres (3m) of a fire hydrant measured laterally along the roadway from a point at the edge of the roadway immediately adjacent to the hydrant;
- (g) within nine metres (9m) of any intersection;
- (h) within nine metres (9m) of a crosswalk or stop line at an intersection;
- (i) in front of or within two metres (2m) of the entrance to a private driveway or so as to prevent ingress or egress to or from such driveway;
- (j) in front of or within three metres (3m) of an entrance to or exit from a public lane or driveway;
- (k) on any centre boulevard or centre strip separating two roadways or adjacent to either side or ends of such middle boulevard or centre strip;
- (l) unless otherwise specified, on any bridge, or in any subway or underpass, or the approaches thereto;
- (m) in such a position as to prevent the convenient removal of any other vehicle previously parked;
- (n) on any roadway for a longer period than four consecutive hours;
- (o) on any roadway having an overall operational width of less than six metres (6m); or
- (p) on any designated Bicycle Lane except as may be provided to the contrary in Section 28.1.

(2) In specified places where authorized signs to that effect are displayed, no person shall at any time, park a vehicle:

- (a) in front of the entrance to a hotel, office building, any place where goods or merchandise are regularly delivered or removed, or opposite the entrance to any hospital or in front of an entrance to or any emergency exit from any theatre, auditorium or other building when large assemblages are being held in such theatre, auditorium or other building;
- (b) on any highway within twenty-three metres (23m) of an intersection, or on any hill;

- (c) on any highway adjacent or opposite to any school property, municipal playground, municipal park, municipal ballfield or municipal recreation area;
- (d) on any of the parts of the highways named and described in Schedule "B" to this By-law;
- (e) on any highway within six metres (6m) of any point designated as a bus stop or as a bus terminal, measured in the direction of travel of buses on that side of the highway or within eighteen metres (18m) of such point measured in the opposite direction, except for buses;
- (f) on, in or upon any public lane; or
- (g) on any highway within fifteen metres (15m) of the termination of a dead end street.

(3) Where authorized signs to that effect are displayed no person shall park a vehicle on any of the parts of the highways named and described in Columns 1, 2, 3, and 4 of Schedule "C" to this By-law during the hours and days set out in Column 5 of the said Schedule.

(4) 1. No person shall park a vehicle on any of the parts of the highways named and described in Columns 1, 2, and 3 of Schedule "C-1" to this By-law except by valid permit under this subsection.

2. Where a highway or part highway has been designated as a permit parking zone in Schedule "C-1", an eligible applicant may apply for a parking permit on the designated highway.

3. Every application for a parking permit shall provide the following information:

- (a) The name and place of residence of the applicant;
 - (b) the licence number, make and colour of the approved motor vehicle for which the applicant is the registered owner and for which the application is being made; and
 - (c) such further and other information as the General Manager of Public Works of the City may require for the purpose of the application.
4. The General Manager of Public Works for the City may issue a

single parking permit to an eligible applicant for a fee, payable in advance and renewable on a calendar year basis, or on a monthly basis for a parking space on a highway or part highway listed in Schedule "C-1".

The fee shall be \$12.50 per month or \$75 per year, inclusive of the Goods and Services Tax. Subject to availability, eligible applicants may also obtain temporary permits at a cost of \$5 per week, inclusive of tax, for visitors, to a maximum of two weekly permits per vehicle, per year.

5. Except where the parking permit is not in force, every parking permit shall commence on the day on which the permit is issued, and shall expire on the last day of the term for which the permit was issued.

6. A parking permit shall allow parking of a motor vehicle on a highway during such hours as may be specified in the parking permit for the designated highway.

7. Parking permits remain the property of the City of Greater Sudbury and the General Manager of Public Works of the City may, with 24 hours notice, recall, void, cancel or otherwise revoke any parking permit, and the unexpended portion of the fee paid by the permit holder shall be refunded at the convenience of the City.

8. No parking permit shall remain in force:

(a) During the time where a highway or part thereof designated as a permit parking zone:

(i) has ceased to be designated; or,

(ii) is required or occupied by an authorized emergency vehicle;

or,

(iii) is signed by the City for the purpose of street maintenance or repair; or,

(b) When the use of the permit parking space is contrary to the direction of a member of the Fire Services Division, a Police Officer, or a Municipal law Enforcement Officer.

9. An eligible applicant to whom a parking permit has been issued and which is in force may park the vehicle for which the parking permit has been issued in the designated block specified on the parking permit.

10. No person shall park a vehicle in a permit parking zone, who is not

the eligible applicant to whom a parking permit has been issued and is in force provided that this shall not prohibit the parking of a vehicle for which a valid parking permit has been issued, by a person on behalf of the person to whom the said parking permit has been issued.

