

**THE CORPORATION  
OF THE  
TOWN OF AMHERSTBURG**

**BY-LAW NO. 2011-69**

**By-law to Regulate Traffic  
in the Town of Amherstburg**

**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

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**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2011-69**

**By-law to regulate traffic within the Town of Amherstburg**

**WHEREAS** Section 11 of the Municipal Act, S.O.2001, c.25, authorizes municipalities to enact by-laws respecting matters within the sphere of jurisdiction of highways, including parking and traffic on highways, in conjunction with the provisions of the Highway Traffic Act, R.S.O.1990, c.H.8.;

**AND WHEREAS** Section 100 of the Municipal Act, S.O.2001, c.25, authorizes a municipality to pass by-laws to regulate or prohibit the parking or leaving of motor vehicles on private land used as a parking lot with or without consent of the owner;

**AND WHEREAS** Section 100.1 of the Municipal Act, S.O.2001, c.25 authorizes a municipality to regulate or prohibit parking or leaving of motor vehicles on private property without the consent of the owner of the land;

**AND WHEREAS** Section 102 of the Municipal Act, S.O.2001, c.25 provides that a municipality may require owners and operators of public parking lots or facilities to provide designated parking spaces for vehicles displaying a disabled parking permit;

**AND WHEREAS** pursuant to Section 214.1 of the Highway Traffic Act, R.S.O. 1990,c.H.8. as amended by Bill 26, Chapter 6, Statutes of Ontario 1998 provides the Council of a municipality to designate community safety zones on parts of highways under its jurisdiction;

**AND WHEREAS** Section 432 of the Municipal Act, S.O.2001, c.25 may provide for a procedure for the voluntary payment of penalties out of court where it is alleged that a by-law related to the parking, standing and stopping of vehicles has been contravened;

**AND WHEREAS** Section 7 of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4 authorizes municipal councils to pass by-laws designating private roads as fire routes along which no parking of vehicles shall be permitted;

**AND WHEREAS** the Council of the Corporation of the Town of Amherstburg deems it expedient to up-date and amend the provisions of the by-law regulating traffic;

**AND WHEREAS**, pursuant to the Municipal Act, S.O. 2001, c. 25, section 102, a local municipality may require the owners or operators of parking lots or other parking facilities to which the public has access, whether on payment of a fee or otherwise, to provide designated parking spaces for vehicles displaying a disabled parking permit;

**AND WHEREAS** it is deemed expedient by Council to exercise such authority to authorize the creation and designation of parking spaces on highways and/or municipal or private property for the exclusive use of vehicles which are displaying a permit in accordance with the requirements of the Highway Traffic Act, R.S.O. 1990, c. H.8, and the regulations made thereunder and this by-law;

**AND WHEREAS** Council deems it expedient to create special parking exemptions for the drivers and the operators of vehicles which are displaying a permit in accordance with the requirements of the Highway Traffic Act, R.S.O. 1990, c. H.8, and the regulations made thereunder and this by-law;

**NOW THEREFORE** the Council of the Corporation of the Town of Amherstburg hereby enacts:

# 1 DEFINITIONS

1.1 In this by-law:

**“Accessible Parking Permit”** is a permit issued by the Ministry of Transportation under the Highway Traffic Act R.S.O.1990, c. H.8, as amended, and is currently valid, or permit or other marker or device which is issued by another jurisdiction, is currently valid;

**“Bicycle”** means any device which has two wheels and is propelled by human power upon which any person may ride and includes a tricycle having a wheel or wheels with a diameter of 60.0 centimetres or more, but does not include a motor-assisted bicycle or E-bike;

**“Boulevard”** means the portion of every road allowance within the limits of the Town which is not used as a sidewalk, driveway, travelled roadway, or shoulder;

**“Bus Stop”** means a space marked by a sign indicating such space to be for the sole use of buses in taking on or unloading passengers; **(added B/L 2024-023, April 22, 2024)**

**“By-law Enforcement Officer”** means an employee of the Town appointed by Council to enforce or carry out the provisions of this by-law or any part or parts thereof;

**“Bridge”** means a public bridge forming part of a highway or on, over or across which a highway passes;

**“Chief of Police”** means the Chief of Police for the Town of Amherstburg’s Municipal Police Force or his/her designate, in accordance with the provisions for policing in the Town at any given time;

**“Commercial Motor Vehicle”** means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatuses, buses and tractors used for hauling purposes on highways;

**“Community Safety Zone”** means a highway or part of a highway where public safety is of special concern, fines have been increased for certain traffic violations and that is identified by “community safety zone” official signs as prescribed in regulations under the Highway Traffic Act;

**“Corner”** means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic;

**“Corporation”** means the Corporation of the Town of Amherstburg;

**“Council”** means the Council of the Corporation of the Town of Amherstburg;

**“Crosswalk”** means that part of a highway at an intersection or elsewhere, distinctly indicated for pedestrian crossing by appropriate pavement markings and/or signs, or 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 curb or, in the absence of curbs, from the edges of the roadway;

**“Cul-de-Sac”** means a circular turnaround at the end of a dead-end street; **(added B/L 2016-118, Dec. 12/16)**

**“Curb”** shall include the edge of the travelled portion of the highway;

**“Designated Area”** means a neighbourhood designated pursuant to the Highway Traffic Act, where the maximum rate of speed for all roads is less than 50 km/h. as listed in Schedule “Z” to this By-Law. **(added B/L 2024-023, April 22, 2024)**

**“Designated Fire Route”** means a fire route designated by the Chief of the Fire Department of the Town;

**“Designated Parking Space”** means a parking space marked by an approved sign indicating such space to be used for the sole use of vehicles operated by or used for conveying disabled persons;

**“Director”** means the Director, Infrastructure Services of the Town of Amherstburg or his or her designate;

**“Double Parking”** as applied to a vehicle means to allow the same to remain stationary on the same side of the highway alongside of and parallel with, or nearly parallel to another vehicle already parked or standing at the curb of such highway, except in obedience to traffic regulations, signs or signals;

**“Driveway”** means the part of the highway that is improved, designed and used to provide vehicular access between the roadway and land contiguous to the highway, but does not include any part of the roadway;

**“E-bike (power assisted bicycle/electric bicycles)”**, means a vehicle that:

- has steering handlebars and is equipped with pedals,
- is designed to travel on not more than three wheels in contact with the ground,
- is capable of being propelled by muscular power,
- has one or more electric motors that have, singly or in combination, the following characteristics:
  - it has a total continuous power output rating, measured at the shaft of each motor, of 500 W or less,
  - if it is engaged by the use of muscular power, power immediately ceases when the muscular power ceases,
  - if it is engaged by the use of an accelerator controller, power assistance immediately ceases when the brakes are applied, and
  - it is incapable of providing further assistance when the bicycle attains a speed of 32 km/h on level ground,
- bears a label that is permanently affixed by the manufacturer and appears in a conspicuous location stating, in both official languages, that the vehicle is a power-assisted bicycle as defined in this subsection, and
- has one of the following safety features,
  - an enabling mechanism to turn the electric motor on and off that is separate from the accelerator controller and fitted in such a manner that it is operable by the driver, or
  - a mechanism that prevents the motor from being engaged before the bicycle attains 3 km/hr.

