

**THE CORPORATION OF THE TOWNSHIP OF ASSIGINACK**

**BY-LAW #2025-23**

**BEING A BY-LAW to Amend By-law 2025-20 Regulate and Control  
Parking and Traffic in the Township of Assiginack**

**WHEREAS** the appropriate authority is found in Section 8 of the Municipal Act, S.O., 2001, Ch. 25, as amended.

**AND WHEREAS** By-law #2025-20 was enacted in Council on the 15th of July, 2025;

**AND WHEREAS** the Ministry has final authority on approval of Set Fines Schedules and has advised on making amendments;

**NOW THEREFORE** the Council of the Corporation of the Township of Assiginack enacts as follows:

1. THAT we repeal and replace "Schedule E & F" of By-law 2025-20 as attached.
2. This by-law shall come into force and effect on the date of its final passing.

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Read a FIRST, SECOND, and THIRD time and enacted in Open Council, this 19<sup>th</sup> day of August 2025.

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Mayor: Brenda Reid

SEAL

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Clerk: Stasia Carr

# **THE CORPORATION OF THE TOWNSHIP OF ASSIGINACK**

## **BY-LAW # 2025-20**

### **BEING A BY-LAW to Regulate and Control Parking and Traffic in the Township of Assiginack**

**WHEREAS** Section 11(3) of *The Municipal Act* permits a municipality to pass by-laws in relation to Highways, including parking and traffic on highways

**NOW THEREFORE the Council of the Corporation of Township of Assiginack ENACTS AS FOLLOWS:**

#### **Part I – Definitions**

- 1.1 AUTHORIZED EMERGENCY VEHICLE** means any vehicle from the fire department, police, ambulances, and any other emergency vehicle of Federal, Provincial, or Municipal Departments or of public or private utilities.
- 1.2 AUTHORIZED SIGN** means any sign or other device placed or erected on a highway under the authority of this by-law for the purpose of regulating, warning or guiding Traffic and includes official signs.
- 1.3 BOULEVARD** Means that part of the highway situated between the roadway and the property lines of the lots abutting the highway and excludes a shoulder and a sidewalk if any.
- 1.4 BUS (SCHOOL) LOADING ZONE Means** that portion of the highway designated by authorized sign to or for the use of buses as space for loading and unloading passengers only.
- 1.5 COMMERCIAL MOTOR VEHICLE** Means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, purses, fire apparatus, buses, and tractors used for hauling purposes on the highways.
- 1.6 CORPORATION** means the corporation of the Township of Assiginack.
- 1.7 COUNCIL** means the municipal council of the corporation of the Township of the Assiginack.
- 1.8 CROSSWALKS** means:
- a) That part of the highway on the intersection that is included within the connections of the latter alliance have the sidewalks opposite sides of the highway measured from the curves, or in the absence of curbs from the edges of the roadway.
- 1.9 DRIVER** means every person who drives a vehicle on the highway or is an actual physical control of a vehicle.
- 1.10 GROSS WEIGHT** means the combined weight of a vehicle and load.
- 1.11 ACCESSIBLE PARKING** Means a permit issued by the Ministry of transportation pursuant to the provisions of the Highway Traffic Act of Ontario, R.S.O. 1980. Chapter an amendment thereto.

- 1.12 HEAVY VEHICLE** Means a commercial vehicle having a weight, when loaded, 3 tons or more, when loaded, of five tons or more, but does not include a passenger vehicle, an ambulance or any vehicle of a police or fire department.
- 1.13 HIGHWAY** Means the common public highway, St. Come Ave., Parkway, driveway, square, place, bridge, viaduct or trestle, any part which is intended or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- 1.14 INTERSECTION** Means the area embraced within the prolongation or connection of the lateral curb lines, or, if not, then at the lateral boundary lines of two or more highways that join one another at an angle, whether one highway crosses the other.
- 1.15 MOTOR VEHICLE** means an automobile, motorcycle, motor assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power, but just not include the cars of electric or steam railways or other motor vehicles running only upon rails or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry, or road building machine.
- 1.16 MUNICIPALITY** means the corporation of the Township of Assiginack.
- 1.17 OFFICIAL SIGN** means a sign consistent with the Manual of Uniform Traffic Control Devices.
- 1.18 PARK OR PARKING** means when prohibited the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while engaged in loading or unloading merchandise or passengers.
- 1.19 PEDESTRIAN** means any person on foot or in a wheelchair, or a child in a carriage.
- 1.20 PEDESTRIAN CROSSOVER** means a portion of a roadway, designated by a by-law of the municipality, at an intersection or elsewhere, distinctly indicated for pedestrian crossing signs on the highway and lines or other markings on the surface of the roadway as prescribed by the regulations under the Highway Traffic Act R.S.O. 1990 chapter H8 as amended.
- 1.21 PERSON** means any natural person, firm current partnership, association, or corporation.
- 1.22 POLICE OFFICER** means a member of the Ontario Provincial Police force.
- 1.23 THE PROVINCIAL OFFENCES ACT** Means the provincial offences act, R.S.O. 1990 chapter P-33 as amended and regulations thereto.
- 1.24 ROADWAY** means the part of the highway that is improved, designed for ordinary use for vehicular traffic, but does not include the shoulder, anywhere a highway includes 2 or more separate roadways, the term roadway refers to any one roadway separately and not to all the roadways collectively.
- 1.25 SCHOOL BUS LOADING ZONE** Means the part of a highway designated for the use of school buses for loading and unloading of schoolchildren.