11. No person shall park a vehicle in a permit parking zone except a vehicle for which a parking permit has been issued and is in force and effect and is affixed permanently to the inside of the lower left corner of the windshield facing the exterior of the vehicle on the driver's side and is in clear view from the exterior of the vehicle.

12. No vehicle for which a parking permit has been issued but is not in force for a parking space on a highway or part highway listed in Schedule "C-1" shall be parked by any person in the permit parking space for which the parking permit was issued.

13. Notwithstanding that an application has been made for a parking permit or that a parking permit has been issued, whether in force or not, no provision of this By-law shall oblige the City or the General Manager of Public Works of the City to issue, renew, or reinstate any parking permit and no person shall enjoy a vested right in the issuance or continuance of a parking permit.

14. Notwithstanding the contents of Column 2 of Schedule "C-1", and notwithstanding item 15 below, from December 1st to March 31st, night-time permit parking between the hours of 6:00 p.m. and 7:00 a.m. shall be on alternate sides of the street each day, as indicated by the parking permit issued, and no person shall allow a vehicle to be or parked on the side of a highway so designated and indicated on the parking permit issued.

15. Subject to the provisions of item 14 above, permit holders may park their approved vehicles in the designated areas for up to 48 hours, but shall not remain for a period longer than 48 continuous hours.

Parking Restricted

5. - (1) Where authorized signs are displayed, no person shall park a vehicle on any of the parts of the highway named and described in Columns 1, 2, 3 and 4 of Schedule "D" to this By-law, during the hours set out in Column 5 for a longer period than as set out in Column 6 of the said Schedule.

(2) No person shall park a vehicle on any highway during the hours of 12:00 midnight to 7:00 a.m. from December 1st in one year, to March 31st of the following year, inclusive, except physicians on emergency calls and operators of authorized emergency vehicles.

- (3) 1. Notwithstanding subsection (2), no commercial motor vehicle or commercial trailer whether attached to a tractor or not having a capacity in excess of two tonnes in rating as prescribed by relevant Provincial Statutes, shall be parked on any highway between the hours of 9:00 p.m. one day and 7:00 a.m. of the following day.
2. Subject to paragraph (3)1. above and excepting motor buses, no commercial motor vehicle or commercial trailer whether attached to a tractor or not, having a capacity in excess of two tonnes in rating as prescribed by relevant Provincial Statutes, shall be parked on any highway at any time for a longer period than two consecutive hours.

- (4) Notwithstanding the provisions of subsection 5(1) above, where a person displays a disabled person parking permit on a vehicle issued pursuant to the *Highway Traffic Act*, the operator of such a vehicle is permitted to park on any part of the highway named and described in Columns 1, 2, 3 and 4 of Schedule "D" to this By-Law for a period not exceeding four consecutive hours.

Angle Parking

6. Angle parking in accordance with the provisions of Section 3 hereof is permitted on the parts of the highways named and described in Columns 1, 2, 3 and 4 of Schedule "E" to this By-law at the angle to the roadway set out in Column 5 of the said Schedule.

Stopping Prohibited

7. - (1) In specified places where authorized signs to that effect are displayed, no person shall stop a vehicle at any time on any of the parts of the highways named and described in Schedule "F" to this By-law during the hours set out in Column 5 of the said Schedule.

Exceptions

- (2) The provisions of this section shall not apply to:
- (a) a postal vehicle while actually engaged in loading mail into or from a postal box;
 - (b) a vehicle engaged solely for the transportation of money for commercial establishments while engaged in delivering or picking up money; or
 - (c) transit vehicles when picking up or discharging passengers at bus stops.
- (3) No person shall stop a vehicle, other than a bicycle in a designated Bicycle Lane except in accordance with Section 28.1.

Loading Zones**Commercial Vehicles**

8. - (1) Where authorized signs to that effect are displayed, no person shall park a vehicle between the hours of 9:00 a.m. and 6:00 p.m. of any day except Sundays and holidays on any of the parts of the highway named and described in Schedule "G" to this By-law, except for the loading of merchandise by commercial motor vehicles providing that such loading and unloading shall not exceed thirty minutes.

School Bus

- (2) The highway or portions of highways set out in Column 1 of Schedule "H" of this By-law at the school or institution set out in Column 2 of the said Schedule "H" are hereby designated as school bus loading zones as provided in subsection 13 of Section 175 of the Highway Traffic Act.

Parking Prohibited for Specific Purpose

9. No person shall stop or park a vehicle upon any highway for the purpose of:
- (a) displaying it for sale;
 - (b) storing it;
 - (c) washing, servicing, painting or repairing it, except where such repair is necessary for the removal of the vehicle from the highway; or
 - (d) advertising.

Parking of Bicycles

10. No person shall lean a bicycle against a parking meter or parking meter standard nor shall any person attach, affix or chain a bicycle to a parking meter or parking meter standard.