**“Electric Vehicles”** means,

- A battery electric vehicle that runs only on a battery and an electric drive train, or
- A plug-in-hybrid vehicle that runs on a battery and an electric drive train, and also uses an internal combustion engine. (Added Jan 23, 2023 B/L 2023-014)

**“Electric Vehicle Charging Station”** means

- A publicly or privately-owned parking space that provides access to equipment that supplies a source of electricity for charging electric vehicles (Added Jan 23, 2023 B/L 2023-014 )

**“Emergency Vehicle”** means,

- a vehicle of any fire department;
- a vehicle of any police service;
- Ministry of Public Safety & Security (Correctional Services) vehicle;
- an ambulance;
- an armoured car carrying cash or negotiable securities;
- a Ministry of Transportation of Ontario maintenance vehicle; or

a clearly marked public utility vehicle, owned by a company (other than a municipal or local board of a municipality) incorporated for the purpose of supplying a public utility, as defined in the Public Utilities Act, R.S.O. 1990, c. P. 52, as amended from time to time, or any successor thereof.

**“Fire Route”** means any private access, route, road, way, lane, ramp, or other means of vehicular access to or egress from a building and it may include part of a parking lot set aside for use by emergency vehicles;

**“Gross Weight”** means the combined weight of vehicle and load;

**“Heavy Vehicle”** means a vehicle having a gross weight, including the vehicle, object or contrivance and load, in excess of 5000 kilograms, but does not include a fire apparatus, vehicles actually engaged in works undertaken for or on behalf of the Town or public utility emergency vehicles;

**“Highway”** means 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;

**“The Highway Traffic Act” or “HTA”** means The Highway Traffic Act, R.S.O. 1980, c. 198, as amended;

**“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;

**“Loading Zone”** means an area or place on a highway established by authority of this by-law for accommodation of commercial vehicles and the loading and unloading of goods, wares or merchandise or passengers;

**“Motor Vehicle”** includes an automobile, motorcycle, motor-assisted bicycle unless otherwise indicated in this by-law, 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 and does not include an E-bike;

**“Motorized Snow Vehicle”** means a self-propelled vehicle designed to be driven exclusively on snow or ice or both;

**“Municipal/Park Parking Lot”** means a parking lot owned by the Town and operated by or on behalf of the Town;

**“Obstruct Traffic”** means any highway, driveway, crosswalk, or municipal property access road that is blocked or partially blocked by a vehicle or restricted vehicle creating a potentially unsafe condition for traffic;

**“Official Sign”** means a sign any highway sign used to regulate traffic which is prescribed by regulation made under the Highway Traffic Act, or is approved by Council;

**“One-Way Street”** means a street upon which vehicular traffic is limited to movement in one direction;

**“Operator”** means any person who operates and who is in charge of a vehicle upon a highway;

**“Park” or “Parking”** or any other word or expression of similar connotation, 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;



**“Police Officer”** means an employee of the Municipal Police Service who is appointed as a peace officer pursuant to the Police Services Act; (amended B/L 2022-006 Feb 14/22)

**“Pedestrian”** means a person on foot or an invalid, child or other person in a wheeled chair or baby carriage;

**“Pedestrian Crossover” or “PXO”** means any portion of roadway designated in this By-law at an intersection or elsewhere distinctly for pedestrians crossing by signs on the highway and lines or other markings on the surface of the roadway as prescribed by the Highway Traffic Act (Added Jan 23, 2023 B/L 2023-014)

**“Permit”** means a permit issued to the owner of a motor vehicle with respect to such motor vehicle which he or she is the owner;

**“Person”** means every natural person, firm, partnership, association, corporation or organization of any kind;

**“Personal Mobility Device”** means a device designed for and operated by a person with a disability for the purpose of mobility and which is propelled by muscular power or any kind of power and includes motorized and un-motorized wheelchairs and scooters;

**“Public Parking Area”** means any open area or portion of a structure other than a street or highway, intended for the temporary parking of vehicles and on which there are designated parking spaces, whether their use involves the payment of a fee or otherwise but does not include parking areas in lands used for residential purposes;

**“Recreational Vehicle”** means a vehicle which provides sleeping and other facilities for short periods of time while travelling or vacationing, designed to be towed behind a motor vehicle or self-propelled and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes or other similar vehicles;

**“Restricted Vehicle”** means any motor vehicle lacking current valid license plate(s), motor vehicles that are in a derelict state of condition where it would not be considered fit for safe/lawful travel on a highway, trailers that are not attached to a propelling operable motor vehicle, boats, recreational watercraft vessel, tent trailers, campers, motor homes but does not include mobile homes. Trailers that are parked on a highway for the purpose of providing a temporary business service, actively loading/unloading items to a property or trailers associated with a construction development project are exempt and not considered restricted;

**“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 all of the roadways collectively;

**“School Bus”** means a bus used for the transportation of children to and from school which meets the provisions of the Highway Traffic Act;

**“School Crossing”** means any portion of a roadway, at an intersection or elsewhere, distinctly indicated for school children crossing by signs on the highway and lines on the surface of the roadway;

**“School Zone”** means a portion of a highway that adjoins the entrance to or the exit from a school and that is within a distance of 150 metres along the highway in either direction beyond the limits of the land used for the purposes of the school;

**“Shoulder”** means the 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 but which extends no more than 3.6 metres in width from the limit of the roadway;

**“Sidewalk”** means that portion of a highway between the curb lines, or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians;

**“Snow Event”** means a period of time during which the Director, Engineering and Public Works or designate, declares that they anticipate a snow fall or accumulation which is likely to require extensive snow plowing, snow clearing or snow removal operations. A snow event shall end 24 hours later unless cancelled or extended by the Director, Engineering and Public Works in accordance with the provisions of this By-law; (added B/L 2022-006 Feb 14/21)

**“Special Event”** means an event designated as a Public Event for the period of time and with the geographic area identified by the Town; (added B/L 2022-006 Feb 14/22)

**“Stand” or “Standing”**, when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;

**“Stop” or “Stopping”** when prohibited means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflicts with other traffic or in compliance with the directions of a police officer or of an official sign or signal, as amended in the Highway Traffic Act; (added B/L 2022-006 Feb 14/22)

**“Through Highway”** means a highway or part of a highway designated as such by the Minister or by by-law of a municipality, and every such highway shall be marked by a stop sign or yield right of way sign in compliance with the regulations of the Ministry;

**“Through Traffic”** means any highway or part of a highway designated as such by by-law of the Municipality and marked by a stop sign or yield sign in compliance with the regulations of the Ministry of Transportation;

**“Town”** means the Municipality of the Town of Amherstburg;

**“Traffic”** includes pedestrians, ridden or herded animals, vehicles, street cars and other conveyances either singly or together using any street for the purpose of travel;

**“Traffic Control Devices”** means any sign, or roadway, curb or sidewalk marking or other device erected or placed under the authority of the Council for the purpose of guiding or directing traffic;

**“Traffic Signal”** means any device manually, electrically or mechanically operated for the regulation of traffic;

**“Trailer”** means any 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 designated to transport persons or property, temporarily drawn, propelled or moved upon such highway, 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;



## 2 GENERAL INTERPRETATION

2.1 In this by-law:

- a) words importing the singular number or the masculine gender only, include more persons, parties or things of the same kind than one and females as well as males and the converse;
- b) a word interpreted in the singular number has a corresponding meaning when used in the plural;
- c) "may" shall be construed as permissive; and
- d) "shall" shall be construed as imperative.

