



**THE CORPORATION OF THE TOWN OF GODERICH
BY-LAW NO. 85 OF 2016**

**A BY-LAW TO REGULATE TRAFFIC IN THE NORTH HARBOUR AREA AS
DEFINED HEREIN AND TO CONTROL AND REGULATE THE USE
OF STREETS AND BOULEVARDS IN THE SAID AREA**

WHEREAS Section 11, of the Municipal Act, 2001, S.O. 2001, c.25 and the provisions of the Highway Traffic Act, R.S.O. 1990, H.8, as amended authorize a Municipal Council to pass by-laws to regulate and control traffic;

AND WHEREAS the Council of the Corporation of Town of Goderich wishes to repeal By-Laws No. 21, 22, 23, 121 and 122 of 2013 and 78 of 2015, being bylaws regulating traffic, parking and the use of streets in the North Harbour area;

AND WHEREAS the Town has been advised of issues that have arisen with respect to parking on North Harbour Road West, River Wall Road and North Pier Crescent;

AND WHEREAS Council deems it expedient to regulate parking on prohibited streets in the above noted areas of the Harbour to address parking concerns;

AND WHEREAS a well-lit, secured, paved, state-of-the-art off-site parking area with regular shuttle service is provided to employers, contractors and visitors to the North Harbour area;

AND WHEREAS a municipal by-law can create an “offence” for the purpose of section 1(1) of the Provincial Offences Act;

AND WHEREAS Council deems it appropriate to place certain restrictions on parking in the affected area;

AND WHEREAS parking will be prohibited in the defined area(s) as described in Schedule 1, attached hereto;

AND WHEREAS parking will be time restricted in the defined area(s) as described in Schedule 2, attached hereto;

AND WHEREAS the provisions of Part V will apply to the areas as described in Schedules 1 and 2;

AND WHEREAS Council deems it necessary to create set fines as follows:

Part II	sections 2b, 2c, 2d	\$60
Part II	section 3b	\$50
Part II	section 3c	\$70
Part III	sections 1a and 3	\$70
Part III	section 1c	\$50
Part III	section 6a	\$60
Part IV	section 1	\$60
Part IV	section 3	\$70
Part VI	section 4	\$300

Part V

- 1) \$200.00 for early voluntary payment payable within seven (7) days; and
- 2) \$225.00 following seven (7) days for the set fine

AND WHEREAS for the purpose of proceedings under Part I and II of the Provincial Offences Act, the amount of fine set by the court for an offence is such amount as may be set by the Chief Judge of the Ontario Court (Provincial Division);

AND WHEREAS a copy of the Judge's approved set fine schedule will be attached to this By-Law;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF GODERICH ENACTS AS FOLLOWS:

PART I

INTERPRETATION

1. In this by-law,
 - a) drive - includes ride and lead, and "driver" shall include the person in charge of any animal or vehicle;
 - b) disabled person - means anyone who is unable to walk unassisted more than 200 metres (218 yards) without serious difficulty or danger to safety or health, and is certified as such by a licensed physician, chiropractor, osteopathic physician, physiotherapist, or occupational therapist as meeting the above eligibility requirements.
 - c) disabled person's vehicle - means any vehicle operated by a disabled person; a vehicle in which a disabled person is a passenger; or a vehicle which is used to transport a disabled person and in which a valid disabled person's parking permit is displayed.

parking permit - means a disabled person parking permit issued under the Highway Traffic Act a permit, number plate or other marker or device issued by another jurisdiction and recognized under the Act.
 - d) motorized snow vehicle - means a self-propelled vehicle designed to be driven primarily on snow;
 - e) parking space - means a part of a street designated by this by-law as a place for the parking of a vehicle;
 - f) pedestrian - means a person afoot, invalids and children in wheeled carriages or on a play vehicle;
 - g) sidewalk - means a hard surface footpath intended for the use of pedestrians;
 - h) street - means the whole of the public street allowance lying between the property line on one side and the property line on the other side and includes the roadway, boulevard, and sidewalk;
 - i) time - means standard time except in periods when daylight savings time is in effect, in which periods, it shall be daylight savings time;

- j) traffic - includes pedestrians, ridden or herded animals, vehicles, bicycles, and other conveyance, either singly or together, while using any street for the purpose of travel;
- k) traffic control device - means any sign, or roadway curb or sidewalk marking, or other device erected or placed under authority of the municipal council for the purpose of guiding or directing traffic;
- l) traffic signal - means any device manually, electrically or mechanically operated for the regulation of traffic;
- m) U-turn - means to turn a vehicle within a roadway so as to proceed in the opposite direction.
- n) vehicle - shall mean a device or structure for transporting persons or things.

