

*Repealed
By
By-law
11-21*

**The Corporation of the Township of Elizabethtown
By-law Number 03-21**

**A BY-LAW TO REGULATE WINTER PARKING IN THE TOWNSHIP OF
ELIZABETHTOWN-KITLEY**

Whereas the Municipal Act 2001, Section 100 states a local municipality may regulate or prohibit parking or leaving of a motor vehicle on land not owned or occupied by the Municipality.

And Whereas the Municipal Act 2001, Section 101(1), states if a municipality passes a by-law under section 100 for regulating or prohibiting the parking or leaving of a motor vehicle on land occupied by the municipality, it may provide for the removal and impounding of any vehicle at the owner's expense.

And Whereas various provisions of the Highway Traffic Act, Chapter 8, R.S.O 1990, as amended, apply to by-law passed by the Council of local municipalities respecting the prohibition, regulating and controlling of the parking, standing, and stopping of vehicles on highways;

Now Therefore the Council of the Corporation of the Township of Elizabethtown enacts as follows:

1. DEFINITIONS

- a) Authorized Emergency Vehicle means:
- i. A firefighter vehicle while proceeding to or returning from a fire or emergency call;
 - ii. A vehicle used by a person in the lawful performance of his duties as a police officer or firefighter;
 - iii. An ambulance or cardiac arrest emergency vehicle while responding to an emergency call or being used to transport a patient or injured person in an emergency situation; or
 - iv. An emergency vehicle of a public or private utility, or Federal, Provincial, or Municipal Department when such a vehicle is being used in the performance their duties.
- b) 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, and includes the area between the lateral property lines thereof.

- c) 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 a motorized snow vehicle or the cars of which only run upon rails. "Vehicle" shall have a like meaning.
- d) Officer: means a member of the Ontario Provincial Police or a person authorized by the Council of the Township of Elizabethtown-Kitley as a Municipal Law Enforcement Officer.
- e) 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.
- f) Trailer: means a vehicle that is at any time 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, temporarily drawn, propelled or moved upon such highways, and except a sidecar attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.

2. No person shall park or permit to be parked any motor vehicle or trailer on any highway between the hours of 12:00 a.m. and 7:00 a.m. during the months of November, December, January, February, March, and to the 15th of April inclusive in one year (winter season) within the Township of Elizabethtown-Kitley.

3. Whenever an Officer or any person acting under the officer's instructions finds a vehicle on the highway in contravention to the provisions of this By-Law, he/she may move the vehicle at the expense of the owner.

4. The provisions of this By-Law shall not apply to any authorized emergency vehicle as defined in this By-Law.

5. The Township Public Works Supervisor is hereby authorized and directed to erect and maintain such signs as are required give effect to this by-law.

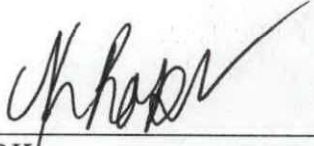
6. Every person who contravenes any provision of this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, Chapter P.33, Section 61, R.S.O. 1990.

7. By-Law number 1799 of the former Township of Elizabethtown is hereby repealed in its entirety.
8. This By-Law will come into effect upon the final reading thereof and may be referred to as "The winter parking By-Law".

Read a First and Second time this 12th day of May, 2003.

Read a Third time and finally **Passed** this 26th day of May, 2003.


REEVE


CLERK