2.2 In the schedules to this by-law, the following abbreviations, definitions and symbols stand for the words respectively set forth opposite thereto as follows:

Ave – Avenue	Blvd – Boulevard	Cir – Circle
Cres – Crescent	Ct – Court	Dr. - Drive
Gdns – Gardens	Pl – Place	Rd – Road
St – Street	cm – centimetre	km –kilometre
km/h - kilometre per hour	m – metre	N. - North
E. - East	S. – South	W. – West
a.m. - Ante Meridian	p.m. - Post Meridian	

2.3 Where any expression of time occurs or where any hour or other period of time is stated the time referred to shall be Eastern Standard Time except during the periods when Daylight Saving Time is in effect in the Town during which period the time referred to shall be one hour in advance of Standard Time.

2.4 ADMINISTRATION AND ENFORCEMENT:

This by-law may be enforced by Police Officers and By-law Enforcement Officers.

## 3 OBEDIENCE TO TRAFFIC REGULATIONS

3.1 Every person shall promptly obey all signals or directions given either by a Police Officer or by a Traffic Control Device, including Traffic Signals and Official Signs.

3.2 In the event of highway construction, repairs or maintenance, erection of Traffic Control Devices, or in the event of fire or other emergency, snow event, special event or during a parade or other concourse of traffic, traffic may be directed by any Police Officer or by signs erected or placed at the direction of the Chief of Police and/or the Director as conditions require, and it shall be a violation of this by-law for any person to disobey or refuse to comply with the orders, signals or direction of such Police Officer or such sign. (amended B/L 2022-006 Feb 14/22)

3.3 When official or authorized signs have been erected or notice has otherwise been given under Subsection (2) hereof, every person shall obey the instructions or directions on any sign so erected and the sign is deemed to have been erected pursuant to the section that normally regulates or prohibits the matter, and the appropriate Schedule is deemed to have been amended to implement the regulation, and those provisions apply to any act or failure to act contrary to the special regulations made pursuant to this Section.

## 4 TRAFFIC CONTROL DEVICES

- 4.1 The Director, Engineering & Infrastructure is hereby authorized and responsible for the placement or erection and maintenance of such 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 and convenience of the public.
- 4.2 The Director, Engineering & Infrastructure may erect temporary signs indicating “No Parking” or “No Stopping” at any location where, in his or her opinion, the sign is required;
- a) to facilitate the removal of snow, ice or debris from highways or from other public property under the Town’s jurisdiction;
  - b) to facilitate the construction or repair of curbs, gutters, sewers, water main or other public utilities; and/or
  - c) to alleviate temporarily a dangerous or difficult traffic condition; and
- 4.3 The Director, Engineering & Infrastructure shall, wherever possible, erect such signs at least one hour prior to the commencement of the works, if any, and remove the sign one hour after the completion of the said works. A temporary sign shall not be installed for longer than one month.
- 4.4 Notwithstanding the provisions of Subsection 4.1 above, the Chief of Police may erect temporary “No Parking” or “No Stopping” signs in the form prescribed by this by-law in the event of fires, emergencies, parades, or large assemblies provided that wherever possible, such signs shall be erected at least one hour prior to when the event is scheduled to take place, and shall be removed within one hour of the conclusion of the event.
- 4.5 The Director, Engineering & Infrastructure may remove authorized signs indicating “No Parking” and “No Stopping” where it is deemed appropriate in order to accommodate the parking of motor vehicles for temporary periods due to the maintenance of parking lots and garages or as a result of the granting of a parking consideration.
- 4.6 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 traffic control device or which conceals from view or interferes with the effectiveness of any traffic control device.
- 4.7 No Person shall willingly or deliberately move, alter, deface, or otherwise interfere with any traffic control device erected or placed pursuant to the provisions of this by-law.
- 4.8 No unauthorized Person shall give any signal or direction attempting or purporting to direct traffic unless in an emergency to direct traffic around the scene of an accident or obstacle, excavation, debris, glass or other hazard.
- 4.9 No operator of a motor vehicle approaching a green signal light at an intersection shall enter the intersection unless traffic in front of him is moving in the manner that could reasonably lead him to believe he can clear the intersection before the signal light turns red. Exception is given to the operator of a vehicle who enters an intersection for the purpose of turning to the right or left onto an intersecting highway and signals his intention to make such a turn prior to entering the intersection.

- 4.10 No operator of a motor vehicle shall fail to clear a non-signalized intersection where an authorized sign is posted directing motorists not to block an intersection.
- 4.11 The intersection of highways set out in Column 1 and Column 2 of Schedule "A" to this by-law are designated as intersections where Traffic Signal lights are permitted.
- 4.12 All traffic control signal system devices heretofore or thereafter erected on a highway under the jurisdiction and control of the Town of Amherstburg shall be erected and operated in the manner prescribed by Section 133 of Highway Traffic Act.
- 4.13 Pedestrian Crossover signs shall be erected and used and pedestrian crossover lines and markings shall be made on the surface of the roadway at the locations named and described in Schedule "X".

## **5 DRIVING REGULATIONS**

- 5.1 No operator of a vehicle shall permit such vehicle to remain upon or be driven upon or along any highway so as to block or obstruct traffic.
- 5.2 No operator of a motor vehicle shall permit such vehicle to be so overloaded that its ordinary motive power shall be unable to move it at a reasonable speed.
- 5.3 Whenever a motor vehicle becomes stalled or for any reason cannot be moved by its ordinary motive power, and in consequence thereof a street is obstructed, the owner or operator of such vehicle shall cause the prompt removal thereof by towing or otherwise.
- 5.4 No Person shall reverse or back a motor vehicle unless such person has first made observation that such movement may be safely made.
- 5.5 No person shall reverse or back a commercial vehicle without first having given an unmistakable warning signal to pedestrians and approaching vehicles.
- 5.6 In no case shall a Person reverse or back a motor vehicle around a corner at an intersection unless preceded by an operator's helper to observe that such movement may be made safely.
- 5.7 No operator of a motor vehicle shall drive such vehicle on, over, or across any fire hose laid on any street unless directed to do so by the Person in charge of such a hose, or by a Police Officer.
- 5.8 Unless otherwise directed by a Police Officer, no Person shall drive a motor vehicle on a street which is barricaded or otherwise indicated to be closed to traffic for the time being.
- 5.9 No Person shall drive a motor vehicle upon a curb, sidewalk, pathway, footpath, footbridge, or boulevard of a highway except for the purpose of directly crossing the sidewalk or footpath where such crossing is permitted, or where permission has been obtained from a Police Officer.
- 5.10 Every Person driving a motor vehicle across a sidewalk or footpath for the purpose of directly crossing it shall yield the right-of-way to pedestrians using the sidewalk or footpath.
- 5.11 No Person shall drive a motor vehicle over a raised curb except at a place where there is a ramp.
- 5.12 No Person shall drive a motor vehicle so that it intersects a funeral or other authorized procession in motion except under the direction of a Police Officer.

