

B I L L
No. 213
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B Y - L A W N U M B E R 9 0 2 3

**A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN
THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL
STREETS, MUNICIPAL PARKING LOTS AND PRIVATE
PROPERTIES**

Passed the 8th day of June, 1987

WHEREAS pursuant to the provisions of subsection 208//55 of The Municipal Act, R.S.O. 1980, Chapter 302, councils of all municipalities are empowered to pass by-laws for acquiring and laying out lands and buildings where vehicles may be parked, and for regulating and governing the parking of vehicles thereon;

AND WHEREAS pursuant to the provisions of subsection 315//8 of the said Municipal Act the councils of all municipalities are empowered to pass by-laws for erecting and operating on any highway or portion of a highway parking meters;

AND WHEREAS subsection 210//150 of the said Municipal Act authorizes the Council of municipalities to pass by-laws designating parking spaces for persons with disabilities and to prohibit the use of such spaces by other vehicles; (~~deleted & replaced – B/L 210-2008, Dec.1/08~~)

AND WHEREAS pursuant to the provisions of subsection 210//118 and 119 of the said Municipal Act, the Council of local municipalities may pass by-laws for allowing the parking of motor vehicles on designated parts of highways for specified periods pursuant to permits issued, for charging such fee as the Council may determine and for exempting pursuant to permits issued the owners and drivers of vehicles operated by or carrying person(s) with disabilities; (~~deleted & replaced – B/L 210-2008, Dec.1/08~~)

AND WHEREAS subsection 210//125 of the said Municipal Act authorizes the Councils of local municipalities to pass by-laws prohibiting the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, and on property owned or occupied by the municipality without the consent of the municipality;

AND WHEREAS the Council of The Corporation of the City of Windsor may pass by-laws pursuant to the provisions of Section 1 of The City of Windsor Act, 1974, S.O. 1974, Chapter 168, for regulating and designating fire routes in the City of Windsor;

NOW THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

PART I**INTERPRETATION**

1. In this by-law -
 - "**Administrative Penalty**" means an administrative penalty established by this By law (ADDED B/L 112-2013 JULY 8/13)
 - (1) "**Accessible Parking**" means parking, which is designated by signage, for persons with disabilities who are in possession of a valid Ontario Accessible Parking Permit; (added B/L 210-2008, Dec.1/08)
 - (1A) "**Building**" means a building as defined in The Building Code Act, S.O. 1992, c.23 as amended by S.O. 1997, c.21¹ and S.O. 1997, c.30, Schedule B², and includes such other structures as are designated in the Building Code, but does not include a building located in such close proximity to a public highway that complete emergency and fire protection can be provided for the building and its occupants and contents while the emergency and Fire Department vehicles stand on such public highway;
 - (1a) ~~"**Boulevard**" means that portion of every right of way within the limits of the City of Windsor which does not form part of the paved highway, sidewalk, driveway, or shoulder, and without taking away from the generality of the foregoing shall include any part or any ornamental median strip of the highway. (added B/L 9142, September 21, 1987; amended B/L 9381, May 9, 1988)(deleted B/L 82-2010 May 17, 2010)~~
 - (1a) "**Boulevard**" means all parts of the highway save and except any roadway, shoulder, driveway or sidewalk. (Replaced B/L 82-2010 May 17, 2010).
 - 1.1. "**Bicycle**" includes a tricycle, a unicycle but does not include a motor-assisted bicycle or a Power-assisted bicycle. (ADDED B/L 162-2013 OCT 21/13)
 - 1.2. "**Bicycle Lane**" shall mean a dedicated portion of a roadway for bicycle use, which is designated by lane marking separating the portion of roadway used by motor vehicles from the portion used by bicycles and power assisted bicycles. (ADDED B/L 162-2013 OCT 21/13)
 - (2) "**Building Inspector**" means the Chief Building Official;
 - (3) "**Bus Stop**" means a space marked by a sign indicating such space to be for the sole use of buses in taking on or unloading passengers;
 - (4) "**Chief Building Official**" means the Executive Director of Development Processing Services;
 - (5) "**Chief of Police**" means the Chief of Police of the Corporation or his authorized subordinates;

