

The Corporation of the City of Kenora

By-Law Number 180 - 2015

A By-law to Regulate Traffic and Parking in the City of Kenora

Whereas the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes municipalities to pass by-laws respecting highways under their jurisdiction, including parking and traffic on such highways; and

Whereas the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes municipalities to pass by-laws regarding parking on municipally owned and privately owned lands; and

Whereas the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, authorizes municipalities to, among other things, pass by-laws prescribing community safety zones and rates of speed for motor vehicles on highways under their jurisdiction and provides regulations for accessible parking for persons with disabilities;

Now Therefore the Council of the City of Kenora enacts as follows:

PART I – SHORT TITLE AND INTERPRETATION

Short Title

1. This By-law may be cited as the Traffic and Parking By-law.

Interpretation

2. A word or phrase not defined in this By-law shall have the same meaning as the word or phrase in the Highway Traffic Act, if such word or phrase is defined therein.

3. In this By-law,

- a) “accessible parking permit” means a:

- (i) a valid accessible parking permit issued by the Ministry of Transportation of Ontario under the provisions of the Highway Traffic Act; or

- (ii) a valid permit, number plate or other marker or device bearing the international symbol of access for the disabled which has been issued by a jurisdiction outside of Ontario;

- b) “accessible parking space” means a parking space described in Schedules “K” and “L” which is for the exclusive use of a vehicle displaying a permit in accordance with the requirements of Part III of the Highway Traffic Act and this By-law, and which is distinctly indicated as such by signs and/or markings directed or placed in accordance with the requirements of the Highway Traffic Act and this By-law;

- c) “authorized sign” means any roadway, corner, curb or sidewalk marking or any sign or any other device erected or otherwise posted on or about a highway under the authority of this By-law and includes an “official sign”;

- d) "bus stop" means that space adjacent to a curb or roadside reserved for the exclusive use of public transit vehicles to take on and discharge passengers;
- e) "By-law" means this By-law, including its schedules;
- f) "by-law enforcement officer" means a person appointed by the Council of the City to enforce the by-laws of the City;
- g) "City" means The Corporation of the City of Kenora or, where referring to geographic area, the City of Kenora;
- h) "City Engineer" means the person appointed by the City as the City Engineer or his or her designate;
- i) "covered meter" means a parking meter that has been temporarily placed out of service by the placing of a locked City supplied canvas bag over the mechanism;
- j) "crosswalk" means:
 - (i) that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
 - (ii) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface;
- k) "cul-de-sac" means a highway terminating in a turn-around;
- l) "curb" means the lateral boundary of the roadway, whether marked with curb stones, concrete, sidewalk edge or not marked at all;
- m) "driveway" means the improved land on a highway which provides vehicular access from the roadway to adjacent land or a laneway;
- n) "fire hydrant" means any device placed on or about a highway that is intended for the delivery of water to a fire apparatus;
- o) "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
- p) "intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other;
- q) "laneway" means improved land adjacent to a highway which is intended primarily to give access to the rear of buildings and associated parking;

- r) “motor vehicle” includes an automobile, a motorcycle, a motor assisted bicycle unless otherwise indicated in the Highway Traffic Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other motor vehicle running only upon rails, a power assisted bicycle, a motorized snow vehicle, a traction engine, a farm tractor, a self-propelled implement of husbandry or a road-building machine;
- s) “municipal parking lot” means lands, buildings and structures for parking owned or occupied by the City;
- t) “obstruct traffic” means to park or stop a vehicle in such a manner that it interferes with the normal flow of traffic;
- u) “official sign” means a sign approved by the Ministry of Transportation of Ontario;
- v) “one-way street” means a highway, or part of a highway, upon which vehicular traffic is limited to movement in one direction;
- w) “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;
- x) “parking meter” means an electronic or a mechanical device together with its support, erected to control and regulate the parking of a vehicle in a parking space;
- y) “parking meter zone” means that part of a highway or municipal parking lot where parking is controlled and regulated by a parking meter or machine;
- z) “parking space” means that part of the surface of the roadway, City or other public property or private property designated for the purpose of vehicle parking;
- aa) “pedestrian” means any person travelling by foot, and includes a person in a wheelchair;
- bb) “person” includes any individual, organization or corporation;
- cc) “police officer” means a Chief of Police or other police officer or constable but does not include a special constable or a by-law enforcement officer;
- dd) “provincial offences officer” means,
 - (i) a police officer,
 - (ii) a constable appointed pursuant to any Act,
 - (iii) a municipal law enforcement officer of the City referred to in subsection 101 (4) of the Municipal Act, 2001 while in the discharge of his or her duties,
 - (iv) a by-law enforcement officer of the City while in the discharge of his or her duties,