- 5.13 All Persons driving motor vehicles in a funeral or other procession shall drive such vehicles as near to the right hand edge of the roadway as is practicable and safe.
- 5.14 Whenever a "Keep Right" sign or a "Do Not Enter" sign is erected or placed upon a highway, no Person shall drive a vehicle on a roadway in contravention of the direction of any such sign.

## **6 GENERAL REGULATIONS**

- 6.1 No Person shall ride or drive any horse or horses upon a sidewalk within the Town.
- 6.2 No Person shall drive any cattle, sheep, pigs or other animals on any highway or sidewalk within the Town.
- 6.3 No Person shall permit any animal or fowl to run at large on any highway, however, that this section shall not apply to dogs or cats.
- 6.4 No Person shall obstruct, encumber, injure or foul any highway or portion thereof.
- 6.5 No Person shall erect or maintain any fence on any highway and no firewood or other thing calculated to obstruct any highway, or to obstruct or interfere with public travel thereon shall be placed or deposited thereon.
- 6.6 No Person shall ride in or on or operate, and no person shall permit any person to ride in or on any motor vehicle while standing or sitting on the running boards thereof, or on any portion of the vehicle not designed for the carrying of passengers or merchandise.
- 6.7 No Person shall coast or slide by the use of any hand sleigh or any toboggan on any street.
- 6.8 No parade or other procession shall be permitted on any highway within the Town, until such parties in charge thereof have first obtained the required municipal approvals.
- 6.9 No Person shall offer for distribution or for sale, or sell goods, wares, merchandise, services or produce from a vehicle on a highway in the Town unless he/she has first obtained the required municipal approvals.

## **7 PEDESTRIAN DUTIES**

- 7.1 Except where traffic control signals are in operation, or at a pedestrian crossover, or where traffic is being controlled or regulated by a Police Officer, every pedestrian crossing a highway shall yield the right-of-way to all vehicles upon the roadway, but nothing in this section shall relieve the driver of a vehicle from the obligation of taking all due care to avoid an accident.
- 7.2 All pedestrians shall cross a highway by the shortest route except when crossing an intersection by the shortest route.
- 7.3 No pedestrian shall proceed over or under a barrier temporarily or permanently installed on a highway.
- 7.4 Where there is a sidewalk that is reasonably passable on either or both sides of a highway, a pedestrian shall not walk on a roadway.
- 7.5 No Person upon in-line skates or riding in or by means of any coaster, toy vehicle or similar device shall go upon a highway except for the purpose of crossing the

roadway and when so crossing such person shall have all rights of and be subject to the obligations of a pedestrian.

- 7.6 No person shall play or take part in any game or sport upon a highway.
- 7.7 No person shall use any toy, wagon, coaster, tricycle, skateboard, or in-line skates upon a highway other than a sidewalk, or on a footpath otherwise reserved for pedestrians.
- 7.8 No person shall walk, stand or engage in any other activities on a roadway together with one or more other persons in such a manner as to impede pedestrians or vehicles.

## **8 REGULATIONS FOR BICYCLES**

- 8.1 No Person shall drive a bicycle on a sidewalk.
- 8.2 Notwithstanding Subsection 8.1, the operation of personal mobility devices (motorized wheelchairs and medical scooters) shall be permitted on sidewalks.
- 8.3 A person operating a Bicycle or E-bike upon a roadway shall ride as near the right hand side of the roadway as practicable and shall exercise due care when passing a standing vehicle or one proceeding in the same direction.
- 8.4 All persons operating a Bicycle or E-bike upon a roadway shall ride in single file.
- 8.5 No person shall park a Bicycle or E-bike on a roadway except in an area designated for such parking.
- 8.6 No person under the age of 16 shall operate an E-bike.
- 8.7 No person shall operate an E-bike without an approved Canadian Standards Association bicycle helmet and the chin strap of the helmet securely fastened under the chin.

## **9 REGULATIONS FOR SKATEBOARDS**

- 9.1 No person shall use a skateboard on any highway, roadway, boulevard, sidewalk, footpath or any other Town owned or leased property except those areas set out specifically for skateboard use.

## **10 REGULATIONS FOR IN-LINE SKATES**

- 10.1 A person in-line skating upon a roadway shall ride as near the right hand side of the roadway as practicable and shall exercise due care when passing a standing vehicle or one proceeding in the same direction.
- 10.2 No person while in-line skating shall indulge in any tricks.
- 10.3 All persons travelling on in-line skates upon a roadway shall skate in single file.
- 10.4 Any person travelling on in-line skates shall adhere to the pedestrian regulations as outlined in Section 7.

## **11 REGULATIONS FOR PERSONAL MOBILITY DEVICES**

- 11.1 No person shall operate a Personal Mobility Device on a roadway in the Town where sidewalks are available and accessible.
- 11.2 Notwithstanding subsection 11.1, where a sidewalk cannot be used by a

Personal Mobility Device due to weather conditions or physical conditions of the sidewalk, the operator is authorized to use the travelled portion of the roadway.

- 11.3 Every person operating a Personal Mobility Device upon a roadway shall in all cases travel with the flow of traffic and as near to the right-hand side of the roadway as practicable.
- 11.4 All persons operating Personal Mobility Devices upon a roadway shall travel in single file.
- 11.5 Every person operating a Personal Mobility Device shall obey all traffic regulations.
- 11.6 Every person while operating a Personal Mobility Device on the roadway between sunset and sunrise shall have mounted:
  - a) on the rear of their device an illuminated red tail light at a minimum distance of 60 centimetres from ground level with dimensions of 5 centimetres by 7.5 centimetres; and
  - b) on the front of their device a white illuminated light.
- 11.7 Every person while operating a Personal Mobility Device on a sidewalk shall yield the right of way to pedestrians.

## **12 REGULATIONS FOR MOTORIZED SNOW VEHICLES**

- 12.1 No person shall drive or haul a Motorized Snow Vehicle along or upon any sidewalk, boulevard, pathway or footpath used by or set apart for the use of pedestrians and forming part of any highway or bridge, boulevard or other means of public communication, or being in or upon any highway, boulevard, park, park-lot, garden or other place set apart for ornament or embellishment or for public recreation within the Town.
- 12.2 No person shall drive or haul a Motorized Snow Vehicle along or upon any Town cemetery.
- 12.3 No person shall use or operate a Motorized Snow Vehicle within the Town between the hours of 11:00 p.m. and 7:00 a.m. on each and every day of the week.