"**City**" means the Corporation of the City of Windsor (ADDED B/L 112-2013 JULY 8/13)

 - (6) "**Commercial Motor Vehicle**" means any motor vehicle having permanently attached thereto a truck or delivery body, and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses, and tractors used for hauling purposes on the highway and any vehicle bearing commercial license plates;
 - (6A) "**Executive Director of Operations**" means the Executive Director of Operations or designated subordinate; (inserted B/L 11573, Sept.20/93)(deleted & added, B/L 7-2006, Jan.30/06)
 - (7) "**Control Gate**" shall mean an automatically operated gate device used for the purpose of controlling and regulating the parking of any vehicle on a municipal parking lot;
 - (8) "**Corporation**" shall mean The Corporation of the City of Windsor;
 - (9) "**Council**" shall mean the Council of the Corporation;

- (9a) **"Crosswalk"** means 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. **(added B/L 9142, September 21, 1987)**
- (10) ~~"Cul-de-sac" shall mean that part of a highway open at one end only, with special provisions for turning around by a vehicle;~~**(DELETED B/L 94-2013 JUNE 17/13)**
- "Cul de sac"** shall mean that part of a highway open at one end only and which part is used for turning manoeverability and which exceeds the standard width of the highway **(ADDED B/L 94-2013 JUNE 17/13)**
- (11) **"Curb"** shall include the edge of the travelled portion of any highway;
- (12) **"Designated Fire Route"** means a fire route designated as provided by this by-law and listed in Schedule "DD" hereto annexed, as amended;
- (13) **"Designated Accessible Parking Space"** means a parking space designated under this by-law for the exclusive use of a vehicle displaying a permit in accordance with the requirements of the Highway Traffic Act, the regulations thereto, and this by-law. **(inserted B/L 10868, Dec.9/91) (amended B/L 210-2008, Dec.1/08)**
- (14) **"Double Park"** means to park or stand a vehicle on the same side of the highway along side of and parallel to, or nearly parallel to another vehicle already parked or standing at the curb of such highway except in obedience to traffic regulations, signs or signals. **(inserted B/L 11338, Feb.15/93)**
- (14A) **"Driveway" or "Driveway Access"** means the portion of a street which is improved to permit the passage of vehicles between the adjacent roadway and the abutting property. **(added B/L 132-2009, August 24, 2009)**
- (15) **"Chief Fire Official"** means the Chief of the Fire Department of the Corporation, or his authorized subordinates;
- "Fees and Charges By-law"** means the City's By-law 392-2002 as amended from time to time **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – Hearing No Show"** means an administrative fee from time to time established by the Fees and Charges By-law in respect of a Person's failure appear at the time and place scheduled for a hearing before a Hearing Officer **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – Late Payment"** means an administrative fee from time to time established by the Fees and Charges By-law in respect of a Person's failure to pay an Administrative Penalty by the date on which it is due and payable **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – MTO Plate Denial"** means an administrative fee from time t time established by the Fees and Charges By law for notifying the Registrar of Motor Vehicles for the purpose of plate permit denial **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – MTO Search"** means an administrative fee from time to time established by the Fees and Charges By law for searching the records of the Ontario Ministry of Transportation **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – Screening – No Show"** means an administrative fee from time to time established by the Fees and Charges By law in respect of a Person's failure to appear at the time and place scheduled for a review by a Screening Officer **(ADDED B/L 112-2013 JULY 8/13)**
- (16) **"Fire Department"** means the Fire Department of the Corporation;
- (17) **"Fire Route"** means any road, lane, ramp or other means of vehicular access to or egress from a building or structure and it may include part of a parking lot;
- (17A) **"Front Lot Line"** means the shortest exterior lot line **(ADDED B/L 182-2016 DEC 12/16)**