All other definitions not herein defined (e.g. Highway, Motor Vehicle, Stop, Park, etc.), are as laid down in the Highway Traffic Act of Ontario.

PART II

ENFORCEMENT, SPECIAL SIGNS, TRAFFIC CONTROL DEVICES

1. Obedience to Traffic Regulations - The Ontario Provincial Police and Municipal By-law Enforcement Officer for the Town of Goderich shall enforce the provisions of this by-law.
2. Special Occasion No Parking No Stopping Signs
 - a) In the exercise of the power to direct traffic, a police constable acting under the instructions of the Officer in Charge may erect or cause to be erected "No Parking" and "No Stopping" signs in such places and for such temporary periods as may be reasonably necessary or advisable.
 - b) The unauthorized use of any police "No Parking" or "No Stopping" signs shall be an offence against the provisions of this by-law.
 - c) No unauthorized person shall place, maintain or display upon or in view of any street any sign, marking or device which is or which resembles an official sign or traffic control device, to such a degree that it may be mistaken for an official sign or traffic control device, or which is so located as to interfere with the effectiveness of an official sign or traffic control device.
 - d) No person shall without lawful authority move from its proper position or otherwise interfere with any traffic sign.
3. Traffic Control Devices
 - a) It shall be the duty of the Director of Operations and Public Works to cause to be erected and maintained all signs and other traffic control devices required or authorized by statute or by this by-law, and such as are required to warn or guide traffic for the safety or convenience of the public.
 - b) No person shall drive any vehicle over any painted marking on the roadway where markers are in place to indicate that the paint has been freshly applied, nor shall any person drive over any marker so placed.

- c) Save as may be otherwise more specifically provided in this by-law or The Highway Traffic Act, it shall be an offence against the provisions of this by-law for any person to fail to comply with the directions of any traffic sign or traffic control device.

PART III

GENERAL TRAFFIC DIRECTIONS

1. Moving Buildings or Other Over-Weight or Over-Size Loads
 - a) Permit Required - No vehicle, load, object or structure in excess of the weight or dimensions prescribed by The Highway Traffic Act may be moved over or upon any street upon wheels, rollers or otherwise, except in accordance with a permit in writing which has been first obtained from the Director of Operations or his/her designate
 - b) Bond - No such permit shall be issued by the Directors of Operations or his/her designate except to a person who has filed with the Town Administrator a satisfactory bond sufficient to cover the cost of repairing possible injury to the street, and indemnifying the Town of Goderich from all actions, claims, damages, and losses, costs and expenses whatsoever, which may result from the moving of any such vehicle, load, object or structure into, along or across a street, and from the issue of the permit.
 - c) Permit to be carried - Every such permit shall be carried by the person in charge of any such vehicle, load, object or structure while same is on the street, or placed in some accessible position and produced on demand of a police constable or municipal by-law enforcement officer.
 - d) Prohibition - No person shall move upon any street, a load in excess of the weight or dimensions specified in the permit or at any time not authorized by such permit, nor shall any load in excess of the weight or dimensions prescribed by The Highway Traffic Act be moved upon any street or part of a street not authorized by the permit.
2. Turns - Where properly worded signs are erected and on display, no person shall turn any vehicle in the direction prohibited at the intersections.
3. U-Turns - The driver of a vehicle shall not make a U-turn or attempt to do so, so as to proceed in the opposite direction upon any street unless such movement can be made in safety and without interfering with other traffic.
4. Stop Signs - There shall be erected stop signs at the entrances to the intersections of streets and facing the traffic proceeding in that direction.
5. Yield Right-of-Way Signs - There shall be erected Yield Right-of-Way signs at the entrances to the intersections of streets and facing the traffic proceeding in that direction.
6. Truck Routes - Heavy Traffic
 - a) No person shall drive or permit to be driven any vehicle included in the definition of heavy traffic on any street other than the streets set out in Schedule 5 hereof.
 - b) Subsection 6 (a) shall not apply where it is necessary to deviate from one of the streets designated in Schedule 5 for the purpose of

delivering or receiving goods or other such normal commercial purpose, or when proceeding to or from a garage or other premises for the housing or repair of the vehicle or when making successive deliveries within a restricted area provided that while proceeding to the first of such deliveries the vehicle shall travel via the shortest route from the nearest street designated in Schedule 5 and on the completion of such purposes the vehicle shall return by the shortest route to the nearest street designated in Schedule 5.