Parking Meters, Parking Machines

Application of Section

11. - (1) The provisions of this Section shall apply to those parts of the highways and municipal parking lots named and described as Parking Meter Zones in Columns 1, 2, 3 and 4 of Schedule "I" to this By-law.

Use of Meters/Machines

(2) Parking meters and/or Parking Machines shall be erected, maintained and operated in the parking meter zones described in Schedule "I" to this By-law for the purpose of controlling and regulating the parking of any vehicles in such zones and measuring and recording the duration of such parking.

Parking in Parking Meter Zones

(3) 1. No person shall park a vehicle at any parking meter in a parking meter zone during the applicable days and hours described in Column 5 of Schedule "I" to this By-law:

- (a) unless the fee stipulated for a given parking period in the parking space as set out in Column 6 of Schedule "I" has been paid for that parking period or any portion of it, and the period shall be as measured by the parking meter controlling that parking space;
- (b) unless that person has activated the parking meter; and
- (c) in no case, longer than the maximum allowable parking time at that parking meter as may be stipulated in Column 7 of Schedule "I".

Parking at Parking Machines

2. No person shall park a vehicle in a parking meter zone where a parking machine is in operation:

- (a) unless the parking machine controlling the parking space is used and the fee stipulated in Schedule "I" for a given parking period in the parking space has been paid for that parking period or any portion of it, and the period shall be as measured by the parking machine controlling that parking space;

- (b) in no case, longer than the maximum allowable parking time at that parking space as may be stipulated in Column 7 of Schedule "I"; and
- (c) unless the receipt issued by the parking machine is placed inside the windshield of the vehicle in a position that the writing and markings on it face outward and can be easily seen from outside the vehicle.

3. Where parking machines have been erected and are in operation in a parking meter zone, the duration of the period of parking permitted shall be measured by the parking machine and shall be the period of duration indicated on the receipt issued by the parking machine.

Daily/Monthly Parking

4. No person shall park a vehicle in a parking meter zone where a parking machine is in operation or in an attendant-operated carpark:
- (a) unless the monthly or daily payment set out in Column 8 of Schedule "I" has been paid; and
 - (b) unless the receipt issued for such monthly or daily parking is placed inside the windshield of the vehicle in a position that the writing and markings on it face outward and can be easily seen from outside the vehicle.
5. The provisions of Section 11(3)2. shall not apply if monthly or daily payment has been made and the provisions of Section 11(3)4. complied with.

Method of Parking

- (4) 1. No person shall parallel park a vehicle at a parking meter unless the front bumper is adjacent to a single parking meter installation, or unless the front or rear bumper as indicated on the appropriate parking meter is adjacent to any double parking meter installation.
- 2. No person shall angle park a vehicle at a parking meter unless the front bumper is adjacent to the designated parking meter.

Lines or Marks for Parking

- (5) 1. Where lines or markings are placed on the highway or on the curb alongside each parking meter to designate the parking space for which said meter is to

be used, no person shall park a vehicle except within such lines or markings.

2. Where parking is regulated by attendants or parking machines and where lines or markings are placed on municipal parking lots or on the highway or on the curb alongside to designate parking spaces, no person shall park a vehicle except within such lines or markings.

Overtime Parking Prohibited

- (6) 1. On the days and between the hours set out in Column 5 of Schedule "I" to this By-law, no person shall park a vehicle in a parking space in any Parking Meter Zone longer than the maximum allowable parking time stipulated in Column 7 of Schedule "I".
2. On the days and between the hours set out in Column 5 of Schedule "I" to this By-law, no person shall park a vehicle in a parking space in any Parking Meter Zone;
- (i) while the parking meter, if any, for the space indicates that such vehicle is unlawfully parked, whether such indication is the result of failure to pay or the result of failure to activate the meter, or the result of mechanical operation of the parking meter following the expiration of the authorized parking time; or
- (ii) while the receipt issued by a parking machine, if any, for the space indicates that such vehicle is unlawfully parked following the expiration of the authorized parking time; or
- (iii) without the display of a valid receipt, issued from a parking machine controlling that space, inside the windshield of the vehicle in a position that the writing and markings on it face outward or can be easily seen from outside the vehicle; or
- (iv) without the display of a valid receipt, for monthly or daily parking in an attendant-operated carpark, inside the windshield of the vehicle in a position that the writing and markings on it face outward or can be easily seen from outside the vehicle.
3. The fact that a vehicle is parked in a metered parking space on the days and during the hours set out in Column 5 of Schedule "I" without the parking meter adjacent to such space showing that

such parking is in accordance with the provisions of this Section shall be prima facie evidence that such vehicle is unlawfully parked.

