

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

BY-LAW NO. 008-2024

Being a By-law to establish Temporary Regulations and Penalties for Traffic and Parking of vehicles on highways in the Township.

WHEREAS sections 8, 9 and 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, ("*Municipal Act, 2001*") authorize The Corporation of the Township of Wainfleet to pass By-laws necessary or desirable for municipal purposes; and

AND WHEREAS subsection 102.1(1) of the *Municipal Act, 2001* provides that a municipality may require a Person to pay an administrative penalty if the municipality is satisfied that the Person failed to comply with any By-laws respecting the parking, standing or stopping of vehicles; and

AND WHEREAS the Province adopted the "Administrative Penalties" regulation, O.Reg. 333/07 pursuant to the Municipal Act, 2001 which applies to administrative penalties in respect of the parking, standing or stopping of vehicles; and

AND WHEREAS the Corporation of the Township of Wainfleet has enacted a of Bylaw regulating the parking, standing or stopping of vehicles, namely By-law No. 010-2018, as amended, being a By-law regulating traffic and parking on Township Roads; and

AND WHEREAS the Township of Wainfleet will designate portions of By-law No. 010-2018 to be applicable to the administrative penalty system established through this By-law; and

AND WHEREAS the Township of Wainfleet considers it desirable to enforce and seek compliance with the designated By-laws, or portions of those By-laws, through the administrative penalty system;

NOW THEREFORE the Council of the Township of Wainfleet enacts as follows:

1. **SHORT TITLE**

1.1 This By-law shall be referred to as "Special Events Parking By-law".

2. **DEFINITIONS**

2.1 In this by-law:

"Accessible Parking" means a parking space for people with a valid MTO issued Accessible Parking Permit (APP).

"Administrative Monetary Penalty System" means an authoritative system in which penalty notices are issued, appealed, paid or collected, By-law No.020-2014 as amended.

"Emergency Route" means a route designated for emergency vehicles and situations.

"Enforcement Officer" means a Municipal Law Enforcement Officer appointed and employed by the Township of Wainfleet, and shall include the Niagara Regional Police Service and the Ontario Provincial Police Service.

"Exemptions" means certain agencies or people working for agencies that are exempt for provisions of this by-law only while performing their duties.

“**Highway**” shall have the same meaning as the Highway Traffic Act.

“**Official Sign**” means a sign designated for use by the Highway Traffic Act and Ministry of Transportation.

“**Park**” means the stopping or standing of vehicle whether occupied or not.

“**Special Event**” means a Special Events or occurrence that the Township of Wainfleet deems necessary for the safety for residents and visitors to further restrict, regulate and control traffic movement in certain areas on a temporary basis and shall include commencement dates and times and termination date and times.

“**Special Events Parking Penalties**” means all parking penalties will be increased to promote compliance and safety in designated areas only for the temporary event or occurrence.

3. **APPLICATION**

3.1 The provisions of this By-law shall apply only to Special Events set out in Schedule “A” of this by-law.

3.2 The provisions of this by-law shall apply to the Highways under the Jurisdiction of the Township of Wainfleet listed in Schedule “B” of this by-law.

3.3 The provisions of this by-law shall apply to the Special Events Parking Penalties as set out in Schedule “C” of this by-law.

3.4 The list of Exemptions shall apply as set out in Schedule “D” of this by-law.

3.5 This by-law shall only take precedence for the Special Events Parking event listed in Schedule “A”

4. **PROHIBITIONS**

4.1 No Person shall Park on a Highway during a Special Event where official signs are posted.

4.2 No Person shall Stop on a Highway during a Special Event where official signs are posted.

4.3 No Person shall Stop in an Emergency Route where official signs are posted.

4.4 No Person shall Park / Stop in a Residential Parking Permit Space without having a valid Residential Parking Permit displayed where official signs are posted.

4.5 No Person shall Park / Stop in an Accessible Parking Permit space without having an Accessible Parking Permit issued by the MTO displayed.