- c) Subsection 1 shall not apply to heavy traffic on any street or part of street, which has been properly authorized as a temporary detour route.

PART IV

MISCELLANEOUS PROHIBITIONS

- 1. Stop before entering highway

The driver of a vehicle about to enter or cross a highway from a private road or driveway shall stop immediately before entering the highway or same, or the sidewalk if any.

- 2. Backing up

No person shall drive vehicle backwards, except when necessary and having proper regard for the safety and convenience of other traffic.

- 3. No traffic on closed streets

No person shall drive any animal or vehicle upon any highway or part of a highway, which is temporarily occupied by the Fire Department in the course of its duties.

PART V

PARKING, PARKING REGULATIONS AND STOPPING

- 1. No exclusive right

No person shall have an exclusive right to place any vehicle at any particular location on any street.

- 2. Parking - General

- a) No person shall park or stop any vehicle on any street or portion thereof except as follows:

- i) where there is a raised curb, on the right side on the roadway, having regard to the direction such vehicle was proceeding, with its right front and rear wheels parallel to and not more than 15 centimetres out from such curb;
- ii) and where there is no curb or a rolled curb, with the right front and rear wheels parallel to and as near to the right hand limit of the street as is practicable without stopping or parking on a sidewalk or on any part of the street where grass is grown or which is not intended for the use of vehicles.

- b) The provisions of Subsection 2. a) i) do not apply where angle parking is permitted under Section 3 hereof or to parking or stopping

a vehicle on the left hand side of the roadway of a street designated for one way traffic.

- c) Where angle parking is permitted on a street, no person shall stop or park any vehicle except at any angle of approximately 45 degrees from the curb or boundary of the roadway with the front end of the vehicle at such curb or boundary. **EXCEPTIONS:** vehicles unloading or loading heavy articles may temporarily be backed into the curb.
- d) Provided that the above shall not apply to stopping in obedience to traffic control devices, the directions of a police constable, or the safety or convenience of other traffic.

3. Permitted angle parking

Angle parking in accordance with the provisions of subsection (c) of Section 2 is permitted on the streets at the sides and between the limits set out respectively in Columns 1, 2 and 3 of Schedule 4 to this by-law.

4. Time restricted parking

- a) No person shall park for a period exceeding three (3) hours in any one parking space in a restricted parking area, as identified in clause b) of this section, on any day.
- b) The restricted parking areas referred to in Clause a) of this section are as identified in Schedule 2.
- c) Police and Town vehicles shall be exempt from the three-hour parking limit.
- d) No person shall park overnight in any park unless permission has been granted by Council or in any emergency approval has been given by the Ontario Provincial Police or the Director of Operations or his/her designate.
- e) on those streets designated in Schedules 1 and 2 to this by-law as restricted or prohibited by properly worded signs;

5. Prohibited parking

No person shall on a street park a vehicle:

- a) within an intersection;
- b) on any street in such a manner as to obstruct traffic;
- c) on any grassed boulevard;
- d) on any sidewalk;
- e) in front of or within one metre of a driveway or laneway or so as to obstruct vehicles in the use of a driveway or laneway. Except that this provision shall not apply to Goderich Hydro or the Town of Goderich when a vehicle owned by Goderich Hydro or the Town of Goderich is parked in a driveway that leads to property owned or occupied by Goderich Hydro or the Town of Goderich, provided that the vehicle is on bona fide business to that particular establishment to which the driveway leads;
- f) within six metres of an intersecting roadway;

