

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 07-2004

BEING a by-law to regulate Commercial Motor Vehicle parking.

WHEREAS the Municipal Act, 2001, S.O. c. 25, S. 8 gives the municipality the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this Act.

AND WHEREAS the Municipal Act, 2001, S.O. c. 25, S. 11 authorizes a municipality to pass by-laws respecting matters within the sphere of public works;

AND WHEREAS the Highway Traffic Act, R.S.O. 1990, c. H. 8, subsection 170 (5) provides that a municipality may make regulations prohibiting or regulating the parking, standing or stopping of vehicles upon a highway or any part of a highway or upon any class or classes thereof;

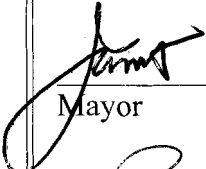
AND WHEREAS Council of the Corporation of the Township of South Stormont deems it expedient to regulate commercial vehicle parking within the hamlet areas of Eamers Corners, Ingleside, Lakeview Heights, Long Sault, Lunenburg, Moulinette Island, Newington, Osnabruck Centre, and St. Andrews West.

NOW THEREFORE Council of the Corporation of the Township of South Stormont enacts as follows:

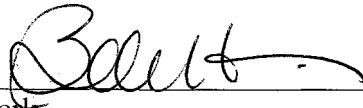
- 1) Definitions
 - (a) "commercial motor vehicle" shall mean a commercial motor vehicle as defined in the Highway Traffic Act, R. S. O. 1990, c. H 8, having a gross weight or registered gross weight of 4,500 kilograms or more but does not include a passenger vehicle or ambulance or any vehicle of a police or fire department;
 - (b) "trailer" shall mean a trailer as defined in the Highway Traffic Act, R. S. O. 1990, c. H 8, a 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 designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and 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;
 - (c) "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, crescent, bridge, or tressel designed and intended for the use by the general public for the passage of vehicles;
 - (d) "Park" or "parking" when prohibited means the standing of a commercial motor vehicle and/or trailer whether occupied or not except when standing temporarily for the purposes of and while actually engaged in loading or unloading merchandise or passengers;
 - (e) "Eamers Corners" shall mean that area as shown on Schedule H of Zoning By-law No. 3845;
 - (f) "Ingleside" shall mean that area as shown on Schedule A1 of Zoning By-law No. 79-44;
 - (g) "Lakeview Heights" shall mean that area as shown on Schedule E of Zoning By-law No. 3845;
 - (h) "Long Sault" shall mean that area as shown on Schedule A5 of Zoning By-law No. 79-44, as amended and Schedules A, B, C, and D of Zoning By-law No. 3845;

- (i) "Lunenburg" shall mean that area as shown on Schedule A3 of Zoning By-law No. 79-44;
 - (j) "Moulinette Island" shall mean that area as shown on Schedule F of Zoning By-law No. 3845;
 - (k) "Newington" shall mean that area as shown on Schedule A4 of Zoning By-law No. 79-44;
 - (l) "Osnabruck Centre" shall mean that area as shown on Schedule A2 of Zoning By-law No. 79-44;
 - (m) "St. Andrews West" shall mean that area as shown on Schedule G of Zoning By-law No. 3845.
- 2) No person shall park a commercial motor vehicle and/or trailer on either side of any highway which is partially or wholly located within the hamlet areas of Eamers Corners, Ingleside, Lakeview Heights, Long Sault, Lunenburg, Moulinette Island, Newington, Osnabruck Centre, and St. Andrews West between the hours of 7:00 p.m. and 7:00 a.m.
- 3) Any person violating Section 2 of this by-law shall be subject to a penalty of not more than \$300.00 and not less than \$25.00.
- 4) That any By-law inconsistent to this By-law is hereby repealed.

READ AND PASSED in open Council, signed and sealed this 14th day of January, 2004.



Mayor



Clerk