## **PARKING REGULATIONS**

### **13 GENERAL PARKING REGULATIONS**

- 13.1 No person shall park a motor vehicle more than 30 centimetres from the edge of the roadway adjacent to which such vehicle is parked. (amended B/L 2022-006 Feb 14/22)
- 13.2 No person shall park or leave any motor vehicle on any municipal property where by means of one or more signs, it is indicated that such parking is prohibited.
- 13.3 No person shall on any highway park any motor vehicle:
  - a) on any street in a manner which obstructs traffic;
  - b) on or over a sidewalk, crosswalk or footpath;
  - c) on any ramp or manoeuvring area established as part of a parking



- arrangement;
- d) within an intersection;
  - e) opposite, in front of or within 0.5 metres of a driveway or laneway so as to obstruct vehicles in the use of a driveway or laneway;
  - f) within 2 metres of a point on the curb or edge of the roadway adjacent to any fire hydrant;
  - g) within 10 metres of an intersection;
  - h) within 15 metres of any intersection controlled by traffic signals;
  - i) within 15 metres of any level crossing of a railway;
  - j) alongside the tracks of any railway;
  - k) on any roadway having an overall width of less than 6 metres;
  - l) in front of an entrance to or exit from any building or enclosed space in which persons may be expected to congregate in large numbers;
  - m) upon any boulevard, except where the same are built up with gravel, stone, or other road material, or paved with the permission of and to the satisfaction of the Roads Superintendent; no person shall change the surface of the boulevard without written permission of the Roads Superintendent;
  - n) on any park access road, or any parklands, garden, or other place set aside for public ornament or recreation;
  - o) for the express purpose of advertising or promotion;
  - p) for the purpose of displaying the motor vehicle for sale. Notwithstanding the foregoing, this provision shall not apply to a person who is not in the business of selling motor vehicles;
  - q) for the purpose of washing, greasing or repairing the motor vehicle;
  - r) for the purpose of unloading or transferring of materials of any kind from one motor vehicle to another, except in cases of emergency;
  - s) in such position as will prevent the removal of any other motor vehicle previously parked;
  - t) Where parking spaces are designated by lines painted on a highway or on a municipal parking lot, no person shall park any motor vehicle except entirely within an area designated as a parking space.
  - u) Fail to park in a designated parking space on town property.
  - v) Any motor vehicle standing or parked on any street shall be moved away by the owner or operator thereof at the request of a Police Officer or By-Law Enforcement Officer when, in the opinion of such Officer, traffic congestion, fire or any other condition renders the removal of such motor vehicle necessary. (amended B/L 2022-006 Feb 14/22).
  - v) Nothing in this section shall be deemed to permit parking at any location where or at any time when parking is otherwise prohibited.
  - w) No person shall park or leave a restricted vehicle on any highway or municipal property.

- x) No person shall park within any cul-de-sac. (added B/L 2016-118 Dec. 12/16)

13.4 No person shall park a vehicle in an electric vehicle charging station that is identified by a sign that satisfies the prescribed requirements unless the vehicle is an electric vehicle and the vehicle is attached to the station's charging equipment. (added Jan 23, 2023 B/L 2023-014)

## 14 PARKING PROHIBITED WHERE AUTHORIZED SIGNS ARE ON DISPLAY

14.1 Where signs, in accordance with the regulations under the *Highway Traffic Act*, are erected and on display, no person shall park any motor vehicle:

- a) on any highway or portion of a highway at the side and between the limits set out respectively in Column 1, 2, 3 and 4 of Schedule "B" to this by-law during the prohibited times or days set out in Column 5 of the said Schedule;
- b) on any highway or portion of a highway at the side and between the limits set out respectively in Columns 1, 2, 3 and 4 of Schedule "C" to this by-law during the prohibited times or days set out in Column 5 of the said Schedule for a longer period than that set out in Column 6 of the said Schedule.
- c) in any designated loading or unloading zone, except as permitted by this by-law;
- d) within 30 metres of the approach side of the nearest rail of any level crossing of a railway;
- e) within 15 metres of the leaving side of the nearest rail of any level crossing of a railway;
- f) within 15 metres of an intersection;
- g) within 30 metres of an intersection controlled by traffic signals;
- h) on any highway in front of an entrance to or exit from any public building, including a hospital or enclosed space in which persons may be likely to congregate in large numbers;
- i) from a point of location of a sign indicating "No Parking Anytime" to the intersection, or from the sign to the next designated parking zone;
- j) any time on one or both sides of a highway or portion of a highway which is immediately adjacent to a park or playground;
- k) on curves or ~~cul-de-sacs~~ where there may be limitations on sight distance or on the maneuverability of emergency vehicles; (amended B/L 2016-118 Dec. 12/16)
- l) in any zone other than a Commercial or Industrial Zone, as defined in the Zoning By-law 1999-52 of the Town,

14.2 No person shall park any Commercial Motor Vehicle or Recreation Vehicle on the street in front of any lot, where parking is permitted, unless:

- a) the vehicle weight of said commercial motor vehicle is not

greater than 3400 kilograms; and (amended B/L 2015-102 Sept. 14/15)

b) the commercial motor vehicle is operated by the owner or occupant of a dwelling unit on the lot; or (amended B/L 2015-102 Sept. 14/15)

~~c) the said vehicle is a recreation vehicle, being a vehicle that is mobile, either by itself or when attached to another vehicle, designed to provide temporary accommodation for its inhabitants; (deleted B/L 2015-102 Sept 14/15)~~

14.3 No person shall park a motor vehicle in the parking lots listed in Schedule "D" hereto, owned or occupied by the Town of Amherstburg or a local board thereof, without the consent of the Town or local board, as the case may be. In addition to, or instead of issuing a Parking Infraction Notice for breach of this section, the vehicle may be removed or impounded as provided in Schedule "D".

14.4 No person shall park a motor vehicle on any highway along the curb adjacent to school premises between the hours of 8:00 a.m. and 5:00 p.m. except Saturdays, Sundays, or other school holidays.

## **15 PARKING ON PRIVATE PROPERTY**

15.1 No person shall park or leave any motor vehicle on private property without the consent of the owner or occupant of such property.

15.2 Any motor vehicle which is parked or left in contravention of this section may be removed or impounded by the owner of the property so long as a Police Officer or By-law Enforcement Officer is present and all costs and charges for removing or impounding the vehicle shall be paid by the owner thereof.

15.3 The driver or owner of a motor vehicle parked or left on private property is not liable to any penalty or to have the motor vehicle removed from such property or impounded under this by-law except upon written complaint of the owner or occupant of the property given to a Police Officer or By-law Enforcement Officer.

15.4 Where the owner or occupant of property affected by this section has posted signs stating conditions on which a motor vehicle may be parked or left on the property or prohibiting the parking or leaving of a motor vehicle on the property, a motor vehicle parked or left on the property contrary to such posted conditions or prohibition shall be deemed to have been parked or left on the property without the owners or occupants consent.

## **16 PARALLEL PARKING**

16.1 Where parallel parking is permitted, no person shall park any motor vehicle on any highway or portion thereof except upon the right-hand side of the street, having regard for the direction in which the motor vehicle is required to proceed, with the right front and right rear wheels of the motor vehicle parallel to and distant not more than 30 centimetres from the right-hand edge of the street; provided this subsection shall not apply where angle parking is authorized by this bylaw, or upon one-way streets as authorized by this by-law.