4. The fact that a vehicle is parked in a municipal parking lot on the days and during the hours set out in Column 5 of Schedule "I" without a valid receipt being displayed showing that such parking is in accordance with the provisions of this Section shall be prima facie evidence that such vehicle is unlawfully parked.
5. The fact that a vehicle is parked in a parking space controlled by a parking machine on the days and during the hours set out in Column 5 of Schedule "I" without a valid receipt being displayed showing that such parking is in accordance with the provisions of this Section shall be prima facie evidence that such vehicle is unlawfully parked.

Use of Slugs

(7) No person shall deposit or cause to be deposited in any parking meter or parking machine, any slug, device or other substitute for a coin, or to affix to a parking meter or parking machine any material or device which could interfere with the normal operation of the meter or mechanism thereof.

Drivers Not Required to Place Fee in Meters/Machines

(8) The payment of fees in parking meters or parking machines shall not be required of the owner or driver of a Fire Department vehicle, a Police vehicle, an ambulance, a hearse, a vehicle leased, owned, or used for the benefit of the City in actual use by an employee of the City who is engaged in business on behalf of the City, nor the owner or driver of vehicles used by public or private utilities in connection with repairs, maintenance or construction on or under roadways, sidewalks or boulevards, nor the owner or driver of any vehicle while actually engaged in loading or unloading passengers, provided that the parking for such purpose is restricted to such length of time as is absolutely necessary therefor, nor the owner or driver of a commercial motor vehicle to which the provisions of Section 11, subsections (9) or (11) apply.

Free Parking for Commercial Motor Vehicles

(9) The provisions of this Section shall not apply to commercial motor vehicles, other than buses, for loading and unloading purposes only prior to 10:00 a.m.

Restrictions Not Effective on Holidays

(10) The restrictions as to parking set out in this Section excepting subsections 4 and 5 shall not be effective on statutory holidays, or on holidays declared by civic proclamation.

Disabled Persons

(11) Notwithstanding the provisions of subsection 11.(3) above, where a person displays a disabled person parking permit on a vehicle issued pursuant to the Highway Traffic Act, the operator of such vehicle is permitted to park for a period not exceeding four consecutive hours in a metered parking space without the insertion of coins into the parking meter for that space.

Marriage Ceremonies and Funerals

12. - (1) During a period commencing 60 minutes in advance of the scheduled time of any funeral service or marriage ceremony and ending immediately following the completion of the said funeral service or marriage ceremony, the operator of the funeral parlour or the person in charge of the marriage ceremony is hereby authorized to place "No Parking" signs on portable bases or on parking meters adjacent to a maximum number of five metered parking spaces in a Parking Meter Zone as described in Section 11 of this By-law or along a maximum length of thirty-eight metres (38m) of curb space in other permitted parking areas to indicate that a funeral service or marriage ceremony is being held at a location adjacent to the parking area concerned and that parking is temporarily prohibited.

(2) Where such "No Parking" signs are displayed, no person shall park a vehicle at any of the parking meters concerned or along the curb space concerned, as the case may be, unless permitted to do so by the operator of the funeral home or the person in charge of the marriage ceremony who has placed the signs.

(3) The said "No Parking" signs shall be removed by the operator of the funeral home or the person in charge of the marriage ceremony who has placed the said signs immediately following the completion of the funeral service or marriage ceremony.

Emergency Prohibition of Parking

13. - (1) Notwithstanding anything to the contrary contained herein, the Chief of Police or the General Manager of Public Works of the Corporation during any emergency, road repair, construction, or special circumstances deemed sufficient therefor 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 Chief of Police or the General Manager of Public Works of the Corporation, as the case may be, during such emergency, or other circumstances 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 in the event the owner or driver of such vehicle is personally notified by a police officer that parking at such place has been suspended, and further, that the owner or driver of such vehicle is allowed a reasonable period of time to remove the said vehicle.

Exceptions

(2) Sections 3, 4, 5, 6, 7 and 8 shall not, if compliance therewith would be impracticable, apply to authorized emergency vehicles while actually engaged in responding to an emergency.

PART IV. OPERATION OF VEHICLES

Entering Highways and Intersections

14. - (1) No person shall drive a vehicle through or enter upon any highway roped or barricaded or marked by words or writing prohibiting its use for the time being owing to repairs.

(2) No person shall enter an intersection unless traffic in front of him or her is moving in the manner that would reasonably leave him or her to believe he or she can clear the intersection before the signal indication changes to a circular red indication.

Emerging from Lane or Driveway

15. - (1) No person shall drive a vehicle emerging from a driveway, lane, public lane, lot or building without yielding the right-of-way to all pedestrians and vehicles prior to driving onto the sidewalk.

(2) No person shall drive a vehicle emerging from a driveway, lane, public lane, lot or building without yielding the right-of-way to all vehicles prior to driving onto a highway.

Vehicles on Sidewalk

16. - (1) No person shall drive a vehicle on a sidewalk except for the purpose of directly crossing the sidewalk on a permanent or temporary driveway.