5. **ENFORCEMENT**

5.1 The provisions of this by-law may be enforced by an Enforcement Officer.

5.2 An enforcement officer as defined, upon discovery of any vehicle stopped, parked or standing in contravention of this by-law, or any vehicle apparently abandoned or any vehicle without proper number plates on a Highway listed in this by-law,

may cause such vehicle to be removed or taken to and stored in a suitable place and all cost and charges for removing, care and storage thereof, if any are a lien upon such vehicle which may be enforced in the same manner provided in the Mechanics Lien Act.

6. **OFFENCES AND PENALTIES**

- 6.1 Any fine imposed or offence created by this by-law is subject to the provisions of Administrative Monetary Penalty System By-law. (AMPS By-law).
- 6.2 Everyone who contravenes any provision of this by-law is guilty of an offence and subject to the penalty and provisions as provided within the AMPS By-law.

7. **SCHEDULES**

- 7.1 The schedules "A" through "D" inclusive attached hereto shall form part of this by-law.

BY-LAW READ AND PASSED THIS 20TH DAY OF FEBRUARY, 2024.

B. Grant, MAYOR

A. Chrastina, DEPUTY CLERK

SCHEDULE "A of By-law 008-2024"

Schedule "A" Special Event

1. **Solar Eclipse Event**- Commencing at 16:00 hrs Friday April 5, 2024 and Terminating at 23:59 Hrs on Monday April 8, 2024.

SCHEDULE “B of By-law 008-2024”

Schedule “B”

Parking Prohibitions by Highway- No Parking

Column 1	Column 2	Column 3	Column 4
Highway	Side	From / To	Times / Days
Lakeshore Rd	South Side	From Cement Rd to Station Rd	All Times / Everyday
Lakeshore Rd	North Side	Cement Rd to a point 30 metres past Quarry Rd	All Times / Everyday
Lakeshore Rd	North Side	From a point 50 metres past Quarry Rd to Station Rd	All Times / Everyday
Woodlawn Dr	Both Sides	From Quarry Rd to Woodland Dr dead end	All Times / Everyday
Maplewood Dr	Both Sides	From Quarry Rd to Woodland Dr	All Times / Everyday
Belleview Beach Rd	Both Sides	From Lakeshore Rd to Belleview Beach	All Times / Everyday
Hill Ave	Both Sides	From Belleview Beach Rd to Hill Ave	All Times / Everyday
Beach Rd E	Both Sides	From Belleview Beach Rd to Beach Rd E	All Times / Everyday
Walnuthill Rd	Both Sides	From Lakeshore Rd to Augustine Rd	All Times / Everyday
Hock Rd	Both Sides	From Walnuthill Rd to Sandel Rd	All Times / Everyday
Sandel Rd	Both Sides	From Lakeshore Rd to Hock Rd	All Times / Everyday
Slater Blvd	Both Sides	From Walnuthill Rd to Augustine Rd	All Times / Everyday
Erie ST	Both Sides	From Lakeshore Rd to Gallinger Rd	All Times / Everyday
Gallinger Rd	Both Sides	From Brawn Rd to Gallinger Rd dead end	All Times / Everyday
Brawn Rd	East Side	From Lakeshore Rd to Gord Harry Trail	All Times / Everyday
Brawn Rd	West Side	From Lakeshore Rd to a point 180-meter North of Lakeshore Rd	All Times / Everyday
Desiree Rd	Both Sides	From Lakeshore Rd to Churchill Ave	All Times / Everyday
Collins Lane	Both Sides	From Lakeshore Rd to Churchill Ave	All Times / Everyday
Fletcher Ave	Both Sides	From Golf Course Rd to Collins Lane	All Times / Everyday
Churchill Ave	Both Sides	From Golf Course Rd to Desiree Rd	All Times / Everyday
Harbourview Rd	East Side	Commencing at Lakeshore Road and of Harbourview Rd to 240 meters south of Harbourview Rd	All Times / Everyday
Harbourview Rd	Both Sides	Commencing at 240 meters South Harbourview Rd to Harbourview Rd dead end	All Times / Everyday
Morgan’s point Rd	Both Sides	From Lakeshore Rd to Morgan’s Point Rd dead end	All Times / Everyday
Fowler Rd	Both Sides	From Morgan’s Point Rd to 2 nd St	All Times / Everyday
Lakefield Cres	Both Sides	Fowler Rd to Fowler Rd	All Times / Everyday
Neff ST	Both Sides	Southern end of Neff St to Northern end of Neff St	All Times / Everyday
2 nd St	Both Sides	From Morgan’s Point Rd to Neff St	All Times / Everyday
1 st St	Both Sides	From Morgan’s Point Rd to Neff St	All Times / Everyday
Minor Rd	Both Sides	From Lakeshore Rd to Mittlestaedt Rd	All Times / Everyday
Old Lakeshore Rd W	Both Sides	From Lakeshore Rd to Old Lakeshore Rd W dead end	All Times / Everyday
Burkett Rd	Both Sides	From Lakeshore Rd to Concession 1 Rd	All Times / Everyday