## **17 ANGLE PARKING**

17.1 Where authorized signs to that effect are displayed, angle parking in accordance with the provisions of clause (b) of this subsection is permitted on highways at the sides and between the limits set out respectively in Columns 1, 2 and 3 of Schedule "E" to this by-law.

17.2 Where angle parking is permitted, no person shall park a motor vehicle except within the limits defined by pavement markings; if no pavement markings are visible no person shall park a motor vehicle except at an angle not exceeding sixty (60) degrees with the permitted direction of travel and in all cases so that the front end of the motor vehicle is nearest to the curb or the edge of the street, and no person shall park a motor vehicle at an angle if:

- a) the load being carried extends beyond the rear of the motor vehicle; or
- b) the motor vehicle has attached to it a trailer as defined by the *Highway Traffic Act*; or
- c) such motor vehicle obstructs or interferes with traffic in any way while so parked.

## **18 ONE-WAY STREET PARKING**

18.1 No person shall park on a one-way street except, having regard for the direction in which the motor vehicle is required to proceed, with the right front and rear wheels of the motor vehicle parallel to and distant not more than 30 centimetres from the right-hand edge of the street, or with the left front and rear wheels of the motor vehicle parallel to and distant not more than 30 centimetres from the left-hand edge of the street.

## **19 DOUBLE PARKING**

19.1 No person shall stop a motor vehicle in a manner known as “double parking” or in any traffic lane other than the curb lane.

## **20 PARKING DURING EMERGENCIES & SPECIAL EVENTS**

- 20.1 For the purpose of this section, “emergency” includes a snow event or other acts of God which hinders, restricts, or prohibits the normal movement of vehicles or pedestrians on a highway. **(added B/L 2022-006 Feb 14/22)**
- 20.2 The declaration of an emergency and/or snow event and the parking restriction or prohibition shall be deemed in effect after a systematic broadcast on local radio channels, social media accounts, and email alert features serving the Town and such broadcast shall be deemed to be sufficient notification of the restriction or prohibition then in effect. **(added B/L 2022-006 Feb 14/22)**
- 20.3 Notwithstanding any provision of this by-law to the contrary, in case of fire, a parade, an assembly of persons, a congestion of traffic, a construction project, Director, Engineering and Public Works or the Chief of Police, and no person shall park a vehicle or permit a vehicle to remain parked in contravention of such restriction or prohibition. **(added B/L 2022-006 Feb 14/22)**

## **21 DESIGNATED PARKING SPACES**

- 21.1 Every person who is an owner of public parking area shall provide designated parking spaces for persons with disabilities in accordance with the Town of Amherstburg Zoning By-law, as amended.
- 21.2 Every owner or operator of a public parking area may voluntarily provide a number of designated parking spaces above and beyond the requirements of this by-law if they so wish.
- 21.3 Every person who is an owner of public parking area shall mark such designated

parking spaces with a sign in accordance with the provisions of the *Highway Traffic Act*.

- 21.4 Designated parking spaces for persons with disabilities located upon municipal properties are described in Schedule "T" attached hereto.
- 21.5 No person shall park, stop or leave a motor vehicle in a designated parking space unless a permit has been issued to that person or to a passenger being picked up or transported in the motor vehicle and such permit is displayed on or in the motor vehicle in accordance with the requirements of the *Highway Traffic Act*, and the regulations made there under and this by-law.
- 21.6 No person shall charge a fee for the use of a designated parking space in excess of that fee charged other members of the general public in respect of other parking spaces.
- 21.7 Each and every designated parking space shall be distinctly indicated by a sign which is in a form and content as prescribed by the *Highway Traffic Act* and regulations made thereunder as illustrated in Schedule "U" to this by-law.
- 21.8 Each and every designated parking space shall have the sign prescribed in section 20.7 of this by-law mounted at the following height. No less than 1.5 m (59.055 inches) from the finished grade to the bottom of the sign and no more than 2.5 m (98.425 inches) from the finished grade to the top of the sign.
- 21.9 The view of the sign shall not be obstructed in any way.
- 21.10 The signs prescribed in Section 20.8 shall be installed in a permanent manner at the centre of the designated parking space.
- 21.11 Every designated parking space shall have a minimum perpendicular width of not less than 4.6 metres.
- 21.12 Every designated parking space shall have a minimum length of 5.2 metres.
- 21.13 Subsections 20.11 and 20.12 do not apply to an owner or operator of a public parking area if compliance with these sections will cause the public parking area to be in noncompliance with the provisions of the Planning Act, R.S.O. 1990, c. P.13, as amended.
- 21.14 Every designated parking space shall be placed with sufficient clearance around the motor vehicle in terms of other motor vehicles or obstacles such as light standards or waste receptacles.
- 21.15 Every designated parking space shall be kept clear of all accumulations of ice, snow or other material which could render the parking space unusable.
- 21.16 No person shall park, stand or leave an unauthorized motor vehicle in a designated parking space.

## STOPPING REGULATIONS

### 22 STOPPING REGULATIONS - GENERAL

- 22.1 No person shall on any highway stop any vehicle:
- a) on or over a sidewalk or footpath;
  - b) within an intersection or crosswalk or designated pedestrian crossover;
  - c) within 9 metres of a crosswalk or designated pedestrian crossover;
  - d) on the roadway alongside of any stopped or parked vehicle;
  - e) upon any bridge or within any tunnel or underpass or within 30 metres of either end of any such structure except that this prohibition shall not apply to locations where parking within such limits as are marked and designated is hereby expressly permitted;
  - f) alongside or across the highway from any excavation or obstruction in the roadway where the free flow of traffic would thereby be impeded;
  - g) on any centre boulevard or centre strip separating two roadways or adjacent to either side or ends of such middle boulevard or centre strip;
  - h) between a safety zone and the adjacent side of the roadway or within 15 metres of the point of such side opposite the ends of the safety zone.
- 22.2 Nothing in this section shall be deemed to permit stopping at any location where or at any time when stopping is otherwise prohibited.

### 23 STOPPING PROHIBITED WHERE AUTHORIZED SIGNS ARE ON DISPLAY

- 23.1 Where signs in accordance with the regulations under the *Highway Traffic Act* are erected and on display, no person shall stop any motor vehicle:
- a) on any highway or part of a highway at the side and between the limits set out respectively in Columns 1, 2, 3 and 4 of Schedule "F" to this by-law during the prohibited times or days set out in Column 5 of the said Schedule; provided, however, that this regulation shall not apply to the operators of commercial vehicles engaged in the transportation of school children, when said vehicle is stopped to discharge and/or pick up passengers in a recessed bus bay;
  - b) within 45 metres of the approach side of any pedestrian crossover or school crossing;
  - c) within 15 metres of the leaving side of any pedestrian crossover or school crossing;
  - d) between the hours of 8:00 a.m. and 6:00 p.m., Monday to Friday inclusive, other than a school purpose vehicle in a school bus loading zone;
  - e) between the hours of 8:00 a.m. and 6:00 p.m., Monday to Friday inclusive, on one or both sides of a highway or portion of a highway that is immediately adjacent to a school.
  - f) Within a Bicycle lane (added Jan 23, 2023 B/L 2023-014)



## **24 DELIVERY VEHICLES**

- 24.1 The driver of a vehicle used for the purpose of delivering goods, wares or merchandise, milk or bread, or any other commodity, shall, when stopping to make a delivery, stop his vehicle only at the curb of a street and no driver shall, in making a delivery leave his vehicle in the street, except at the curb or side of the street.