(2) No person shall drive a motor vehicle over a raised curb except at a place where there is a ramp.

Backing

17. - (1) No person shall back a vehicle into an intersection or over a crosswalk.

(2) No person shall back a vehicle, in any event or at any place, unless such movement can be made in safety.

Funeral and Other Processions

18. No person shall intersect a funeral or other properly authorized procession while it is in motion, except under the direction of a police officer.

Boarding and Alighting from Vehicles

19. No person shall board or alight from any vehicle which is in motion.

Excess Loads

20. - (1) The General Manager of Public Works of the Corporation is hereby appointed and authorized to issue on behalf of the City, permits as prescribed under Section 110 of the Highway Traffic Act with full power and authority to grant or refuse any such permit and to attach such terms and conditions to the permit as may be attached by virtue of the Highway Traffic Act.

(2) The provisions of Sections 122 and 123 of the Highway Traffic Act are hereby declared to be in force from March 1st to May 31st inclusive in each and every year in respect of all highways within the Municipality except on the parts of the highways named and described in Schedule "J" to this By-law.

(3) The General Manager of Public Works of the City of Greater Sudbury is hereby authorized to appoint in writing, from time to time, and to remove as necessary, such person or persons as he or she may deem necessary to act on his or her behalf to issue permits under subsection (1) above.

Lines Painted on Roadway

21. No person shall drive or attempt to drive a vehicle on or over, or tamper with or walk on any newly painted lines or signs on any roadway or crosswalk, when the presence of such is indicated by markers or lighted lanterns.

Turning Movements

22. - (1) Where a U-turn is not otherwise prohibited, no person operating a vehicle shall make a U-turn unless the U-turn can be made safely and without interfering with other traffic.

(2) Where official signs to that effect are displayed, no person operating a vehicle shall make a U-turn at any location or intersection named and described in Schedule "K" to this By-law.

(3) Where official signs to that effect are displayed, no person operating a vehicle in any intersection or portion of highway set out in Column 1 of Schedule "L" to this By-law proceeding in the direction or emerging from a property set out in Column 2 of this said Schedule, shall turn the vehicle 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.

One-Way Streets

23. The highways set out in Column 1 of Schedule "M" to this By-law between the limits set out in Columns 2 and 3 of the said Schedule are hereby designated for one-way traffic only in the direction set out in Column 4 of the said Schedule.

Through Highways

24.-(1) The parts of the highways named and described in Schedule "N" of this By-law are designated as "Through Highways" as defined in subsection 1 of Section 1 of the Highway Traffic Act.

(2) The designations in subsection 1 of a highway or part of a highway as a "through highway" shall not include any intersection thereon where traffic control signals are installed.

Stops at Intersections

25. The intersections of highways set out in Column 1 of Schedule "O" to this By-law are designated as intersections where stop signs shall be erected facing oncoming traffic travelling in the direction of travel and on the highways shown in Column 2 of the said Schedule.

Yield Right-of-Way Signs

26. The intersections as set out in Column 1 of Schedule "P" to this By-law are designated as intersections where yield signs shall be erected facing oncoming traffic travelling in the direction of travel and on highways indicated in Column 2 of the said Schedule "P".

Truck Routes

27. - (1) The parts of the highways named and described in Schedule "Q" to this By-law are hereby designated as "Truck Routes".

(2) No person shall operate a heavy vehicle on any highway within the Municipality other than on the parts of the highways set out in Schedule "Q" hereof, provided however, that any commercial motor vehicle may be operated on any highway in the Municipality for the purpose of delivering or receiving, loading or unloading goods, wares, merchandise or materials or in proceeding to or from a garage or other premises for the housing or repair of such motor vehicle and provided that

- (i) such deviation shall be made at a point on one of the said truck routes nearest by road to where the services is performed, and
- (ii) on completion of the conduct of business such vehicle shall return by the shortest route to the nearest truck route.

(3) The provisions of subsection (2) of this section shall not apply to vehicles owned by The City of Greater Sudbury, or to emergency vehicles, or to vehicles of a public transit system or to school buses.

Designated Lanes

28. - (1) Where the highways listed in Column 1 of Schedule "R" to this By-law have been divided into clearly marked lanes for traffic between the limits of the said highways indicated in Column 2, each of the lanes indicated in Column 3 is, during the days or times indicated in Column 4, designated for traffic moving in the direction or directions indicated in Column 5 therein.

(2) Where the highways or part of highways listed in Column 1 of Schedule "S" have been divided into clearly marked lanes for traffic between the limits set out in Columns 2 and 3 of the said Schedule, the centre lane thereof is hereby designated for left turns only.