- (17B) **“Front Yard”** means a yard extending across the full width of a lot between the front lot line and the nearest wall of a main building on such lot. (ADDED B/L 182-2016 DEC 12/16)
- (18) **"Registered Gross Weight"** shall mean the gross weight of the vehicle that is registered on the vehicle ownership. (substituted B/L 9142, September 21, 1987)
- (18A) **“Gross Vehicle Weight Rating”** shall mean gross weight of the vehicle that is listed on the manufacturers sticker adhered to a vehicle’s door or body. (added B/L 57-2009, March 30/09)
- “Hearing Officer”** means hearing officer from time to time appointed pursuant to the City’s Screening and Hearing Officer By-law 80-2013 as amended from time to time (ADDED B/L 112-2013 JULY 8/13)
- “Hearing Officer Appeal Form”** means the form to be completed and delivered to the City when requesting a review by a Hearing Officer, or requesting an extension of time to request a review by a Hearing Officer. The Hearing Officer Review Form is available on the City’s website www.citywindsor.ca and at Administrative Penalties, Parking Enforcement Office, 1266 McDougall Avenue, Windsor, Ontario N8X 3M7
- (19) **"Highway"** includes a common and public highway, street, avenue, parkway, driveway, square, place, alley, bridge, viaduct or trestle designed and intended for or used by the general public for the passage of vehicles;
- (19A) **"Holidays"** means Statutory Holidays including: New Years Day, Good Friday, Easter Monday, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day, or any other day designated as such by the Council of the Corporation. (added B/L 11550, Aug. 16/93)
- (20) **"Intersection"** shall mean the area embraced within the prolongation or connection of the lateral curb lines or if none, then the lateral boundary lines of two or more highways which join one another at an angle, whether or not one highway crosses the other;
- (21) **"Loading Zone"** shall mean an area or place on a highway established by authority of this by-law for accommodation of commercial vehicles and the loading and unloading of goods, wares, merchandise or passengers;
- (21A) **“Lot”** means a contiguous parcel of land under one ownership, the boundaries of which are on record in the Land Registry Office of the County of Essex (No. 12) in the Registry or Land Titles Division (ADDED B/L 182-2016 DEC 12/16)
- (21B) **“Lot Line”** means the boundary of a lot (ADDED B/L 182-2016 DEC 12/16)
- ~~**“Manager of Traffic Operations”** means the person who holds the position of Manager of Traffic Operations for the City (ADDED B/L 112-2013 JULY 8/13)(DELETED B/L 126-2016 AUG 22/16)~~
- “Senior Manager of Traffic Operations, Parking and Transportation Planning”** means the person who holds the position of Senior Manager of Traffic Operations, Parking and Transportation Planning for the City (ADDED B/L 126-2016 AUG 22/16)
- (21A) **“Median” or “Median Island”** shall mean a raised curb protected area of the roadway not meant for vehicular travel, separating direction of vehicle travel and or preventing undesirable turning movements. Median islands shall include splitter islands on the approaches of roundabouts. (added B/L 82-1010 May 17, 2010)
- (21B) **“Motor Assisted Bicycle”** shall mean a motor assisted bicycle as defined by The Highway Traffic Act, R.S.O. 1990, cH-8 amended (ADDED B/L 162-2013 OCT 21/13)
- (22) **"Motorcycle"** means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three (3) wheels in contact with the ground, and including a bicycle with a motor attached and a motor scooter;