(v) an officer, employee or agent of the City whose responsibilities include the enforcement of this By-law, while in the discharge of his or her duties, or

(vi) a person designated under subsection 1(3) of the Provincial Offences Act;

ee) “public holiday” means New Year’s Day, Family Day, Good Friday, Easter Sunday, Easter Monday, Victoria Day, Canada Day, August Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and any day appointed as a public holiday by proclamation of the Governor-General, the Lieutenant-Governor-in-Council or by the Mayor of the City as a public holiday and the following day when any such holiday, except Remembrance Day, falls on a Sunday;

ff) “roadway” means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately and not to all of the roadways collectively;

gg) “shoulder” means that part of the highway immediately adjacent to the roadway and having a surface which has been improved for the use of vehicles with asphalt, concrete or gravel;

hh) “sidewalk” means that portion of a highway, which has been improved and constructed for the use of pedestrians;

ii) “stand” or “standing”, when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;

jj) “stop” or “stopping”, when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or of a traffic control sign or signal;

kk) “temporary sign” means any portable sign, signal, or device placed under the authority of the City Engineer, or designate, for the purpose of regulating parking or traffic;

ll) “time limit” means the time shown on the faceplate of a parking meter that indicates the length of time that a vehicle can legally occupy that parking space;

mm) “traffic” includes pedestrians, animals, vehicles and other conveyances, either singly or together, while using any highway for the purpose of travel;

nn) “traffic control device” means any sign, signal or marking placed for the purpose of warning, regulating, guiding or directing traffic;

oo) “traffic control signal” or “traffic signal” means any device manually, electrically, mechanically or otherwise operated for the regulation or control of traffic;

pp) “trailer” means 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;

- qq) "U-turn" means the turning of a vehicle within the highway so as to proceed in the opposite direction from which the vehicle was travelling immediately prior to making the turn;
- rr) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car;
- ss) "Veteran's License Plate" means a provincial license plate issued to a vehicle owned by, and registered to a Canadian Veteran, and in which, at the time of parking, the Veteran was an occupant therein; and
- tt) "wheelchair" means a chair mounted on wheels driven by muscular or any other kind of power, that is designed for and used by a person whose mobility is limited by one or more conditions or functional impairments.

- 4. In this By-law,
 - a) wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances;
 - b) references to items in the plural include the singular, as applicable; and
 - c) the words "include", "including", "included" or "includes" are not to be read as limiting the phrases or descriptions that precede or follow them.

5. Unless otherwise defined, specific references to statutes and regulations in this By-law are meant to refer to the current statutes and regulations applicable within the Province of Ontario as at the time this By-law was enacted, as they are amended and revised from time to time.

6. References to statutes include any regulations passed under that statute.

7. Headings appearing in this By-law are for convenience of reference only and have no effect on its interpretation.

8. Where a distance is used in this By-law as a part of a prohibition of parking or stopping within a specified distance of an object, structure, land or a part of a highway, such distance shall be measured:

- a) along the curb or edge of the roadway from a point in such curb or edge of roadway opposite the nearest edge of such object, structure, land or part of a roadway, unless the context otherwise requires;

and

- b) from such point in the curb or edge of roadway in all directions.

