

THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS

BY-LAW NO. 35-2003

BEING a By-law to prohibit parking on certain Highways in the Township of Georgian Bluffs.

WHEREAS Section 11 of the Municipal Act, S.O. 2001, Chapter 25 (Sphere of Jurisdiction) provides that all municipalities have jurisdiction over highways, including parking and traffic on highways;

AND WHEREAS the Council of the Township of Georgian Bluffs deems it necessary and expedient to pass a by-law to prohibit parking of vehicles on certain highways in the Township of Georgian Bluffs;

NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GEORGIAN BLUFFS ENACTS AS FOLLOWS:

SHORT TITLE

1. This by-law may be cited as the "Parking By-law" of the Township of Georgian Bluffs.

DEFINITIONS

2. In this by-law:
 - (a) "**Corporation**" shall mean the Corporation of the Township of Georgian Bluffs.
 - (b) "**Emergency Vehicle**" shall mean ambulance vehicles, emergency rescue vehicles, fire vehicles, police vehicles and public works vehicles of the Township of Georgian Bluffs.
 - (c) "**Highway**" includes the entire right-of-way of a common and public highway, street, concession, place, avenue, parkway, square, route, lane or bridge designed and intended for, or used by, the general public for the passage of vehicles.
 - (d) "**Municipal Law Enforcement Officer**" shall mean a Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Township of Georgian Bluffs.
 - (e) "**Prohibited Parking Zone**" shall mean the area of untraveled portion of a highway clearly marked as a prohibited parking area by signs placed at intervals of no more than 25 metres.
 - (f) "**Sidewalk**" shall include all parts of a highway as are set aside for the use of pedestrians.
 - (g) "**Township**" shall mean the Township of Georgian Bluffs.

- (h) **“Vehicle”** includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power including muscular power but does not include an emergency vehicle.
- (i) **“Park or Parking”** when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
- (j) **“Person”** shall mean a natural individual, including women as well as men and includes their heirs, executors, administrators, or other legal representative of such person to whom the context can apply according to law, as well as artificial beings such as corporations;

PARKING OFFENSES

- 3. When properly worded or marked signs have been erected and are on display as set out in Schedule “A” of this by-law, no person shall park a vehicle or permit a vehicle to remain parked on any highway within a prohibited parking zone as designated on Schedule “B” to this by-law.

ADMINISTRATION AND ENFORCEMENT

- 4. The provisions of this By-law shall be enforced by the Municipal Law Enforcement Officer for the Township of Georgian Bluffs or Ontario Provincial Police Officer.

PENALTIES

- 5. Whenever a vehicle is parked in contravention of this by-law the Municipal Law Enforcement Officer or Ontario Provincial Police Officer may cause the said vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charges for the removing, care and storage thereto shall be paid by the owner of the said vehicle in the manner provided by in the Repair and Storage Liens Act, R.S.O. 1990, Chapter R.25 as amended.
- 6. Every person who contravenes any of the provisions of this by-law is guilty of an offense and on conviction thereof shall forfeit, and pay a penalty for each such offense and every such penalty shall be recoverable under the Provincial Offenses Act, R.S.O. 1990, chapter P.33 and amendments thereto.

GENERAL PROVISIONS

7. No person shall obstruct or interfere with an officer in the lawful execution of their duty enforcing the provisions of this by-law.

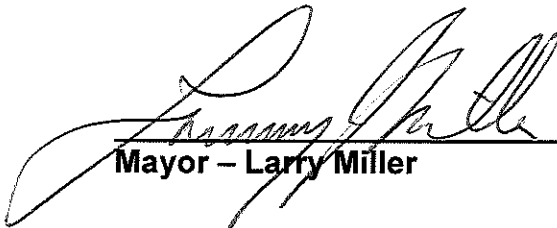
8. If for any reason any section, clause or provision of this by-law is deemed by a court or competent jurisdiction to be invalid the same shall not affect the validity of this by-law as a whole or any part thereof other than the part which was declared to be invalid.

9. This by-law shall come into full force and effect upon the final passing hereof.

Read a first time this 2nd day of July 2003.

Read a second time this 2nd day of July 2003.

Read a third time and passed this 2nd day of July 2003.



Mayor - Larry Miller



Clerk - Kenneth Clarke

I hereby certify the foregoing By-law No. 35-2003 to be a true and exact copy as enacted by the Council of the Township of Georgian Bluffs this 2nd day of July, 2003.

Dated this 3rd day of July 2003.