- g) within 15 metres of any level crossing or a railway;
- h) on any roadway having an overall width of less than 6 metres;
- i) for an unreasonable length of time having regard for the traffic, and in no case for a longer period than 24 hours;
- j) in front of a fire hydrant - three metres each way;
- k) alongside or opposite any street excavation or obstruction when such stopping would obstruct traffic;
- l) on the roadway side of any vehicle parked or stopped at the curb or edge of the roadway;
- m) along any street or part of a street where police "No Parking" signs are erected or placed;
- n) at any parking space in such a manner as to obstruct the use of any adjoining parking space, or, where there are markings for any such parking space, in any manner not in conformity with the same;
- o) within 30 metres of an intersection controlled by traffic signals;
- p) in such a position as will prevent the removal of any other vehicle previously parked;
- q) that is wrecked, discarded, dismantled, unlicensed, inoperative or abandoned condition. Any such vehicle shall be towed and impounded at the owner's expense.

6. Signed parking restrictions on certain streets

Where properly worded signs are erected and are on display, no person shall on any street park any vehicle:

- a) in front of an entrance or exit from any building or enclosed space in which persons may be expected to congregate in large numbers;
- b) in front of the entrance to any place where goods or merchandise are regularly delivered or removed;
- c) when properly worded signs are on display, no person shall park any vehicle on any street between the hours of 2:00 a.m. and 7:00 a.m. from November 15th to March 15th inclusive.
- d) with the exception of a Disabled Person's Vehicle; in any space designated by signs, as being reserved for such Disabled Persons' Vehicles;
- e) on those streets designated in Schedules 1, 2, 3 and 4 to this by-law as restricted or prohibited by properly worded signs;

PART VI

CONTROLLING ON AND OFF STREET PARKING FOR DISABLED PERSONS

1. Interpretation

In this part:

- a) Designated parking space - means a parking space designated under this by-law for the exclusive use of a vehicle displaying a permit in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder and this by-law.
 - b) Municipal property - 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.
 - c) 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 that Act.
2. A designated parking space shall be distinctly indicated in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder.
 3. Designated parking spaces:
 - a) on street(s) as described in Schedule 3
 4. No person or organization shall park a vehicle in a designated parking space unless a currently valid permit has been issued to that person, organization or to a passenger being picked up or transported in the vehicle and such permit is displayed on or in the vehicle in accordance with the requirements of the Highway Traffic Act, the regulations made thereunder and this by-law.

PART VII

POWER TO REMOVE ANY OFFENDING VEHICLE

1. A police officer, or municipal by-law enforcement officer, upon discovery of any vehicle parked or standing in contravention of this by-law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle.

PART VIII

ENFORCEMENT AND PENALTY

1. Every person who breaches a section of this by-law is guilty of an offence and subject to a penalty as provided under the “Provincial Offences Act.”

PART IX

1. That By-Laws No. 21, 22, 23, 121 and 122 of 2013 and 78 of 2015, regulating traffic, parking and the use of streets in the North Harbour area, be hereby repealed;
2. That any additional By-Laws and resolutions inconsistent with the provisions contained herein, be hereby repealed.
3. That Schedules 1, 2, 3, 4 and 5 are deemed to form part of this by-law and that restrictions as described in Part V apply to those streets designated in Schedules 1 and 2;
4. That the set fines shall be as follows :

Part II	sections 2b, 2c, 2d	\$60
Part II	section 3b	\$50
Part II	section 3c	\$70

Part III	sections 1a and 3	\$70
Part III	section 1c	\$50
Part III	section 6a	\$60
Part IV	section 1	\$60
Part IV	section 3	\$70
Part VI	section 4	\$300

Part V

- 1) \$200.00 for early voluntary payment payable within seven (7) days;
- 2) \$225.00 following seven (7) days for the set fine.

5. That this By-Law shall not come into force and effect until it is filed and approved by the Regional Senior Justice, Ontario Court of Justice.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8th DAY OF AUGUST, 2016.