9. The various prohibitions of this By-law are cumulative and not mutually exclusive.

10. If any section, subsection, article, paragraph or any part of this By-law is declared by a court or tribunal of competent jurisdiction to be invalid or unenforceable, that part shall be considered to be severable from the balance of the By-law. The balance of the By-law shall remain in full force and effect notwithstanding the judicial holding.

11. Where any expression of time occurs, or where any hour or other period of time is stated, the time referred to shall be either standard time or daylight savings time, whichever is in effect in the City at the time the By-law is interpreted.

PART II – TRAFFIC CONTROL SIGNS AND SIGNALS

12. The City Engineer is authorized to erect or otherwise post and maintain such signs, including authorized signs, traffic control signals, markings, barricades, traffic control devices and other structures, plants and equipment as are required to give effect to the provisions of this By-law and as are required to regulate, direct, warn or guide pedestrian and vehicular traffic and parking for the safety and convenience of the public.

13. Traffic signal systems as referred to in the Highway Traffic Act are approved at the intersections of the highways designated in Schedule “A” to this By-law.

14. Every person in charge of a vehicle and every person on any highway shall promptly obey all signals given by a provincial offences officer or by a traffic control signal and shall comply with the requirements of all traffic control devices.

15. Except where otherwise authorized by this By-law, no person shall post upon or in view of any highway any sign, signal, marking, thing or device which:

- a) resembles or purports to be or is an imitation of an authorized sign, a traffic control device or traffic control signal;
- b) purports to regulate parking or traffic on a highway; or
- c) conceals from view or interferes with or distracts from the effectiveness of an authorized sign, a traffic control device or a traffic control signal.

PART III – PARKING AND STOPPING

Manner of Parallel Parking

16. No person shall park a vehicle on any highway unless;

- a) on the right side of the highway, having regard to the direction in which the vehicle was travelling, with the right front and rear wheels not more than thirty (30) centimetres from the edge of the roadway where a curb is provided or, in the absence thereof, as near as is practicable to the right hand limit of the highway, without parking or stopping over any part of the highway which is landscaped or which is not intended for the use of vehicles; or

- b) where permitted on a highway designated for one-way traffic, on the right side of the highway in accordance with paragraph (a), or on the left side of the highway, having regard to the direction in which the vehicle was required to proceed, provided the left front and rear wheels are not more than thirty (30) centimetres from the edge of the roadway where a curb is provided, or, in the absence thereof, as near as is practicable to the left hand limit of the highway, without parking or stopping over any part of a highway which is landscaped or which is not intended for the use of vehicles.

17. Notwithstanding section 16, where there is a raised curb, no person shall park a motorcycle or permit a motorcycle to be parked on any highway,

- a) at an angle greater than forty-five (45) degrees relative to such curb; or
- b) in such a manner that both the front and rear wheel of the motorcycle are parked more than thirty (30) centimetres away from such curb.

18. Sections 16 and 17 shall not apply where angle parking is permitted under this By-law.

Manner of Angle Parking

19. No person shall park a vehicle on a highway or on part of a highway set forth in Schedule "D" hereto, except as closely as practicable to the angle of 45° and so that the front portion of the vehicle shall be nearest to the edge of the roadway.

20. No person shall park a vehicle on a highway or part of a highway set forth in Schedule "E" hereto, except as closely as practicable to the angle of 90° and so that the front portion of the vehicle shall be nearest to the edge of the roadway.

Lengthy Vehicles

21. No person shall:

- a) angle park a vehicle or combination of vehicles having an overall length of 6.7 metres or more, or having more than two axles on any highway;
- b) park a vehicle or combination of vehicles having an overall length of more than 6.7 metres on any highway at any time for a period greater than one (1) hour; or
- c) park a trailer on any highway at any time for any purpose unless the same shall be securely attached to a vehicle capable of drawing the same upon a highway.

22. Paragraphs 21(a)-(c) do not apply to large vehicles or combination of vehicles and detached trailers parked pursuant to provisions of a special permit issued by the City Clerk.