**1.26 SIDEWALK** means apart or strip of land paved or otherwise in on for alongside a highway and designed and intended for or used by the general public pedestrian travel "SIDEWALK" Includes any structure above or below ground designed or intended for the use of pedestrians even if said structure is wholly or partially above or below a highway.

**1.27 SKITCHING** (from "skate-hitching",) means the act of hitching a ride by holding onto a motor vehicle while riding on a skateboard, skates, sled, running shoes, etc.

**1.28 STOP or STOPPING** Means when prohibited 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 have a traffic control sign or signal.

**1.29 THROUGH HIGHWAY** means any highway or part of highway designated as such by the minister of transportation and communications, or by by-law of the municipality, and every such highway shall be marked by a stop sign or yield right away sign in compliance with the regulations of the Ontario ministry I have transportation and communications.

**1.30 TRAFFIC** means pedestrians, ridden or herded animals' vehicles, buses, or any another convenience is either singly or together while using any highway for the purpose of travel.

**1.31 TRAFFIC CONTROL DEVICE** means any sign, signal traffic light, control system, marking, or devised placed or erected by the authority of Council for the purposes of regulating, warning or guiding traffic.

**1.32 U TURN** means to turn a vehicle within a roadway to proceed in the opposite direction to the direction in which the said vehicle was proceeding immediately prior to the set turn.

**1.33 VEHICLE** means a motor vehicle, trailer, traction engine farm tractor, Rd. building machine, and any motor vehicle drawing prepared for German bar and the kind of motor including muscular power but just not include a motorized snow vehicle form because of electrical stimulators running up on railroads.

**1.34 YELLOW ZONE** means prohibited parking, as referred to in Section 5 of this bylaw.

**1.35 COMMUNITY SAFETY ZONE** means parts of a roadway where public safety is of special concern including roadways near schools, daycare centres, retirement facilities, or areas of roadway with high accident rates.

**1.36 JAKE BRAKES** means a secondary braking system on a transport truck operated through engine or the transmission to slow the transport down.

## **Part II – Authorized Signs and Traffic Control Devices**

### **THE PUBLIC WORKS SUPERINTENDENT**

**2.1** The Public Works Superintendent of the Corporation is hereby authorized to place or erect, and to maintain such authorized signs and traffic

control devices, as may be necessary to give effect to the provisions of this by-law or as required to warn or guide traffic for the safety or convenience of the public.

- 2.3** Yellow paint applied to a curb is hereby declared to be an authorized sign indicating that parking is prohibited where the curb is so marked.

### **Part III – Parking and Stopping**

- 3.1** No person shall cause a vehicle to be stopped on any highway unless on the right side of the highway, having regard to the direction in which the vehicle is proceeding.

#### **4.0 Parking Prohibited**

- 4.1** No person shall at any time park a vehicle in any of the following places:

- a) on or overhanging a sidewalk
- b) within an intersection
- c) on a crosswalk
- d) within six (6) metres of a crosswalk or stop signs at an intersection
- e) in front of, or within one and half (1.5) metres of the entrance to private or public lane or driveway or so as to prevent ingress and egress to or from such driveway
- f) within a school bus loading zone, unless that vehicle is as defined in the Highway Traffic Act.
- g) unless otherwise specified, on any bridge, or the approach thereto
- h) in such a position as to prevent the convenient removal of any vehicle previously parked
- i) upon any street in such a manner or under such conditions as to have available less than three (3) metres of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers except where stopping is prohibited, or when necessary obedience to traffic regulation or traffic signs, or signals of a Police Officer
- j) on any street in such a manner as to obstruct traffic
- k) on any street in such a manner as to obstruct municipal services
- l) for the purpose of carrying on business (loading or unloading of merchandise, sales, etc.) stop a vehicle on a highway for no more than a ten (10) minute period of time.
- m) within nine (9) metres of the point at which the curb or edge of the roadway begins to curve for the purpose of forming an intersection with another street, unless otherwise permitted by official signs.
- n) Park in an accessible parking spot without an issued permit.