- (23) **"Motor Vehicle"** includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, motor assisted bicycle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of The Highway Traffic Act;
- (23A) **"Multi-use Recreational Trail"** shall mean a path physically separated Motor Vehicle traffic by an open space or barrier located on public property, which accommodates two way non motorized travellers including Bicyclists and Pedestrians (**ADDED B/L 26-2017 FEB 6/17**)
- (23B) **"Multi-use Recreational Trail Crossing Location"** shall mean a location where a Multi-Use Recreational Trail enters and/or crosses a Highway (**ADDED B/L 26-2017 FEB 6/17**)
- (24) **"Municipal Parking Lot"** shall mean a parking lot owned and operated on behalf of the Corporation, and shall include a Parking Garage established under the provisions of this by-law;
- (25) **"Occupant"**, when used in relation to property, shall mean,
- (a) the tenant of the property or part thereof whose consent shall extend only to the control the land of which he is tenant and any parking spaces allotted to him under his lease or tenancy agreement,
 - (b) the spouse of a tenant,
 - (c) a person or the Corporation, or a local board thereof, having an interest in the property under an easement or right-of-way granted to or expropriated by the person, municipality or local board whose consent shall extend only to the part of the property that is subject to the easement or right-of-way,
 - (d) a person authorized in writing by an occupant as defined in clause (a), (b) or (c) to act on the occupant's behalf for requesting the enforcement of this by-law.
- "Officer"** includes members of Windsor Police Services, Provincial Offences Officers of the City of Windsor and any other person authorized by the City to enforce this by law (**ADDED B/L 112-2013 JULY 8/13**)
- (26) **"Operator"** shall mean any person who operates or who is in charge of a vehicle upon a highway;
- (27) **"Owner"**, when used in relation to property, means
- (a) the registered owner of the property,
 - (b) the registered owner of a condominium unit, whose consent shall extend only to the control of the unit of which he is owner and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration or description of the property,
 - (c) the spouse of a person described in clause (a) or (b),
 - (d) where the property is included in a description registered under the Condominium Act, the board of directors of the condominium corporation, or
 - (e) a person authorized in writing by the property owner as defined in clause (a), (b), (c) or (d) to act on the owner's behalf for requesting the enforcement of this by-law;
- (28) **"Parked, Park or Parking"** shall mean to allow a vehicle to remain stationary on a street except in obedience to traffic regulations, signs, or signals, or for a longer period of time than is actually required for the purpose of taking on or discharging passengers, or loading or unloading of merchandise;

- (29) **"Parking Lot"** means a parking area to which the public has access whether on payment of a fee or otherwise;
- (30) **"Parking Meter"** means an automatic or other mechanical device used for the purpose of controlling and regulating the parking any vehicle in a parking space, and measuring and recording the duration of such parking, and includes a **"Pay and Display Machine"** in which a ticket is issued allowing a period for parking and which ticket must be displayed on the right-hand side of the front windshield of the parked vehicle;
- (31) **"Parking Space"** means a portion of a Highway or a municipal or private Parking Lot that is designated for the parking of a vehicle;
- (32) **"Pedestrian"** shall mean a person travelling on foot and includes a person in a wheelchair and a child in baby carriage;

"Penalty Notice" means a notice given pursuant to sections 81 and 82 (ADDED B/L 112-2013 JULY 8/13)

"Penalty Notice Date" means the date specified on the Penalty Notice pursuant to section 82 (ADDED B/L 112-2013 JULY 8/13)

"Penalty Notice Number" means the number specified on the Penalty Notice pursuant to section 82 (ADDED B/L 112-2013 JULY 8/13)

- (33) **"Permit for Accessible Parking"** means a disabled person parking permit issued under the Highway Traffic Act or a permit, number plate or other marker or device issued by another jurisdiction and recognized under that Act. (inserted B/L 10868, Dec. 9/91)(amended B/L 210-2008, Dec.1/08)

- (33A) **"Power Assisted Bicycle (e-bike)"** shall mean a power assisted bicycle as defined by the Highway Traffic Act, R.S.O. 1990, cH-8 as amended (ADDED B/L 162-2013 OCT 21/13)
"Person" includes an individual, partnership, association, firm or corporation (ADDED B/L 112-2013 JULY 8/13)

- ~~(34) **"Provincial Offences Officer"** shall mean any employee of the Corporation who is duly appointed by the Council of the Corporation, for the purpose of enforcing the provisions of the Corporation's by-laws;(DELETED B/L 126-2016 AUG 22/16)~~

- (34) **"Provincial Offences Officer"** shall mean an officer, employee or agent of the Corporation who is duly appointed by the Council of the Corporation, for the purpose of enforcing the provisions of the Corporation's by-laws (ADDED B/L 126-2016 AUG 22/16)

- (34a) **"Roadway"** means any part of the highway that is improved, designed or ordinarily used for vehicular traffic; (added B/L 10798, Sept.23/91)

1. S.O. 1997, c24 received Royal Assent on November 28, 1997
2. S.O. 1997, c30 received Royal Assent on December 8, 1997

- (34B) **"Roundabout"** shall mean a form of intersection that accommodates counter clockwise traffic flow in a circular direction around a centre island. The exit way and entryway of roundabouts are separated by a median splitter island. (Added B/L 82-2010 May 17, 2010)