MAYOR, Kevin Morrison

CLERK, Dwayne Evans

SCHEDULE 1

PROHIBITED PARKING

COLUMN 1 STREET	COLUMN 2 SIDE(S)	COLUMN 3 FROM-TO	COLUMN 4 TIME OR DAYS
a) North Harbour Rd.	North side (third lane)	Commencing at a point 20M easterly of the northerly extension of the west boundary of the Harbour to a point 400 metres easterly there from	November 1 st to March 31 st for transport trucks April 1 st to October 31 st for vehicles with boat trailers incidental to use, both in conjunction with then current use of the Snug Harbour launch ramp
b) North Harbour Rd.	East, West and South Sides	Commencing 30M southerly from the Southern limit of the Coast Guard property and extending 120M northerly from the northern limit of the Coast Guard Property and commencing at the intersection of River Wall Rd and North Harbour Rd. and extending 20m easterly	24 hours everyday restricted to vehicles: November 1 st to March 31 st for transport trucks; April 1 st to October 31 st for vehicles with boat trailers and vehicle permits for such parking, both in conjunction with then current use of the Snug Harbour launch ramp.
c) North Harbour Rd.	Southside	Commencing at a point Twenty (20) M easterly of The northerly extension of The west boundary of the Harbour and extending Easterly there from a Distance of 850 m to a point Directly south of the east Boundary of the parking Area reserved for users Of the Menesetung Bridge & Trail	Parking by permit issued by the Harbour Master or his/her designate.
d) North Harbour Rd.	Both sides	Menesetung Bridge parking Area to Highway 21	No parking at any time.
e) North Pier Crescent	Both sides	From the north east and south west entrances at River Wall Road to the lakeside	No parking at any time.
f) River Wall Rd.	Both Side	Commencing west of North Harbour Road West to the lakeside	No parking at any time.

SCHEDULE 2

TIME RESTRICTED PARKING

COLUMN 1 STREET	COLUMN 2 SIDE(S)	COLUMN 3 FROM-TO	COLUMN 4 TIME OR DAYS
a) North Harbour Rd.	North side	From a point 20M easterly from the northerly extension of the west boundary of the Harbour to a point 50M westerly from the said northerly extension	Everyday 3 hour limit
b) North Harbour Rd.	North Side	Parking area which extends Easterly a distance of 115M and westerly a distance of 100 m both measured from the most easterly projection of the commemorative rock at the trail entrance reserved for users of the Menesetung Bridge and Trail	Parking reserved for those using Menesetung Bridge and Trail – 3 hour limit
c) North Harbour Rd.	South Side	Parking area which extends 53 M southerly limit from the south side of North Harbour Road and 5 M from the westerly lot line of 111 North Harbour Road and ending at the easterly limit of the Goderich Harbour	Everyday 3 hour limit

SCHEDULE 3

PROVIDING FOR DESIGNATED PARKING SPACES FOR DISABLED PERSONS
PARKING ON STREETS

COLUMN 1 STREET	COLUMN 2 LOCATIONS
a) North Harbour Road	First parking spot West of the walkway to Menesetung Bridge
b) North Harbour Road	North side, first parking space East of the sewage pumping station

SCHEDULE 4

PROVIDING FOR ANGLE PARKING

COLUMN 1 STREET	COLUMN 2 SIDE OR SIDES	COLUMN 3 FROM-TO
a) North Harbour Rd	North side	From the entrance to the Menesetung Bridge easterly to the Goderich-Exeter Railway crossing.

SCHEDULE 5

PERMITTING HEAVY TRAFFIC ON STREETS

COLUMN 1 STREET	COLUMN 2 FROM	COLUMN 3 TO	COLUMN 4 Time or Day
a) North Harbour Rd.	Victoria Street	West Town limits	Anyday
b) River Wall Rd.	North Harbour Rd.	North-West Town limits	Anyday
c) North Pier Crescent	North Pier Crescent	North-West Town limits	Anyday

**THE CORPORATION OF THE TOWN OF GODERICH
BY-LAW NO. 85 OF 2016**

Town of Goderich Traffic By-Law Consolidation

This document is a consolidation of the Town of Goderich Traffic By-Law No. 85 of 2016 and subsequent amendments made thereto for the North Harbour area. This compilation is for convenience for administrative purposes and does not represent true copies of the by-laws it contains. Any legal interpretation of this document should be verified with the Town Clerk.

This Consolidated Traffic By-Law contains:

Traffic By-Law 85 of 2016 and the following amendments thereto:

By-Law 126 of 2016

By-Law 80 of 2017

By-Law 95 of 2018

By-Law 116 of 2018

Consolidated November 26, 2018