Limited/Restricted Parking

23. When authorized signs have been posted, no person shall park a vehicle on any highway between the limits and at the side set out respectively in Columns 1, 2 and 3 of Schedule

“C” to this By-law during the times or days and for a longer period than that set out in Column 4 of the said Schedule.

No Parking – Seasonal Basis

24. When authorized signs have been posted, no person shall park a vehicle on any highway between the limits and at the side set out respectively in Columns 1, 2 and 3 of Schedule “F” to this By-law during the period specified in Column 4 of the said Schedule.

No Stopping

25. When authorized signs have been posted, no person shall stop a vehicle on any highway between the limits and at the side set out respectively in Columns 1, 2 and 3 of Schedule “Q” to this By-law during the times or days set out in Column 4 of the said Schedule.

Parking in Municipal Parking Lots

26. No person shall park a vehicle in a municipal parking lot contrary to signs posted therein.

No Parking – Tow Away Zone

27. When authorized signs have been posted, no person shall park a vehicle upon any highway or the portions thereof set forth in Schedule “B” to this By-law.

Snow Removal and Other Highway Maintenance

28. When authorized signs have been posted, no person shall park a vehicle on any highway during snow removal, street sweeping or other necessary maintenance on that highway.

Parking Prohibited Without Signs

29. Subject always to all of the provisions of this by-law relating to the parking of vehicles, no person shall park a vehicle on any highway for any consecutive period exceeding forty-eight (48) hours.
30. No person shall park a vehicle at any of the following places:
- a) on or partly on or over a sidewalk;
 - b) in front of or within one (1) metre of a laneway or driveway;
 - c) within six (6) metres of an intersection, unless lawfully parked at a meter in a parking meter zone;
 - d) within three (3) metres of a fire hydrant, unless lawfully parked at a meter in a parking meter zone;
 - e) on or partly on or over a crosswalk;

- f) on a boulevard;
- g) on any bridge or the approaches thereof;
- h) on any highway or municipal parking lot in such a manner as to obstruct traffic;
- i) in such a position as will prevent the convenient removal of any other vehicle previously parked or standing;
- j) in any laneway, except for a maximum period of fifteen minutes while actually engaged in loading or unloading of merchandise; or
- k) on any highway unless there are displayed on the vehicle, in the manner prescribed by law:
 - i) number plates issued in accordance with the provisions of the Highway Traffic Act, showing the number of the permit issued by the Province of Ontario for the vehicle and there is affixed to a number plate displayed on the vehicle, in the prescribed manner, evidence of the current validation of the permit;
 - ii) number plates issued in accordance with the laws of another jurisdiction and there is affixed to the number plate displayed on the vehicle, in the prescribed manner of that jurisdiction, evidence of the current validation of the permit, where so required by that jurisdiction; or
- l) on any municipal property, including municipal highways, laneways, driveways and parking lots, to display “For Sale” or similar signage on any vehicle or item.

Parking and Stopping Prohibited With Signs

Places of Large Assemblage

31. When authorized signs have been posted, no person shall park a vehicle or permit a vehicle to remain parked on any highway in front of the main entrance to, or any emergency exit from, any hospital, medical centre, nursing home, hotel, theatre, auditorium or other building or enclosed space in which persons may be expected to congregate in large numbers.

32. When signs have been posted, no person shall park a vehicle or permit a vehicle to remain parked on any hospital, medical centre or nursing home lands in front of the main entrance to, or any emergency exit from, any hospital, medical centre or nursing home building and any vehicle that is not parked in compliance with such signs shall be deemed to have been parked without the consent of the owner of the hospital, medical centre or nursing home lands, as the context requires.

Bus (Public Transit) Zones

33. A bus stop shall be deemed to be established by the City when an authorized sign or marker has been posted.

34. When authorized signs are posted, no person shall park or stop a vehicle in a bus zone.
35. Section 34 does not apply to a public transit motor vehicle.