Bruce Hoffman, Deputy Clerk

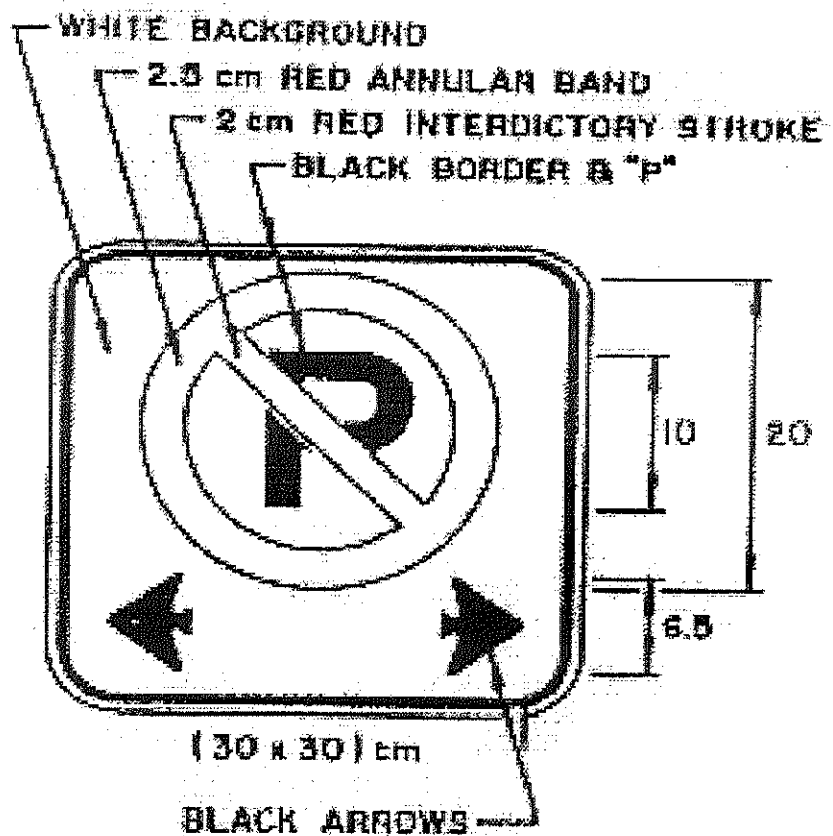
THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS

BY-LAW NO. 35-2003

SCHEDULE "A"

A sign prohibiting parking shall,

- a) be not less than 30 centimetres in height and not less than 30 centimetres in width, and
- b) bear the markings and have the dimensions as described and illustrated in the below noted figure.



THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS

BY-LAW NO. 35-2003

SCHEDULE "B"

Prohibited Parking Zones

Highway

Location

Inglis Falls Road

From the intersection of Grey Road
18 north 600 metres.

Old Beach Drive

From the intersection of Grey Road 1
east 300 metres

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
WEST REGION

COURT HOUSE
15TH FLOOR, UNIT "G"
50 DUNDAS STREET
LONDON, ONTARIO
N6A 6B3



CABINET DU JUGE PRINCIPAL REGIONAL
COUR DE JUSTICE DE L'ONTARIO
REGION DE L'OUEST

TELEPHONE/TÉLÉPHONE (519) 660-2292
FAX/TÉLÉCOPIEUR (519) 660-3138

December 11, 2003

Ms. Lorna VanderPloeg, Municipal Law Enforcement Officer
Corporation of the Township of Georgian Bluffs
RR #3
Hepworth ON N0H 1P0

Dear Ms. VanderPloeg :


**Re: Set Fines - Provincial Offences Act - Part I
By-law Number 35-2003 of the Township of Georgian Bluffs**

Enclosed herewith is a copy of an Order, and a copy of a schedule of set fines for the above referenced By-Law, the By-law indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

I have forwarded the original of the Order and the schedule of the set fines to the Ontario Court of Justice in Owen Sound, together with a certified copy of the By-law.

Yours truly,

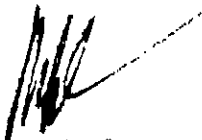

Alexander M. Graham
Regional Senior Justice
West Region

Enclosures
/ec

**ONTARIO COURT OF JUSTICE
PROVINCIAL OFFENCES ACT
PART I**

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 35-2003 of the Township of Georgian Bluffs, attached hereto is the set fine including costs, for those offences. This Order is to take effect December 11, 2003.

Dated at London this 11th day of December, 2003.



Alexander M. Graham
Regional Senior Justice
West Region

**PART II PROVINCIAL OFFENCES ACT
THE CORPORATION OF GEORGIAN BLUFFS
BYLAW # 35-2003 PARKING BYLAW
Set Fines Schedule**

Item	Column 1 Short Form Wording	Column 2 Offences Creating Provision	Column 3 Set Fines
1	Parking where prohibited and signs are posted	Section 3	\$30.00

NOTE: the general penalty section for the offence indicated above is Section 6 of By-Law #35-2003, a certified copy of which has been filed.