#### **5.0 Parking – Snow Removal**

- 5.1** No person shall park on a roadway within the municipality from November first (1<sup>st</sup>) to April fifteenth (15<sup>th</sup>) of the following year between 1 a.m. and 6 a.m. (during winter ban).

#### **6.0 Parking of Bicycles**

- 6.1** No person shall park a bicycle along the curb of any street or on any boulevard or sidewalk unless the same stands securely upright.

#### **7.0 Emergency Prohibition of Parking**

- 7.1** No person shall park or leave a vehicle on any street or portion thereof where parking or traffic has been suspended by the head of police or their designate during an emergency or under special circumstances deemed sufficient, as indicated by appropriate signs or signals. Notwithstanding anything to the contrary contained herein, the head of police during an emergency or special circumstances deemed sufficient therefore, may using appropriate signs or signals, suspend the movement of any or all vehicular traffic on any street or portion thereof and/or, may suspend any or all parking thereon by authorizing the displaying of "no parking" signs. The head of police or his designate during such emergency may declare that any vehicle already parked is being parked illegally regardless of the time permitted for parking such vehicle under provisions under this by-law and notwithstanding that the period allowed to the owner or driver under this by-law has not expired, provided however, that in this event, the owner or driver of such vehicle is personally notified by a police officer that parking at such a place has been suspended, and further the owner or driver of such vehicles is allowed a reasonable period of time to remove the said vehicle.

## **8.0 Barricades**

- 8.1** No person shall drive a vehicle through or enter upon any highway roped or barricaded or marked by an authorized sign prohibiting its use for the time being owing to repairs or for any other purpose.

## **9.0 Emerging from Lane or Driveway**

- 9.1** No person shall cross a sidewalk from a lane or driveway without allowing pedestrians the right of way.

## **10.0 Vehicles on Sidewalk**

- 10.1** No person shall drive a vehicle on a sidewalk except of the purpose of directly crossing the sidewalk on a permanent or temporary driveway.
- 10.2** No person shall drive a motor vehicle over a raised curb except at a place where a ramp exists.

## **11.0 Skitching**

- 11.1** No person shall "skitch" on a highway, roadway, or sidewalk.

## **12.0 Through Highways**

- 12.1** The parts of a highway named and described in Schedule "D" to this by-law are designated as "Through Highways" as defined in the Highway Traffic Act as amended.
- 12.2** The Designation in Subsection 1 of a highway as a "Through Highway" shall not include Any intersection thereon.

## **13.0 Stops at Intersections**

- 13.1** No person shall fail to stop a vehicle at an intersection designated in Schedule "A" to this by-law where a stop sign has been erected facing oncoming traffic in the direction of travel.

## **14.0 Yield Right of Way**

- 14.1** No person shall fail to yield the right of way at an intersection designated in Schedule "B" to this by-law where a yield sign has been erected facing oncoming traffic in the direction of travel.

**15.0 Prescribed rates of speed**

- 15.1** The rate of speed on Cardwell Street from Meredith St. to Wikwemikong First Nations reserve boundary line shall be 60 kilometres an hour. No person shall exceed the speed limit on Cardwell Street.
- 15.2** Where authorized signs are displayed the highways named and described in schedule C see this by last shall be designated as community safety zones under subsection 214.1 (1) or (2) of the Highway Traffic Act as amended.

**PART IV MISCELLANEOUS PROVISIONS**

**16.0 Removal of Illegally Parked Vehicles**

- 16.1** when any vehicle is parked in contravention of any section of this bylaw, a police officer may take such a vehicle or cause same to be taken to and stored in a suitable place and all costs and charges for removal care or storage thereof shall be a lien upon such vehicle.

**17.0 Obstructing Traffic**

- 17.1** No person shall operate any vehicle upon or along any street so as to obstruct traffic unreasonably in a manner to prevent traffic from maintaining a reasonable rate of speed.
- 17.2** No person shall operate a slow moving vehicle other than as near as practicable to the right-hand edge of the roadway, having regard to the circumstances and weather conditions.
- 17.3** No person shall open excavations, erect barricades or store earth, or any construction materials or park work equipment on any portions of any street or open lane without first obtaining the necessary permission.
- 17.4** No driver of a vehicle shall enter any intersection unless there is sufficient space on the other side of the intersection or cross walk to accommodate said vehicle without extracting passage of other vehicles or pedestrians notwithstanding any traffic signal indication to proceed.
- 17.5** No person shall obstruct, and encumber, injure or foul any highway, street, roadway, laneway or bridge within the Township of Assiginack, or cause any such highway by throwing or depositing or causing to be thrown or deposit if there on any snow or ice.

