

The Corporation Of The Township Of Amaranth

By-Law Number 2025-_____

Being A By-Law To Regulate Parking In The Township of Amaranth

Whereas Section 9 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, hereinafter referred to as “the *Act*” provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Act* or any other Act;

And Whereas Section 11(3) 1 and Section 11(3) 8 of the *Act* authorizes a municipality to pass by-laws regarding highways, including parking and traffic on highways;

And Whereas Section 23.1 of the *Act*, authorizes a municipality to delegate its powers and duties;

And Whereas Section 391 (1) of the *Act* authorizes a municipality to impose fees or charges;

And Whereas Section 425 (1) of the *Act* authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of a municipality passed under the *Act* is guilty of an offence;

And Whereas Section 429 (1) of the *Act* provides that a municipality may establish a system of fines for a by-law passed under the *Act*;

And Whereas Section 170 (15) of the *Highway Traffic Act, R.S.O. 1990, c. H. 8*, as amended, regulates traffic and the removal of vehicles;

Now Therefore the Council for the Corporation of the Township of Amaranth enacts as follows:

1. Definitions

In this By-law:

“Costs” means all monetary expenses including labour incurred by the Township including interest;

“CAO/Clerk” means the CAO/Clerk for the Township or their designate;

“Emergency Vehicle” means a fire department vehicle, a police vehicle or an ambulance;

“Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof and includes any part of a highway;

“Highway Traffic Act” means the *Highway Traffic Act, R.S.O. 1990, c. H. 8*, as amended, and its regulations;

“Motor Vehicle” includes an automobile, a motorcycle, a motor assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other motor vehicle running only upon rails, a power-assisted bicycle, a motorized snow vehicle, a traction engine, a farm tractor, a self-propelled implement of husbandry or a road-building machine;

“Officer” means a Police Officer, a municipal law enforcement officer, or any other person appointed by by-law to enforce the provisions of this By-law;

“Owner of a Vehicle” means:

- (a) the person whose name appears on the permit of the vehicle; and
- (b) if the vehicle permit consists of a vehicle portion and plate portion and different person(s) are named on each portion, the person whose name appears on the plate portion;

“Park” or “Parking” or “Parked” 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;

“Person” includes an individual, sole proprietorship, partnership, limited partnership, trust, corporation, and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative and includes an owner of a vehicle;

“Township” means the Corporation of the Township of Amaranth or the land within the geographic limit of the Corporation of the Township of Amaranth as the context requires;

“Vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or street car;

2. Short Title

2.1 This By-law may be cited as the “Parking By-law”.

3. Delegation Of Authority

3.1 The CAO/Clerk is hereby delegated authority to:

- (a) administer this By-law;
- (b) temporarily lift parking restrictions.

3.2 Where a title to a position identified in this By-law no longer exists or is modified, the powers and duties may be exercised by a person deemed to have the responsibilities of the original position until such time as an amending by-law is adopted by Council.

3.3 The provisions of this By-law do not apply to the Township, the County of Dufferin, for the purpose of carrying out their duties or delivering any of its programs or services, the Police, a provincial or federal agency or body, an emergency vehicle and any other agency authorized by the Township for the purpose of carrying out their duties.

4. Parking Prohibited – Signs Not Required

4.1 No person shall park a vehicle on a highway between the hours of 1:00 a.m. to 7:00 a.m..

5. Towing

5.1 If a vehicle is parked on a highway that:

- (a) contravenes any provision of this By-law;
- (b) is in contravention of the Highway Traffic Act;

an Officer may cause it to be moved or taken and placed in a suitable place and all costs for the removing, care and storage are a lien on the vehicle and enforceable in the manner provided for by the *Repair and Storage Liens Act*, R.S.O. 1990, c. R. 25, as amended.

6. Enforcement And Penalty Provisions

- 6.1 The enforcement of this By-law shall be conducted by an Officer or other persons appointed by the Township.
- 6.2 No person shall hinder or obstruct an Officer in the enforcement of this By-law.
- 6.3 The provisions of this by-law shall be enforced pursuant to the provisions set out in the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended.
- 6.4 Where a Certificate of Parking Infraction has been issued alleging that the provisions of this By-law have been contravened, the person alleged to have committed an infraction may voluntarily pay a penalty to the Township within thirty (30) days from the date of the alleged contravention, and such payment shall be accepted in full satisfaction of the fine, and no further proceedings shall be taken.

7. Interpretation

- 7.1 In this by-law, any expression of time shall be calculated as standard time except in periods when daylight saving time is declared to be in effect, where upon time shall be calculated as daylight saving time.
- 7.2 In this By-law, unless the context otherwise requires words importing the singular shall include the plural, where applicable.

8. Severability

- 8.1 If a court of competent jurisdiction declares any section or part of this By-law invalid, the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

9. Effective Date

- 9.1 This By-law shall come into effect upon receiving short form wording and set fine approval.

By-Law Read A First And Second Time This ____ Day Of _____ 2025.

By-Law Read A Third Time And Passed This ____ Day Of _____ 2025.

Head of Council

CAO/Clerk