School Bus Loading Zones

36. The highways fronting the schools set out in Column 1 of Schedule “S” to this By-law between the limits set out in Column 2 of the said Schedule on the side set out in Column 3 of the said Schedule are designated as “School Bus Loading Zones”.
37. When authorized signs are posted, no person shall park or stop a vehicle in a School Bus Loading Zone.

Cul-de-Sacs and Dead End Highways

38. When authorized signs are posted, no person shall park or stop a vehicle:
 - a) within the turning basin of a cul-de-sac; or
 - b) within fifteen (15) metres of the end of the roadway on a dead end highway.

Accessible Parking

39. The accessible parking spaces on the highways identified in Schedule “K” and the accessible parking spaces on the City owned or occupied lands other than highways and on the lands not owned or occupied by the City identified in Schedule “L”, and which are marked in accordance with the provisions of the Highway Traffic Act and the Regulations thereunder, are designated as accessible parking spaces.
40. No person shall park a vehicle in an accessible parking space unless:
 - a) a valid accessible parking permit has been issued to that person and the permit is displayed in accordance with the provisions of the Highway Traffic Act; and
 - b) the driver of the vehicle is transporting, picking up or dropping off a person who has been issued a valid permit and the permit is displayed in accordance with the provisions of the Highway Traffic Act.
41. No person who owns or operates a parking lot or other parking facility to which the public has access shall require a driver of a vehicle with an accessible parking permit displayed to pay an amount in excess of the normal fee paid by other users of the same parking lot or parking facility.

Parking and Stopping – Exemptions

42. The provisions of this by-law prohibiting or regulating stopping and parking shall not apply to:
 - a) ambulance, police, fire or other emergency vehicles;
 - b) City vehicles; or
 - c) any vehicle where an emergency reasonably prevents removal of the vehicle.

Parking Meters and Parking Meter Zones

43. The general provisions of this by-law are applicable to vehicles parked in parking meter zones except as expressly provided otherwise under the “Parking Meters and Parking Meter Zones” heading or in Schedule “G”.

Zones and Fees

44. The highways or portions of highways more particularly set forth in Schedule "G" and those portions of the municipal parking lots at which parking meters have been erected or parking machines installed are hereby designated and established as parking meter zones.

45. A person when parking in a metered parking space shall deposit a fee in the parking meter or machine which governs that parking space. Payment for time shall be as set out in Schedule "G" of this By-law.

46. Section 45 shall not affect the privilege of the driver of a vehicle of using the unexpired time as shown by the indicator in the parking meter governing that parking space.

Days and Times When Deposit of a Fee is Not Required and When Parking in a Parking Meter Zone is Prohibited

47. No deposit of a fee in a parking meter or machine is required for parking in a parking space governed by a parking meter or machine on a Sunday or a public holiday nor between the hours of six o'clock in the afternoon and nine o'clock in the forenoon of the following day.

48. Notwithstanding section 47, no person shall park a vehicle on any highway within a parking meter zone between 2:00 a.m. and 6:00 a.m. from November 1st each year until the following 30th day of April.

Specific Fee Payment Exemptions

49. When a valid City-issued Parking Meter Permit or Guest Parking Permit is displayed in a vehicle parked in a parking space governed by a parking meter or machine, no fee needs to be deposited in the parking meter or machine, as applicable.

50. It is a special regulation of the City that a vehicle displaying a Veteran's License Plate shall be exempt from the requirement to deposit a fee in a parking meter or machine but such exemption does not permit parking for a period of time which is greater than the maximum period of time stated on a parking meter which governs that parking space.

Manner of Parking in Parking Meter Zones on Highways

51. Except where angle parking is indicated, any vehicle parked in any parking meter zone on a highway shall be parked parallel to the curb with the front bumper of each vehicle alongside of or next to the parking meter governing such parking space, provided that where double head parking meters are in use, vehicles shall be parked within each such parking space so that the bumper of such vehicle is within fifteen (15) centimetres of an imaginary line drawn perpendicular to the curb from the stem of such parking meter.

52. Where angle parking is indicated on a highway, vehicles shall be parked in accordance with the lanes or markings indicated and the provisions of Sections 19 and 20 of this By-law shall apply.