Bicycle Lanes

- 28.** 1-(1) For the purposes of this Section, "bicycle" includes a tricycle and unicycle but does not include a motor assisted bicycle.
- (2) The parts of the highways named and described in Schedule "W" to this By-Law are hereby designated as "Bicycle Lanes".
- (3) For the purpose of this section 28.1, "bicycle lane" means a portion of the highway abutting the curb or edge of the highway that has been set aside for the exclusive use of cyclists and so indicated by pavement markings and/or an official sign.
- (4) Except as provided in subsections 28.1(5) and 28.1(6) no person shall drive, stop or park a vehicle other than a bicycle in a designated Bicycle Lane.
- (5) Subsection 28.1(4) shall not, if compliance therewith would be impracticable, apply to authorized emergency vehicles while actually engaged in responding to an emergency.
- (6) Despite Subsection 28.1(4), an operator of a school bus or of a Transit Vehicle, may stop in a designated Bicycle lane for the purpose of allowing passengers to embark or disembark at a scheduled stop location.
- (7) No person riding a bicycle in a bicycle lane shall do so except in the same direction as traffic.

PART V. **PRESCRIBING DIFFERENT RATES OF SPEED ON CERTAIN HIGHWAYS IN THE MUNICIPALITY AS PERMITTED BY THE HIGHWAY TRAFFIC ACT**

Prescribed Rates of Speed

- 29.** Where authorized signs to that effect are displayed, the maximum rate of speed on any of the highways named and described in Columns 1, 2 and 3 of Schedule "T" to this By-law shall be the rate of speed prescribed in Column 4 of the said Schedule "T".

PART VI. **PENALTIES**

Parking Meter Violations

- 30. - (1)** Any person violating the provisions of this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.

shall be subject to a penalty of not less than \$25.00 and not more than \$5,000.00 exclusive of costs and such penalty shall be recoverable under the Provincial Offences Act.

(3) **Parking Violations Generally**

Any person violating the provisions of Part III of this By-law, with the exception of Sections 7 and 11 hereof, shall be subject to a penalty of not less than \$16.00 and not more than \$5,000.00 exclusive of costs and such penalty shall be recoverable under the Provincial Offences Act.

(4) **Other Violations**

Any person violating the provisions of this By-law with the exception of the provisions of Part III hereof, shall be subject to a penalty of not less than \$50.00 and not more than \$5,000.00 exclusive of costs and such penalty shall be recoverable under the Provincial Offences Act.

30.1 Where a vehicle has been left parked, stopped or standing in contravention of any of the provisions of this By-law, 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 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.

30.2 Any person who violates any of the provisions of Sections 40, 41 or 42 of this By-law is guilty of an offence and on conviction is liable to a fine of not less than \$300.

Voluntary Payment of Penalties

31. - (1) When a vehicle is found parked or stopped in contravention of the parking or stopping provisions of this By-law, the police officer, the City's Municipal By-Law Enforcement Officer, or member of the City Parking Enforcement Personnel so finding the vehicle may issue a summons or attach to the vehicle a parking ticket in the form of a serially-numbered notice, stating:

- (a) the licence number or permit of the vehicle;
- (b) the date, time, place and nature of the alleged offence;
- (c) the procedure for making a voluntary payment of the penalty, which voluntary payment shall not be less than the prescribed amount set out in Section 30 of this By-law;

(d) that in the event of the failure to make such payment within the prescribed time period, the procedure provided pursuant to the Provincial Offences Act shall be followed.

(2) The owner or operator of the vehicle may, within seven days, exclusive of Sundays and Holidays, after the day of the alleged offence, report to or mail to the Financial Services Division, Tom Davies Square, 200 Brady Street, Sudbury, Ontario P3A 5W5 or to such other institutions as the City Treasurer may in writing authorize, and to pay to these persons authorized to receive such payment the amount shown on the ticket, which shall be accepted as payment of the penalty in full satisfaction in respect of the alleged offence, and a receipt therefor shall be given to the person making the payment.

(3) The City Treasurer shall receive all monies collected under this Section, and may pay or authorize the deduction of a service fee to institutions for tickets collected by those institutions.

(4) If a voluntary payment is not made in accordance with the procedure provided in subsection (2) of this Section, the procedure of the Provincial Offences Act shall apply.

Ontario Highway Traffic Act to Govern

32. The provisions of this By-law shall be subject to the provisions of the Highway Traffic Act as amended and to any regulations made thereunder and any reference in this By-law to the said Highway Traffic Act or any provision thereof shall be deemed to be a reference to the said Highway Traffic Act or provisions thereof as amended or re-enacted from time to time and to all Regulations made under the said Act.

Authorized Signs

33. For the purposes of this By-law, and in addition to those signs contained in the Canadian Manual of Uniform Traffic Control Devices, or in the Ontario Manual of Uniform Traffic Control Devices, the authorized signs of this By-law shall be those illustrated and described in Schedule "U" to this By-law.

