

THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 4744A-16

A BY-LAW TO AMEND BY-LAW 4744-14 AS AMENDED,  
BEING A BY-LAW TO ESTABLISH A SYSTEM OF  
ADMINISTRATIVE PENALTIES AND ADMINISTRATIVE  
FEES; AND TO AMEND THE FOLLOWING SCHEDULES;  
SCHEDULE A - DESIGNATED BY-LAW PROVISIONS  
OF THE PARKING AND TRAFFIC BY-LAW  
SCHEDULE B - DESIGNATED BY-LAW PROVISIONS  
OF THE PRIVATE PROPERTY PARKING BY-LAW

**WHEREAS** the Council of The Corporation of the Town of Niagara-on-the-Lake (Council) approved By-Laws 4308-09 and 4309-09 on the 8<sup>th</sup> day of June 2009;

**AND WHEREAS** subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the "Act") provides that the powers of a municipality under any act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

**AND WHEREAS** section 9 of the Act provides that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** section 102.1 OF THE Act provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person failed to comply with any by-law respecting the parking, standing or stopping of vehicles;

**AND WHEREAS** the *Administrative Penalties*, O. Reg. 333/07 regulation to the Act (the "Regulation") requires by-laws respecting parking, standing or stopping of vehicles, or parts of such by-laws, to be designated pursuant to the Regulation for a system of administrative penalties to apply;

**AND WHEREAS** Council considers it desirable and necessary to provide for administrative penalties regarding designated accessible parking and electrical vehicle charging station parking in By-Law 4308-09 as amended, being a by-law to regulate parking and traffic on Town roads;

**AND WHEREAS** Council considers it desirable and necessary to provide for administrative penalties regarding designated accessible parking in By-Law 4309-09 as amended, being a by-law to regulate parking on private property;

**NOW THEREFORE, THE CORPORATION OF THE TOWN OF NIAGARA ON THE LAKE** enacts as follows:

1. That Schedule "A" (Designated By-Law Provisions of the Parking and Traffic By-Law) be amended by adding:

COLUMN ONE	COLUMN TWO	COLUMN THREE
Offence	Section	Administrative Penalty
Stop/Stand/Park an Unauthorized Vehicle in a Designated Accessible Parking Space	202.03	\$400.00
Park in an Electric Vehicle Charging Station while not connected to charging equipment	307.01	\$50.00


2. That Schedule "A" (Designated By-Law Provisions of the Parking and Traffic By-Law) attached to By-Law 4744-14, is hereby deleted and replaced with Schedule "A" (Designated By-Law Provisions of the Parking and Traffic By-Law) attached hereto.
3. That Schedule "B" (Designated By-Law Provisions of the Private Property Parking By-Law) be amended by adding:

COLUMN ONE	COLUMN TWO	COLUMN THREE
Offence	Section	Administrative Penalty
Stop/Stand/Park an Unauthorized Vehicle in a Designated Accessible Parking Space	6.3g	\$400.00

4. That Schedule "B" (Designated By-Law Provisions of the Private Property Parking By-Law) attached to By-Law 4744-14, is hereby deleted and replaced with Schedule "B" (Designated By-Law Provisions of the Private Property Parking By-Law) attached hereto.

This By-Law shall come into full force and effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 16th DAY  
OF MAY 2016.**

  
LORD MAYOR PAT DARTE

  
TOWN CLERK HOLLY DOWD

**SCHEDULE “A”**  
**ADMINISTRATIVE PENALTIES**

**DESIGNATED BY-LAW PROVISIONS OF THE  
PARKING AND TRAFFIC BY-LAW**

1. For the purposes of section 8 of this By-Law, Column Two in the following table lists the provisions in the Parking and Traffic By-Law that are hereby designated for the purposes of section 3(1)(b) of the Regulation.
2. Column One in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column One.
3. Column Three in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column Two.