**18.0 Obedience to Signals of Police Officer, Traffic Sign or Signal**

- 18.1** No person shall disobey a signal or direction given either by police officer or traffic control device or signal.

## **19.0 School Bus Loading Zone**

- 19.1** Pursuant to section 175 thirteen of the Highway Traffic act as amended, no person shall park or stop where it is restricted to school buses only in the school loading zones between the hours of 8:00 in the morning and 5:00 in the afternoon during school days.
- 19.2** That all bus turnarounds be kept clear of all vehicles and no person shall park within 100 feet of such bus turning places.

## **20.0 Enforcement**

- 20.1** Where a vehicle is found parked in violation of the provisions of this By-law, the By-law Enforcement Officer so finding the vehicle may attach to the vehicle a Certificate of Parking Infraction, which states:
- a) the licence number of the vehicle and any other identification marking, if any, of such vehicle
  - b) The date, time and location when such vehicle is parked in violation of any of the provisions of this by-law
  - c) That the vehicle has violated the provisions of the by-law and nature of the alleged offence
  - d) That the owner or operator thereof may report to the Corporation within fifteen (15) days after the date the Certificate of Parking Infraction was issued to make voluntary payment of the penalty indicated on said certificate.
- 20.2** The owner of a motor vehicle may be charged with and convicted of an offence for contravention of any provision of this by-law for which the driver of the vehicle is subject to be charged unless at the time of the offence the vehicle was not in the possession of some person other than the owner without the owner's consent.

## **21.0 Vehicle Towing**

- 21.1** In addition to any other penalties provided for in this by-law, a By-law Enforcement officer, where a vehicle is in contravention of this by-law. At their discretion, may cause the vehicle to be removed, taken away and stored in a suitable place and all costs and charges incurred are the responsibility of the owner of said vehicle and shall be lien, upon the vehicle, which lien may be enforced in the manner provided for by the Repair and Storage Liens Act R.S.O., 1990, Chapter R 25, as amended.

## **22.0 Penalties**

- 22.1** Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction shall be liable to a fine of not more than five thousand (\$5,000) dollars, as provided for in the Provincial Offences Act, R.S.O. 1990, Chapter P.33

## **23.0 Schedules**

- 23.1** The schedules "A through F" in this by-law shall be deemed to form part of this by-law.



**24.0 Severability**

- 24.1** If any section or sections of this by-law conflicts with an Act or regulation or another by-law to be illegal or beyond the power of Council to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of this by-law shall be deemed to be separate and independent therefrom and to be enacted as such.

**25.0 Conflict**

- 25.1** If a Provision of this by law conflicts with an act or regulation or another by law the provision that is the most restrictive shall prevail.

**26.0 Repealed by-laws**

- 26.1** This by-law repeals any other previous parking bylaw and any amendments thereof.

**27.0 Effective Date**

- 27.1** This by-law shall come into force and take effect upon September 1, 2025.

**READ A FIRST AND SECOND TIME this 15 day of July, 2025.**

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**Mayor:** \_\_\_\_\_

**Clerk:** \_\_\_\_\_

<div>Schedule A</div> <div>Stops in Intersections</div>		
STREET	DIRECTION OF TRAVEL	INTERSECTING STREET
Albert	Both	Wellington
Albert	Both	Queen
Albert	Both	Napier
Arthur	South	Meredith / Cardwell
Arthur	Both	Queen
Bidwell Rd.	East	Hwy 6
Campbell	South	Queen
Cardwell	Noth West	Arthur / Meredith
Church	West	Roger's Creek Rd
Clover Valley Rd.	North	Cardwell
Co-op Lane	East	Michaels Bay Rd.
Corbett's Beach Rd.	West	Hwy 6
Cowan's Side Rd.	West	Hwy 6
Field's Rd.	East	Hwy 6
High Falls Rd.	West	Hwy 6
Holiday Haven Rd.	East	Bidwell Rd.
Howe	Both	Nelson
Howe	Both	Walcot
Howe	Both	Napier
Howe	North	Wellington
Koryk	South	Cardwell
Lecourt	West	Arthur
Lower Slash Rd	Both	Church
Lower Slash Rd.	Both	Church
MacDonald's Side Rd.	West	Clover Valley Rd
Manitoulin East Airport	South West	Hwy 6
Martin Meadow Lane	West	Cardwell
McAuley's Rd.	North East	Hwy 6
McMullen's Side Rd.	South East	Lower Slash Rd
McMullen's Side Rd.	West	Clover Valley
Meredith	West	Rd
Michael's Bay Rd.	Both	Hwy 6
Michael's Bay Rd.	South	Hwy 6
Moggy Parkway	Both	Queen
Moggy parkway	North	Hwy 6
Monkhouse's Rd.	Eat	Road allowance btwn Con 6 & Con 7
Napier	West	Sunsite Estates Rd.
Napier	Both	Bidwell Rd.
Nelson	West	Minael's Bay Rd.
Nelson	Both	Arthur
Nelson	Both	Albert
New England Rd.	Eat	Hwy 6
Plummer	West	Arthur

