

THE CORPORATION OF THE TOWNSHIP OF NORTH FRONTENAC

BY-LAW #28 - 08

BEING A BY-LAW TO REGULATE OR PROHIBIT THE PARKING OF AN OBJECT OR MOTOR VEHICLE ON OR NEAR A HIGHWAY

WHEREAS the *Municipal Act, R.S.O. 200, as amended* provides that a municipality may pass a by-law regulating or prohibiting the parking of an object or vehicle on or near a highway;

AND WHEREAS the *Municipal Act, R.S.O. 2001, as amended* further provides for the removal and impounding or restraining and immobilizing of any object or vehicle, at the vehicle owner's expense, parked or left in contravention of this by-law or the *Highway Traffic Act, as amended*.

AND WHEREAS the *Highway Traffic Act, as amended* provides that a police officer, municipal law enforcement officer or an officer appointed for carrying out the provisions of the Highway Traffic Act, upon discovery of any vehicle parked or standing on a highway in contravention of the *Highway Traffic Act, as amended* or the *Public Transportation and Highway Improvement Act, as amended* or 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 the removal, care and storage of the vehicle are a lien upon the vehicle, which may be enforced in the manner provided by the *Repair and Storage Liens Act*.

AND WHEREAS the Council of the Corporation of the Township of North Frontenac deems it expedient and in the interest of public safety to prohibit the parking of an object or vehicle on or near a highway within the municipality.

NOW THEREFORE the Council for the Corporation of the Township of North Frontenac enacts as follows:

1. In this by-law:

“park” or “parking”, when prohibited means the halting of a motor vehicle, whether occupied or not, except when halting temporarily for the purpose of and while actually engaging in loading or unloading of goods or passengers;

“highway” means all road allowances made by the Crown surveyors located in the municipality; all road allowances, highways, streets and lanes shown on registered plans of subdivision; all highways that existed on December 31, 2002; all highways established by by-law by the municipality on or after January 1, 2003 and all highways transferred to a municipality under the *Public Transportation and Highway Improvement Act, as amended* unless they have been closed;

“vehicle or motor vehicle” means any vehicle drawn, propelled or driven by any kind of power, except muscular power, and includes a trailer, motorcycle, traction engine, farm tractor and road-building machine;

2. Any motor vehicle or object parked on any highway in the Township of North Frontenac shall be subject to removal and impounding at the expense of the registered owner of the vehicle;

3. All resolutions, by-laws or parts of by-laws, which are contrary to or inconsistent with this by-law, are hereby repealed.

READ a first and second time this 10th day of April, 2008.

READ a third time and passed this 10th day of April, 2008.

Mayor

Clerk