<b>COLUMN ONE</b>	<b>COLUMN TWO</b>	<b>COLUMN THREE</b>
<b>Offence</b>	<b>Section</b>	<b>Administrative Penalty</b>
Stop/Stand/Park facing the wrong way	201.01	\$30.00
Stop/Stand/Park too far from edge of road	201.02	\$30.00
Stop/Stand/Park too far from edge of shoulder	201.03	\$30.00
Stop/Stand/Park facing wrong way on the left side of a one-way highway	201.04	\$30.00
Stop/Stand/Park too far from left edge/curb of a one-way highway	201.05	\$30.00
Stop/Stand/Park too far from left shoulder edge of a one-way highway	201.06	\$30.00
Stop/Stand/Park contrary to designated angle	201.07	\$30.00
Stop/Stand/Park not within designated space	201.08	\$30.00
Stop/Stand/Park on roadway side of other vehicle	201.09	\$50.00
Stop/Stand/Park on shoulder / boulevard	202.01	\$50.00
Park repeatedly at/near one location	202.02	\$30.00
Stop/Stand/Park an Unauthorized Vehicle in a Designated Accessible Parking Space	202.03	\$400.00
Park large motor vehicle / truck-trailer in residential zone	202.04	\$50.00
Stop on sidewalk	203.01.01	\$50.00
Stop within intersection / crosswalk	203.01.02	\$50.00
Stop adjacent to obstruction so as to impede traffic	203.01.03	\$50.00
Stop on/in or within 30M of bridge/structure/tunnel	203.01.04	\$50.00
Stop on or beside median	203.01.05	\$50.00
Stop on outer boulevard	203.01.06	\$50.00
Stop within 30M of school crossing or crosswalk	203.02.01	\$50.00
Stop within 30M of railway crossing where prohibited by sign	203.02.02	\$50.00
Stop near school or playground where prohibited by sign	203.02.03	\$50.00
Stop within 15M of intersection where prohibited by sign	203.02.04	\$50.00
Stop within 60M of intersection controlled by a traffic signal	203.02.05	\$50.00
Stop where prohibited by sign	203.03	\$50.00
Stand near designated bus stop	204.01.01	\$40.00
Stand where prohibited by sign	204.02	\$50.00
Park within 10M of an intersection	205.01.01	\$40.00
Park within 3M of fire hydrant	205.01.02	\$50.00
Park on an inner boulevard	205.01.03	\$40.00
Park on driveway too close to roadway	205.01.04	\$40.00
Park within 1.5M of driveway or laneway	205.01.06	\$40.00
Park obstructing use of driveway	205.01.06	\$40.00
Park as to block vehicle	205.01.07	\$40.00
Park on highway for sale or lease display	205.01.08	\$40.00
Park for servicing other than an emergency	205.01.09	\$40.00
Park for longer than 12 hours	205.01.10	\$40.00
Park on highway between 2:00am and 6:00am	205.01.11	\$40.00
Park on highway as to interfere with removal of snow	205.01.12	\$50.00
Park near fire hall where prohibited	205.02.01	\$40.00
Park within 22M of intersection where prohibited by sign	205.02.02	\$40.00
Park within 60M of intersection where prohibited by sign	205.02.03	\$40.00
Park within 3M of public building where prohibited by sign	205.02.04	\$30.00

Park within 3M of driveway where prohibited by sign	205.02.05	\$30.00
Park on roadway less than 8M wide	205.02.06	\$30.00
Park within turning basin of a cul-de-sac	205.02.09	\$30.00
Park – location prohibited by Chief of Police or Traffic Coordinator	205.02.14	\$30.00
Park where prohibited by sign	205.03	\$30.00
Park trailer / commercial vehicle where prohibited by sign	205.04	\$30.00
Park exceeding time limit	207.01	\$25.00
Park not within designated metered space	209.02	\$30.00
Park at covered meter	209.03.01	\$30.00
Park in occupied meter space	209.03.02	\$30.00
Park exceeding meter time limit	209.06.01	\$25.00
Park without meter in operation	209.06.02	\$25.00
Overnight sleeping in a parking space	209.11	\$30.00
Park at a public vehicle parking zone	301.02	\$40.00
Park bus not in designated area	301.03	\$50.00
Stand at a public vehicle bus stop	301.05	\$50.00
Stop for the purpose of conducting business – interfere with traffic	303.01	\$50.00
Stop a mobile canteen in prohibited area	303.03	\$40.00
Stand at a taxi stand	304.01	\$30.00
Stop to load or unload in a prohibited area	305.01	\$50.00
Stop in a loading zone	305.02	\$50.00
Park in an Electric Vehicle Charging Station while not connected to charging equipment	307.01	\$50.00

**SCHEDULE “B”**  
**ADMINISTRATIVE PENALTIES**

**DESIGNATED BY-LAW PROVISIONS OF THE  
PRIVATE PROPERTY PARKING BY-LAW**

- 1. For the purposes of section 8 of this By-Law, Column Two in the following table lists the provisions in the Parking and Traffic By-Law that are hereby designated for the purposes of section 3(1)(b) of the Regulation.
- 2. Column One in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column One.
- 3. Column Three in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column Two.

COLUMN ONE	COLUMN TWO	COLUMN THREE
Offence	Section	Administrative Penalty
Park on private property without owners consent	2.2	\$30.00
Park without / expired permit	3.2	\$25.00
Park in restricted area	3.3	\$30.00
Park with ticket facing down	4.3	\$25.00
Park without / expired meter ticket	4.4	\$25.00
Park while parking lot closed	4.6	\$30.00
Park public vehicle without paying fee	5.1	\$50.00
Park not within designated space	6.2	\$30.00
Park in reserved space	6.3a	\$30.00
Stop in loading zone	6.3b	\$50.00
Park in prohibited area	6.3c	\$30.00
Stand in bus stop	6.3f	\$50.00
Stop/Stand/Park an Unauthorized Vehicle in a Designated Accessible Parking Space	6.3g	\$400.00
Park within 3M of fire hydrant	6.4a	\$50.00
Park on boulevard	6.4b	\$50.00
Stop/Stand/Park facing wrong way	6.4c	\$30.00
Stop/Stand/Park impeding traffic	6.4d	\$50.00
Stop as to prevent removal of previously parked vehicle	6.4e	\$30.00
Stop on sidewalk	6.4f	\$50.00
Park obstructing driveway or laneway	6.4g	\$40.00