Expired Meter

53. No person shall park a vehicle or allow a vehicle to remain parked in a parking space in a parking meter zone when the meter, or the ticket obtained from the parking machine, as applicable, for the parking space shows that the time for parking has expired.

54. A parking meter showing "violation" will be deemed to be a contravention of this By-law.

Overtime Parking

55. No person shall allow a vehicle to remain parked in a parking space in a parking meter zone for a period of time that exceeds the maximum period of time stated on the parking meter that governs that parking space.

56. The offence of overtime parking is committed even if an additional fee was deposited in the parking meter and a violation is not indicated on the parking meter.

57. Sections 55 and 56 do not apply when a valid City-issued Parking Meter Permit or Guest Parking Permit is displayed in a vehicle parked at a parking meter.

Covered Meter

58. No person shall park a vehicle in an area designated as a parking meter zone when there is a covered meter at the parking meter governing the said parking space.

General Parking Meter Zone Prohibition

59. No person shall park a vehicle on any highway or part of a highway, municipal parking lot or parking area designated as a parking meter zone except in compliance with the provisions of this By-law.

Parking Enforcement Measures

60. A provincial offences officer for the purposes of enforcing the provisions of this By-law, or of any other City by-law or regulation respecting the parking of vehicles, may make or place a temporary mark upon a vehicle which is parked on a highway or in a municipal parking lot.

61. No person shall remove, alter, obliterate or deface a mark made or placed upon a vehicle by a provincial offences officer as provided in Section 60 until the vehicle has been moved through the nearest intersection.

Vehicles Subject to Removal When Illegally Parked

62. In addition to any other penalties provided by this By-Law, upon discovery of any vehicle parked, stopped or standing on any highway in contravention of the provisions of this By-Law, a provincial offences officer may cause such vehicle to be moved or taken to and

placed or stored in a suitable place and the owner of the vehicle shall be responsible for the expenses incurred by the City for both the removal and the impounding of the vehicle and all costs and charges for the removing, care and storage thereof are a lien upon the vehicle being released and may be enforced in the manner provided by the Repair and Storage Liens Act.

63. In addition to any other penalties provided by this By-Law, where signs have been posted regulating parking in a municipal parking lot, any vehicle parked or left contrary to any such regulation shall be deemed to have been parked or left without the consent of the City, and the vehicle may be removed from the property or impounded and the owner of the vehicle shall be responsible for the expenses incurred by the City for both the removal and the impounding of the vehicle and all costs and charges for the removing, care and storage thereof are a lien upon the vehicle being released and may be enforced in the manner provided by the Repair and Storage Liens Act.

PART IV – MOVEMENT OF TRAFFIC

U-turns

64. No person shall make a U-Turn:

- a) upon any highway unless it can be made in safety without interfering with other traffic; or
- b) at any intersection where a “No U-Turn” sign has been posted.

One-Way Streets

65. The provisions of Schedule “M” hereto shall apply to and govern the directions of traffic on those highways more particularly set forth in Schedule “M”.

Funeral and Other Processions

66. No person shall intersect a funeral procession or a procession authorized by the City Clerk while it is in motion except under the direction of a police officer and the driver of a vehicle in a funeral or other procession shall follow the vehicle ahead as closely as is practical and safe and the headlights of every such vehicle in a funeral or other authorized procession shall be lighted.

Boarding and Alighting From A Vehicle

67. No person shall board or alight from a vehicle while such vehicle is in motion.

Pedestrians

68. Pedestrians shall cross at right angles to the highway.

69. Pedestrians shall not:

- a) step from the sidewalk onto a highway without looking in both directions; or

b) stand in a group or near to each other on any sidewalk or any other part of a highway in such a manner as obstructs or impedes the free passage of pedestrians or vehicles along or across such sidewalk or other part of a highway.