## **25 COMMUNITY SAFETY ZONES**

- 25.1 The highways set out in Columns 1 and limits as defined in Columns 2 and 3 of Schedule "V" shall be designated as Community Safety Zones during the prohibited times or days as set out in Column 4 to the said Schedule "V".
- 25.2 This shall become effective when signs are erected, in accordance with the *Highway Traffic Act* and the regulations, on the designated part of the highway.
- 25.3 The rate of speed shall be 50 kilometres per hour in a Community Safety Zone, unless otherwise posted with an authorized sign. **(added B/L 2015-102 Sept 14/15)**

## **26 THROUGH HIGHWAYS**

- 26.1 The highways set out in Column 1 of Schedule "G" to this by-law between the limit set out in Column 2 and 3 of the said Schedule are, except as provided in Subsection (2) of this section, hereby designated as through highways for the purposes of the *Highway Traffic Act*.
- 26.2 The designation in Subsection (1) of this section of a highway or portion of a highway as a through highway shall not include any intersection thereon where the road intersected is a King's Highway or where traffic control signals are installed.

## **27 ONE-WAY STREETS**

- 27.1 Where appropriate signs in accordance with the regulations under the *Highway Traffic Act* have been erected and are on display, the highways set out in Column 1 of Schedule "H" to this by-law between the limits set out in Column 2 and 3 of the said Schedule are hereby designated for one-way traffic only in the directions set out in Column 4 of the said Schedule.
- 27.2 No person shall drive any motor vehicles on a one-way street as set out in Columns 1, 2 and 3 of Schedule "H", in a direction other than that set out in Column 4 of the said Schedule.

## **28 PROHIBITED TURNS**

- 28.1 Where authorized signs to that effect are displayed, no motor vehicle in any intersection or portion of highway set out in Column 1 of Schedule "I" to this by-law proceeding in the direction or merging from a property set out in Column 2 of the said Schedule shall be turned 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.
- 28.2 Where authorized signs to that effect are displayed, no person operating a vehicle shall at any time make a U-turn at the locations set out in Column 1 of Schedule "I" to this by-law while travelling in the direction set out in Column 2 of the said Schedule during the times or days set out in Column 4 of the said Schedule.

## 29 STOP SIGNS

- 29.1 The intersections on highways set out in Column 1 of Schedule “J” to this by-law are designated as intersections where stop signs shall be erected facing traffic as set out in Column 2 of the said Schedule.

## 30 YIELD SIGNS

- 30.1 The intersections on highways set out in Column 1 of Schedule “K” to this by-law are designated as intersections where yield signs shall be erected facing traffic as set out in Column 2 of the said Schedule.

## 31 SPEED LIMITS

- 31.1 The rate of speed shall be 80 kilometres per hour on a highway not within a built-up area, unless otherwise posted with an authorized sign.
- 31.2 The rate of speed shall be 50 kilometres per hour on a highway within a built-up area, unless otherwise posted with an authorized sign.
- 31.3 Where any highway or portion of a highway set out in Column 1 of Schedule “L” of this by-law between the limits set out in Column 2 of the said Schedule, is marked in compliance with the regulations under the *Highway Traffic Act*, the maximum rate of speed thereon shall be the rate of speed prescribed in Column 3 of said Schedule.
- 31.4 Notwithstanding Subsection (3), pursuant to the powers granted by the Council by Subsection 5(b) of Section 128 of the *Highway Traffic Act, R.S.O. 1990, c. H.8*, as amended, the prescribed rate of speed on the street or portions of streets being within school zones, set out in Column 1 of Schedule “M” of this by-law on the side and between the limits set out in Column 2, 3 and 4 of said schedule, on regular school days between the hours of 7:00 a.m. and 5:00 p.m., is forty (40) kilometres per hour, where school zone signs have been erected and are on display and which indicate the effective time or times.
- 31.5 The speed limits prescribed under this by-law do not apply to motor vehicles of a municipal fire department, Police Officers and an ambulance when responding to a call.
- 31.6 Where any designated area in Column 1 of Schedule “Z” to this Bylaw is marked in compliance with the regulations made under the Highway Traffic Act, the maximum rate of speed thereon shall be rate of speed prescribed in Colum 2 of the said Schedule. **(added B/L 2024-023, April 22, 2024)**
- a) In the event there is a conflict between Schedule L and Schedule Z, the maximum rate of speed set out in Schedule L shall apply. **(added B/L 2024-023 April 22, 2024)**

## 32 SCHOOL BUS LOADING ZONES

- 32.1 The highways set out in Column 1 of Schedule “N” to this by-law on the side and between the limits set out in Columns 2 and 3 and as further described in Column 4 of the said Schedule where authorized signs are displayed are designated as school bus loading zones.
- 32.2 Where authorized signs to that effect are on display, no person shall stand or park any vehicle, other than a school bus, in any area designated as a School Bus Loading Zone as described or named on Schedule “N”.

- 32.3 School Bus Loading Zone designations shall apply between the hours of 8:00 a.m. and 6:00 p.m. Monday to Friday inclusive subject to Subsection (2). The School Bus Loading Zone designation shall be considered an overlay designation imposed in addition to other parking restrictions contained herein. At all other times and days, parking in such designated School Bus Loading Zones shall be in compliance with the provisions of this by-law.

### **33 COMMERCIAL LOADING ZONES**

- 33.1 Where authorized signs are on display on the highway between the limits set out respectively in Column 1, 2 and 3 of Schedule "O" of this by-law, no person shall stop, stand or park a motor vehicle or permit a motor vehicle to remain stopped, standing or parked in a loading zone for any purpose other than the expeditious loading and unloading, delivery and receipt of goods, wares or merchandise for commercial purposes, or a licensed taxi dropping off and picking up passengers, or a vehicle dropping off or picking up any passengers in possession of a Disabled Person Parking Permit during the days or times set out in Column 4 of the said Schedule.
- 33.2 No person shall stop, stand or park an authorized motor vehicle under Subsection (1) above, for a continuous period greater than 20 minutes.
- 33.3 This Section of the by-law shall not become effective until appropriate signs have been erected and are on display.