Schedules

34. - (1) Schedules "A" to "V" inclusive which are attached hereto are hereby made a part of this By-law and shall be construed herewith.

(2) References in the Schedules to:

2001-01

- a) "Capreol" shall mean the former Town of Capreol;
- b) "Nickel Centre" shall mean the former Town of Nickel Centre;
- c) "Onaping Falls" shall mean the former Town of Onaping Falls;
- d) "Rayside-Balfour" shall mean the former Town of Rayside- Balfour;
- e) "Sudbury" shall mean the former City of Sudbury;
- f) "Valley East" shall mean the former City of Valley East; and
- g) "Walden" shall mean the former Town of Walden;

as each existed on December 31st, 2000, under *The Regional Municipality of Sudbury Act*, R.S.O. 1990, c. R.16, as amended.

Times

35. Whenever certain hours are named in this By-law or its Schedules, they shall mean Standard Time or Daylight Saving Time, whichever shall be in official current use in the Municipality.

Repeal

36. - (1)
- a) By-law 96-1 of the Town of Capreol;
 - b) By-law 96-1 of the Town of Nickel Centre;
 - c) By-law 96-1 of the Town of Onaping Falls;
 - d) By-law 96-1 of the Town of Rayside-Balfour;
 - e) By-law 96-1 of the Regional Municipality of Sudbury;
 - f) By-law 96-1 of the City of Sudbury;
 - g) By-law 96-1 of the City of Valley East; and
 - h) By-law 96-1 of the Town of Walden;

and all amendments thereto are hereby repealed on the effective date of this By-law.

(2) Any or all By-laws in conflict or at variance with this By-law are hereby repealed to the extent of such variance, and this By-law shall take precedence.

Jurisdiction

37. The provisions of this By-law shall only apply to those highways in the City which are under the jurisdiction of the City.

Effective Date and Title

38. This By-Law shall come into force and take effect on January 1st, 2001, and shall be known and referred to as By-law 2001-1 of the City of Greater Sudbury, the Traffic and Parking By-law.

PART VII. DISABLED PARKING AND PARKING ON

PUBLIC AND PRIVATE PROPERTY

DEFINITIONS

39. In this Part,

"AUTHORIZED SIGN" means a sign in the form shown in Schedule "U" to this by-law;

"DESIGNATED PARKING SPACE" means a parking space in a parking lot or facility designated in accordance with this By-Law for the exclusive use of a vehicle which displays a disabled person parking permit in accordance with the requirements of the *Highway Traffic Act*;

"MUNICIPAL PROPERTY" means real property or premises owned or occupied by The City of Greater Sudbury or any local board thereof other than a municipal parking lot;

"MUNICIPAL PARKING LOT" means the whole or any part of a parcel of real property owned by the City intended to be used for the temporary parking of motor vehicles or trailers or motor vehicles and trailers, whether or not for a fee, and the whole or any part of any structure owned or operated by the City intended to be used for the temporary parking of motor vehicles or trailer or motor vehicles and trailers, whether or not for a fee;

"PARKING LOT OR FACILITY" means the whole or any part of a parcel of real property, and the whole or any part of any structure thereon intended to be used or actually used for the temporary parking of motor vehicles or trailers or motor vehicles and trailers;

"PERMIT" means a disabled person parking permit issued under the *Highway Traffic Act*, or a permit, number plate or other marker or device issued by another jurisdiction and recognized under the *Highway Traffic Act*;

"PRIVATE PROPERTY" means any real property or premises in The City of Greater Sudbury which is privately owned and which is not municipal property as defined in this By-Law;

"TRAILER" means a vehicle that is designed to be drawn upon a

highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, or a side car attached to a motorcycle.

DISABLED PARKING

Parking Spaces

40. Every owner or operator of a parking lot or facility in the City to which the public has access, whether on payment of a fee or otherwise, shall provide the appropriate number of designated parking spaces determined in accordance with Schedule "V".

41. - (1) Every owner or operator of a parking lot or facility in the City in which designated parking spaces are required to be provided under Section 40 shall ensure:

- a) that the designated parking spaces have a minimum width of 4.4 metres (14.5 feet) and a minimum length of 6 metres (19.8 feet);
- b) that there is erected and maintained in an upright position on a post or wall, or other surface at the head of the designated parking space at a height not less than four feet above ground level, and not more than six feet above ground level, a sign which meets the requirements set out in Schedule "U";
- c) that each designated parking space is painted blue, similar in colour to the blue background of the sign set out in Schedule "U", with a white wheelchair marking thereon, similar to the wheelchair marking on the sign set out in Schedule "U", which wheelchair marking shall be of a size which bears the same or approximately the same proportion to the total size of the parking space as the wheelchair marking on the sign set out in Schedule "U" bears to the total size of the said sign;
- d) that the designated parking spaces are in one or more locations close to the handicap accessible entrance or entrances to the building to provide for the maximum convenience of the permit holders;
- e) that the designated parking spaces are in one or more locations with sufficient clearance around the vehicle, in terms of other

other possible obstructions to permit free access by a wheelchair, scooter, walker or other ambulatory assistive device; and

- f) that the driver or operator of a motor vehicle which displays a permit is not required to pay an amount in excess of the normal fee paid by other users of the same parking lot or facility.