Heavy Vehicles

70. No person shall drive any motor vehicle or haul any tractor engine, tractor or other heavy vehicle not equipped with rubber tires upon any paved or hard surfaced highway unless such person shall first have obtained permission in writing from the City Engineer to do so and, if such permission is given, the permittee shall thereupon comply with any regulations or instructions contained in the letter of permission from the City Engineer.

Backing Up

71. No person shall back a vehicle into, or partly into, an intersection or over, or partly over, a crosswalk.

72. No person shall back any vehicle at any place unless such movement can be made in safety.

Bicycles

73. A person operating a bicycle:

- a) shall ride as near to the right-hand side of the roadway as is practicable;
- b) shall exercise all due care when passing a parked or standing vehicle or a vehicle proceeding in the same direction as the bicycle;
- c) shall ride in single file when following or in front of another cyclist;
- d) shall not carry any person, package, bundle or article in such a manner as to interfere with the proper management and control of the bicycle;
- e) shall not park the bicycle on a highway except in such a manner as to cause the least possible obstruction to pedestrian and vehicular traffic; and
- f) shall not ride a bicycle with a wheel or wheels more than forty-five (45) centimetres in diameter upon any sidewalk.

Left Turns from Centre Lanes

74. Where authorized signs are posted, a vehicle may travel in the centre lane of traffic in preparation of making a left turn where it has been designated for use by traffic moving in the direction in which the vehicle is proceeding on a portion of a highway set out in Column 1 of Schedule "H" to this By-law, from the limits set out in Column 2 to the limits set out in Column 3 and in the direction set out in Column 4 of the said Schedule.

Provisions Regulating Traffic at Intersections

75. Where authorized signs are posted, no person operating a vehicle shall, from a highway set out in Column 1 of Schedule "N", in the direction of travel set out in Column 2, make the turn or movement in Column 3, at the location set out in Columns 1 and 2, during the times or days set out in Column 4 of the said Schedule.

76. Where authorized signs are posted, the intersections set out in Column 1 of Schedule "O" are hereby designated as "Stop Intersections" for traffic travelling in the directions on the highways set out in Column 2 of the said Schedule.

77. Where authorized signs are posted, the intersections set out in Column 1 of Schedule "P" are hereby designated as "Yield Intersections" for traffic travelling in the directions on the highways set out in Column 2 of the said Schedule.

78. Where authorized signs have been posted, no person operating a vehicle on a highway set out in Column 1 of Schedule "U" to this By-law shall enter into a highway set out in Column 2 of the said Schedule in the direction set out in Column 3 of the said Schedule.

Rates of Speed

79. Subject to section 80, no person shall drive a motor vehicle at a greater rate of speed than fifty (50) kilometres per hour on any highway under the jurisdiction of the City.

80. No person shall drive a motor vehicle at a greater rate of speed than the maximum rate of speed set out in Column 3 of Schedule "T" of this Bylaw at the locations set out in the said Schedule.

Community Safety Zones

81. The highways or portions thereof more particularly set out in Schedule "R" to this By-law are hereby designated as Community Safety Zones within the meaning of section 214.1 of the Highway Traffic Act during the times and days set out in Column 3 in the said Schedule.

PART V- GENERAL

Enforcement

82. Except as otherwise expressly provided by this By-law, the Highway Traffic Act or the Municipal Act, 2001, every person who,

- a) contravenes any provision of this By-law; or
- b) is the owner of a vehicle that is parked or stopped in contravention of this By-law,

is guilty of an offence and on conviction is liable to a fine or any other penalty as provided for in the Provincial Offences Act.

Repeal

83. By-law 127 - 2001 and all amendments and consolidations of it shall be repealed on the date that this By-law comes into force and effect.

Commencement

84. This By-law shall come into force and effect fourteen (14) days after the Regional Senior Justice of the Ontario Court of Justice approves set fines for offences under this By-law.

By-law read a First and Second Time this 15th day of December, 2015

By-law read a Third and Final Time this 15th day of December, 2015

The Corporation of the City of Kenora:-

David S. Canfield, Mayor

Heather Kasprick, City Clerk