### **34 BUS AND TAXICAB STANDS**

- 34.1 The driver of a bus or taxicab shall not stand or park upon any street in any business district at any place other than at a bus stop or taxicab stand respectively, except that this provision shall not prevent the driver of any such motor vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the loading or unloading of passengers.
- 34.2 No person shall stop, stand or park a motor vehicle other than a bus in a bus stop, or a taxicab in a taxicab stand, which has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaging in loading or unloading of passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

### **35 HEAVY VEHICLE REGULATIONS**

- 35.1 In this Section, "Permitted Highway" means any highway or part thereof within the Town of Amherstburg not set forth in Schedule "P" attached hereto and forming part of this by-law.
- 35.2 When authorized signs are on display, no person shall operate a heavy vehicle on a prohibited highway.
- 35.3 Subsection (2) of this section does not apply to the operator of a heavy truck, being necessarily operated in the usual conduct of business.
- 35.4 Subsection (2) of this section does not apply to operators of garbage trucks, snow ploughs, municipally owned vehicles, ambulances, police or fire department vehicles, or to the operator of a privately owned vehicle, without the trailer portion, being driven to or from the owner's residence.
- 35.5 No person shall park on any highway or portion thereof, a heavy vehicle in excess of 5000 kilograms vehicle weight.

- 35.6 No person shall operate a heavy vehicle on a highway or part thereof within the Town of Amherstburg unless listed in Schedule “P”. (amended B/L 2024-023, April 22, 2024)

## **36 LOADS ON BRIDGES**

- 36.1 When authorized signs are on display, no person shall leave, move or operate a vehicle over any bridge set out in Column 1 of Schedule “Q” to this by-law when the vehicle exceeds the gross weight prescribed for such vehicle as set out in Column 2 of said Schedule.

## **37 REDUCED LOAD PERIOD**

- 37.1 For the protection of the highways within the Town of Amherstburg, the highways or parts of highways listed in Schedule “R” to this by-law are designated as Reduced Load Highways under the provisions of Sections 110 and 118 of the Highway Traffic Act, R.S.O. 1990.
- 37.2 The Reduced Load provisions apply to vehicles with a load in excess of 5000 kilograms (5 tonnes) per axle on any highways or parts of highways listed in Schedule “R” for the Reduced Load Period from the 1st day of March to the 30th day of April, in each and every year.
- 37.3 The penalties provided in the Highway Traffic Act shall apply to offences against this section of the by-law.
- 37.4 This Section of the by-law shall not become effective until appropriate signs have been erected and are on display.

## **38 FIRE ROUTES**

- 38.1 No person shall stop or park a vehicle at any time on designated fire route where stopping or parking is prohibited by an authorized sign.
- 38.2 No person shall interfere with, deface or remove an authorized fire route sign.

## **39 CLASS B ROADS** (added B/L 2015-102, Sept. 14/2015)

- 38.1 For the protection of the highways within the Town of Amherstburg, the highways or parts of highways listed in Schedule “W” to this by-law are designated as Class B Roads.
- 38.2 Class B Roads are restricted to a maximum of 8, 200kg per axel. If the centres of any two axes are closer than 2.4 metres, each of the two axles is limited to 5,500kg.
- 38.3 Subsection 2 of this section does not apply to farm tractors, self-propelled implement of husbandry (SPIH) that was manufactured, designed, redesigned, converted or reconstructed for a specific use in farming and towed or mounted implements.
- 38.4 The penalties provided in the Highway Traffic Act shall apply to offences against this section of the by-law.
- 38.5 This Section of the by-law shall not become effective until appropriate signs have been erected and are on display.

## **40 SCHEDULES**

- 40.1 The schedules referred to in this by-law shall form part of this by-law and each entry in a Column of such a schedule shall be read in conjunction with the entry or entries horizontally across therefrom and not otherwise.

## **41 PENALTIES**

- 41.1 Every person who contravenes any provision of this by-law is guilty of an offence pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P. 33, as amended, and upon conviction, a person is liable to a fine of not more than \$5,000, exclusive of costs.
- 41.2 Any person may voluntarily pay out of court in a manner indicated on the back of the Parking Infraction Notice (PIN), the amount indicated opposite the parking infraction within fifteen (15) days, inclusive of Saturdays, Sundays and Holidays, from the date of issue of the said Parking Infraction Notice, the early voluntary payment and upon payment being made, no further proceedings shall be taken under this by-law in respect of the offence alleged in the Parking Infraction Notice and if payment is not made in accordance with the procedures set out in this subsection the fine provided for in subsection 45.1 shall be recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P. 33, as amended. (amended B/L 2015-102 Sept. 14/15) (amended B/L 2022-006 Feb 14/22)
- 41.3 Notwithstanding the foregoing provisions, authorizing proceedings under Part II of the Provincial Offences Act, R.S.O. 1990, c.33, a Police Officer or By-law Enforcement Officer may, in his or her discretion, proceed by laying an information, as set out in Part III of the said Provincial Offences Act, in relation to any parking infraction.
- 41.4 The owner of a motor vehicle may be charged with an offence for contravention of any provision of this by-law for which the driver of the vehicle is subject to be charged and on conviction, the owner is liable to the penalty described 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.

## **42 VEHICLE TOWING**

- 42.1 In addition to any other penalties provided for in this by-law, a member of the Municipal Police Services or a By-law Enforcement Officer may, where a vehicle is parked or stopped in contravention of sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 40, or 41 of this by-law, cause that vehicle to be removed, taken away and stored in a suitable place. (amended B/L 2022-006 Feb 14/22)
- 42.2 All costs and charges incurred for removing, caring for and storing a vehicle shall be a lien upon the vehicle, which lien may be enforced in the manner provided for by the Repair and Storage Liens Act, R.S.O. 1990, Chapter R. 25, as amended.

## **43 APPLICATION**

- 43.1 This by-law applies to all highways under the jurisdiction of the Town of Amherstburg.
- 43.2 If compliance would be impracticable, Sections 7(1), 8(4), 15, 16, 18, 19, 23, 24, 25, 26, 27, and 28 of this by-law shall not apply to:
- a) Emergency Vehicles;
  - b) Vehicles while engaged in works undertaken for or on behalf of any municipal corporation;

c) Vehicles engaged in activities identified by a Special Events Permit issued under authority of a by-law of the Town;

43.3 If compliance would be impracticable, Sections 7(1), 8(4), 15(1) and (2), and 16(1) and (2) of this by-law shall not apply to vehicles actually forming part of a funeral procession for as long as may reasonably require for the purpose of such funeral.

## 44 VALIDITY

44.1 It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

44.2 This by-law shall come into force and take effect upon receipt by the Town of:

a) approval and three readings of this by-law by the Council of the Corporation of the Town of Amherstburg; and

b) A Set Fine Order by the Chief Judge of the Ontario Court Justice or his or her designate made for the purpose of preceding under Part I and Part II of the Provincial Offences Act.

44.3 By-laws 2005-55, 2005-22 and 2005-20 shall be deemed to be repealed upon this by-law coming into force and effect pursuant to subsection 2.

## 45 SHORT TITLE

This by-law may be referred to as the "Traffic By-law".

READ a first, second and third time and finally passed this 22 day of April, 2024.

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MAYOR – Michael Prue

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CLERK – Kevin Fox

**Last Update:** *By-Law 2023-014 passed January 23, 2023*  
*By-Law 2022-006 passed February 14, 2022*  
*By-Law 2016-118 passed December 12, 2016*  
*By-Law 2015-102 passed September 14, 2015*