"Screening Decision" means a decision made by a Screening Officer pursuant to section 85 (ADDED B/L 112-2013 JULY 8/13)

"Screening Decision Date" means the date on which a Screening Decision is made pursuant to section 85 (ADDED B/L 112-2013 JULY 8/13)

"Screening Officer" means a person from time to time performing the functions of a Screening Officer pursuant to the Screening Officer and Hearing Officer By law 80-2013 as amended from time to time (ADDED B/L 112-2013 JULY 8/13)

"Screening Officer Review Form" means the form to be completed and delivered to the City when requesting a review by a Screening Officer, or requesting an extension of time to request a review by a Screening Officer. The Screening Officer Review form is available on the City's website www.citywindsor.ca and at Administrative Penalties, Parking Enforcement Office, 1266 McDougall Avenue, Windsor, Ontario N8X 3M7

- (35) **"Service Road"** means a road that,
- (i) provides private access to a building, or parking area, and
 - (ii) is located on the property of the owner;
- (35a) **"Set Fine"** means the fine for parking infractions pursuant to the Provincial Offences Act Part II as set by the Chief Judge of the Province of Ontario. **(added B/L 9143, Sept. 21/87)**
- ~~(35A) **"Shoulder"** means that a portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved or maintained to support a stop vehicle. **(Added B/L 82-2010 May 17, 2010) Deleted B/L 122-2010 July 26/10**~~
- (35A) **"Shoulder"** means that a portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved or maintained to support a stopped vehicle, for emergency use and for lateral support. **(Added B/L 122-2010 July 26/10)**
- (36) **"Sign, authorized"** means any sign or roadway, curb or sidewalk marking or other device placed or erected on a fire route under the authority of this by-law for the purpose of regulating, warning or guiding traffic;
- (36a) **"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. **(added B/L 9143, Sept. 21/87)**
- (36A) **"Signed Location"** means a portion of a highway between appropriate signage that is designated for the parking of a vehicle **(ADDED B/L 113-2017 JULY 17/17)**
- (36b) **"State of Abandonment"** means state of ill repair, unroadworthy, without licence plates, with illegal licence plates, stolen or deserted; **(added B/L 11976, Oct. 3/94)**
- (37) **"Stop or Stopping"** shall mean a vehicle's complete cessation of movement;
- (37A) **"Taxicab"** means a vehicle as defined in the Highway Traffic Act used for hire for the conveyance of passengers and shall include a "horse-drawn carriage" and a "livery vehicle". **(added B/L 10410, Sept. 10/90)**
- (38) **"Taxicab Stand"** means the designated portion of a highway adjacent to the curb where a designated number of taxicabs may stand while waiting for fares or while loading or unloading passengers;
- (39) **"to"** shall mean including or comprehending when referring to the days of the week;
- (40) **"Traffic"** shall include pedestrians, ridden animals, vehicles and other conveyances either singly or together while using any highway for the purposes of travel;
- (41) **"Treasurer"** shall mean the Treasurer of the Corporation or his designated subordinate;
- (42) **"Traffic Control Device"** means any sign, or roadway, curb or sidewalk marking or other device erected or placed under the authority of the Council for the purpose of guiding or directing traffic;
- (42A) **"Traffic Circle"** shall mean a form of road intersection that accommodates counter clockwise traffic flow in a circular direction around a centre island. The exit way and entryway of roundabouts are not separated by a median splitter island. **(Added B/L 82-2010 May 17, 2010)**