<u>Schedule B</u>		
<u>Yield Right of Way Signs</u>		
Lower Slash Road	South West	Slash Road

<div><div><u>Schedule C</u></div><div><u>Community Safety Zones</u></div></div>	
Cardwell Street	From intersection of Arthur Street to Meredith Stret to intersection of Clover Valley Road.
Queen	Within School Zone Signs

<b><u>Schedule D</u></b>		
<b><u>Through Highways</u></b>		
Street	From	To
Arthur	Queen – South side	Meredith
Meredith	Arthur / Cardwell	Hwy 6 – East Side
Queen	Hwy 6 – East Side	Arthur – East Side

**Corporation of the Township of Assiginack By-law No. 2025-20**

**Schedule E (Part I)**

**Set Fines under the Provincial Offences Act, R.S.O. 1990, c. P.33**

This schedule of set fines is established for offences under By-law No. 2025-20, "A By-law to Regulate and Control Parking and Traffic in the Township of Assiginack."

**Schedule E (Part I)**

Item	Short Form Wording	Provision	Set Fine
1	Drive on closed/barricaded road	8.1	\$75.00
2	Fail to yield to pedestrian on sidewalk	9.1	\$65.00
3	Drive on sidewalk where prohibited	10.1	\$65.00
4	Drive over curb where no ramp exists	10.2	\$75.00
5	Skitching on roadway, sidewalk, or highway	11.1	\$50.00
6	Fail to stop at posted stop sign	13.1	\$90.00
7	Fail to yield at posted yield sign	14.1	\$90.00
8	Exceed 60 km/h speed limit on Cardwell Street	15.1	\$95.00
9	Obstruct traffic unreasonably	17.1	\$100.00
10	Fail to keep right with slow-moving vehicle	17.2	\$65.00
11	Store materials or equipment on road without permission	17.3	\$90.00
12	Enter blocked intersection	17.4	\$90.00
13	Obstruct, foul, or damage roadway	17.5	\$100.00
14	Disobey police or traffic control signal	18.1	\$90.00

“NOTE: The general penalty provision for the offences listed above is section 22.1 of By-Law 2025-20, a certified copy of which has been filed.”

**Corporation of the Township of Assiginack By-law No. 2025-20**

**Schedule F (Part II)**

**Set Fines under the Provincial Offences Act, R.S.O. 1990, c. P.33**

This schedule of set fines is established for offences under By-law No. 2025-20, "A By-law to Regulate and Control Parking and Traffic in the Township of Assiginack."

1	Park on or over sidewalk	4.1 (a)	\$50.00
2	Park in intersection	4.1(b)	\$50.00
3	Park on crosswalk	4.1(c)	\$50.00
4	Park within 6 metres of crosswalk or stop sign	4.1(d)	\$50.00
5	Park blocking driveway	4.1(e)	\$50.00
6	Park in school bus loading zone	4.1(f)	\$65.00
7	Park on or near bridge	4.1(g)	\$50.00
8	Obstruct another parked vehicle	4.2(h)	\$50.00
9	Park with less than 3m of roadway clearance	4.3(i)	\$60.00
10	Park obstructing traffic	4.1(j)	\$60.00
11	Park obstructing municipal services	4.1(k)	\$60.00
12	Park for business longer than 10 minutes	4.1(l)	\$50.00
13	Park within 9m of intersection curve	4.1(m)	\$50.00
14	Park in an accessible parking spot without a government issued permit.	4.1(n)	\$65.00
15	Park during winter ban (1am to 6am)	5.1	\$60.00
16	Improperly parked bicycle	6.1	\$30.00
17	Park during parking suspension	7.1	\$75.00

“NOTE: The general penalty provision for the offences listed above is section 22.1 of By-Law 2025-20, a certified copy of which has been filed.”