- (2) Immediately below the sign required by Subsection 41(1)(b), there may, at the option of the owner or operator of the parking lot or facility, be affixed on the post or wall, a sign tab no larger than 12 inches square, containing the words: "City of Greater Sudbury, By-Law 2001-1".

Parking in a Designated Space

42. No person shall park a motor vehicle in a designated parking space unless:

- a) a currently valid permit has been issued to the owner or operator of the motor vehicle or to a passenger being picked-up or being transported in the motor vehicle;
- b) such permit is displayed on or in the motor vehicle; and
- c) there is currently no other motor vehicle parked in that designated parking space.

Penalties

43. The owner of a motor vehicle parked in violation of Section 42 shall be held prima facie liable for all penalties provided for in this By-Law unless the motor vehicle at the time the offence was committed was in the possession of a person other than the owner without the owner's consent.

44. Nothing in this By-law shall be deemed to permit a person to park a motor vehicle displaying a permit in a location in which parking of motor vehicles is otherwise prohibited by law or municipal by-law or to park a motor vehicle in any manner which contravenes any law or municipal by-law.

Enforcement

45. - (1) A Police Officer, Municipal By-law Enforcement Officer or other Officer or Constable appointed for the carrying out of the provisions of Section 42, upon observing that a motor vehicle is parked or left in contravention of Section 42, may:

- a) provide for the removal and impounding of the motor vehicle;
- and/or

- b) issue a certificate of parking infraction pursuant to the *Provincial Offences Act*.

(2) Where a Police Officer, Municipal By-Law Enforcement Officer or other Officer or Constable appointed for the carrying out of the provisions of Part 42 has caused a motor vehicle to be moved or taken to and placed or stored in a suitable place, all costs and charges for removing, care and storage thereof, if any, are a lien upon the motor vehicle which may be enforced in the manner provided by law.

Minor Variance

46. The Committee of Adjustment may approve a minor variance from the requirements of Sections 40 and 41 above upon application by an owner of a parking lot or facility affected by this By-Law.

PARKING ON PUBLIC AND PRIVATE PROPERTY

47. No person shall park a motor vehicle or trailer:

- a) on private property without the consent of the owner or occupant of such property;
- b) on municipal property without the consent of the General Manager of Citizen Services for the City or his or her designate, or the Chief Administrative Officer of any local board of the City, as the case may be; or
- c) in a municipal parking lot or facility without complying with the terms and conditions established from time to time by the City for such parking, including, where appropriate, the payment of the appropriate fee for the privilege of parking.

48. No owner of a motor vehicle or trailer shall permit that motor vehicle or trailer to be parked:

- a) on private property in the City without the consent of the owner or occupant of such property;
- b) on municipal property without the consent of the General Manager of Citizen Services of the City or his or her designate or the Chief Administrative Officer of any local board of the City, as the case may be; or

- c) in a municipal parking lot or facility without complying with the terms and conditions established from time to time by the City for such parking, including, where appropriate, the payment of the appropriate fee for the privilege of parking.

Parking Violations

49. The owner of a motor vehicle or trailer parked in violation of Sections 47 or 48 shall be held prima facie liable for all penalties provided for in this By-Law unless the motor vehicle or trailer at the time the offence was committed was in the possession of a person other than the owner without the owner's consent.

Enforcement

50. A Police Officer, Municipal By-Law Enforcement Officer or other officer or Constable appointed for the carrying out of the provisions of Section 47 and 48, upon observing that a motor vehicle or trailer is parked on municipal property, or in a municipal parking lot or upon receiving a written complaint that a motor vehicle or trailer is parked on private property in contravention of Sections 47 or 48, may:

- a) provide for the removal and impounding of the motor vehicle;
and/or
- b) issue a certificate of parking infraction pursuant to the *Provincial Offences Act*.

51. Where a Police Officer, Municipal By-law Enforcement Officer or other Officer or Constable appointed for the carrying out of the provisions of Sections 47 and 48 has caused a motor vehicle to be moved or taken to and placed or stored in an suitable place, all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by law.

52. The violation of any provision of Sections 47 or 48 shall be and does constitute a separate offence under this By-law for each and every day that such violation shall continue.

**READ AND PASSED BY THE TRANSITION BOARD FOR THE CITY OF
GREATER SUDBURY ON BEHALF OF THE CITY OF GREATER SUDBURY, this**
day of

CHAIR

CLERK

2001-01