Schedule "B"
Parking Prohibitions by Highway - No Stopping

Column 1	Column 2	Column 3	Column 4
Highway	Side	From / To	Times / Days
Quarry Rd	East Side	From Lakeshore Rd to Gord Harry Trail	All Times / Everyday
Quarry Rd	West Side	From Lakeshore Rd to a point 240 meters North of Lakeshore Rd	All Times / Everyday
Quarry Rd	West Side	From a point 275 meters North of Lakeshore Rd to Highway 3	All Times / Everyday
Augustine Rd	Both Sides	From Lakeshore Rd to Lakeshore Rd	All Times / Everyday

Schedule "B"
Parking Prohibitions by Highway – Emergency Routes

Column 1	Column 2	Column 3	Column 4
Highway	Side	From / To	Times / Days
Quarry Rd	West Side	From the most Southerly corner of Quarry Rd heading North and commencing at 240 meters for a distance of 35 meters	All Times / Everyday
Side Rd 18	Both Sides	From Lakeshore Rd to Lake Erie shore line	All Times / Everyday
Side Rd 24	Both Sides	From Lakeshore Rd to Lake Erie shore line	All Times / Everyday
Daley Ditch Rd	Both Sides	From Lakeshore Rd to Lake Erie shore line	All Times / Everyday
Park ST	South Side	From a point 147 meters West of Sugarloaf Street to a point of 174 metres west of Sugarloaf Street	All Times / Everyday

Schedule "B"
Parking Prohibitions by Highway - Residential Permit Parking

Column 1	Column 2	Column 3	Column 4
Highway	Side	From / To	Times / Days
Brawn Rd	West Side	From a point of 180 meters North of Lakeshore Rd to Gord Harry Trail	All Times / Everyday

Lakeshore Rd	North Side	From a point 30 meters West of Quarry Rd to a point 50 meters West of Quarry Rd	All Times / Everyday
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Schedule "B"

Parking Prohibitions by Highway – Designated Accessible Parking

Column 1	Column 2	Column 3	Column 4
Highway	Side	From / To	Times / Days
Lakeshore Rd	Beach Lot (South Side)	4 Spaces where official signs are on display	All Times / Everyday

SCHEDULE "C" of By-law 008-2024

Schedule "C" Special Event Parking Penalties

Schedule "C" to By-law No. 008-2024
Short Form Wording and Administrative Penalties.

Item	COLUMN 1 Designated Provisions	COLUMN 2 Short Form Wording	COLUMN 3 Administrative Penalty
1.	4.1	Park in Prohibited Area	\$200.00
2.	4.2	Stop In Prohibited Area	\$200.00
3.	4.3	Stop in an Emergency Route	\$350.00
4.	4.4	Park without valid parking permit visible	\$250.00
5.	4.5	Park in Accessible Parking Space without permit visible	\$600.00

SCHEDULE "D" of By-law 008-2024

Schedule "D" Exemptions

The people or agencies listed below are exempt for the provisions of this by-law **ONLY** while performing their duties:

1. Any Emergency Service vehicle – Police, EMS, Fire
2. Any Wainfleet Volunteer Firefighter on scene in a POV
3. Any Township employee, in a marked or unmarked vehicle
4. Any Region of Niagara employee in a marked or unmarked vehicle
5. Any marked public utility, for emergency repair.