- (43) **deleted B/L 11573, Sept. 20/93**
- (44) **"Vehicle"** includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but not including the cars of electric or steam railways running only upon rails;
- (44A) **"Yard"** means an open space, which is located on the same lot as a building or other structure, and is unoccupied and unobstructed from ground to sky except for any encroachments not prohibited by Zoning By law 8600 as amended (**ADDED B/L 182-2016 DEC 12/16**)
- (45) **"Zoning Requirements"** means the requirements set out in the Zoning By-laws of the Corporation, as amended, or any by-law enacted in substitution therefor.
- (46) **"Pedestrian Crossover"** means, any portion of a roadway, as designated by this by-law, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by signs on the highway and lines or other markings on the surface of the roadway as prescribed by regulations passed pursuant to the Highway Traffic Act, R.S.O. 1980, Chapter 98, as amended from time to time. (**added B/L 10104, Jan.29/90**)
- (47) **"School Bus"** shall mean a bus that is painted chrome yellow, and displays on the front and rear thereof the words "school bus" and on the rear thereof the words "do not pass when signals flashing" (**ADDED BY-LAW 73-2017 MAY 8/17**)

PART II

GENERAL RULES

2. Where any expression of times occurs or any hour or other period of time is stated, the time referred to shall be standard time or daylight saving time, whichever shall be proclaimed to be in effect in the Municipality.
3. That By law 9023 as amended be further amended by adding Schedule "A" attached hereto, as **SCHEDULE "W"** to By-law 9023 (**ADDED B/L 112-2013 JULY 8/13**)
4. That By law 9023 as amended be further amended by deleting sections 71, 73 and 74

OBEDIENCE TO POLICE OFFICERS

3. In the event of highway construction, repairs or maintenance, erection or placement of traffic control devices, or in the event of a fire or other emergency, or during a parade or other concourse of traffic, traffic may be directed by any police officer or by signs erected or placed at the direction of the Chief of Police as conditions require, and it shall be a violation of this by-law for any person to disobey or refuse to comply with the orders, signal or direction of such police officer or such sign. (**amended B/L 9143, Sept. 21/87**)

TRAFFIC SIGNS AND SIGNALS

4. The Executive Director of Operations is hereby authorized to place or erect, and to maintain such signs as may be necessary to give effect to the provisions of this by-law, or as are required to warn or guide traffic for the safety or convenience of the public. (**amended B/L 11573, Sept.20/93**)(**deleted**

& added, B/L 7-2006, Jan.30/06)

5. No person shall place, maintain or display upon or in view of any road any sign, signal, marking or device which purports to be or is an imitation of or resembles any traffic control device or which conceals from view or interferes with the effectiveness of any traffic control device.

6. No person shall wilfully move, alter, deface or otherwise interfere with any traffic control device erected or placed pursuant to the provisions of this by-law.

PARKING ON BOULEVARDS

7. No person shall park a vehicle on, over or along any boulevard, sidewalk, curb, pathway, footpath or crosswalk used by or set aside for the use of pedestrians and forming part of any highway, or being in or upon any park, park lot, boulevard, garden or other place set apart for ornament or embellishment, or for public recreation within the Municipality. **(inserted B/L 10676, May 21/91; amended B/L 11338, Feb.15/93)**

PARKING AND STOPPING REGULATIONS

~~8. When properly worded or marked signs have been erected and are on display, no person shall park a vehicle on the highways or portions of the highways set out in Schedule "A" (Limited Parking On), Schedule "B" (Alternate Parking Limited Parking On), Schedules "H" and "Z" (Parking for persons with disabilities) and Schedule "I" (Loading Zones) hereof for a longer period of time than therein specified as the parking limit within the hours and on the days during the months therein provided. (amended B/L 9143, Sept. 21/87; B/L 9268, Jan. 18/88; BL 11338, Feb.15/93; amended B/L 11638, Nov.15/93; amended B/L 11662, Dec.6/93) (amended B/L 210-2008, Dec.1/08)(DELETED B/L 94-2013 JUNE 17/13)~~

~~8. When properly worded or marked signs have been erected and are on display, no person shall park a vehicle on the highway or portions of the highways as set out in Schedule "A" (Limited Parking On), Schedule "B" (Alternate Parking Limited Parking On), Schedules "H" and "Z" (Parking for persons with disabilities) hereof for a longer period of time than therein specified as the parking limit within the hours and on the days during the months therein provided (ADDED B/L 94-2013 JUNE 17/13)(DELETED B/L 70-2014 MAY 5, 2014)~~

~~8. When properly worded or marked signs have been erected and are on display, no person shall park a Vehicle on the Highway or portions of the Highways as set out in Schedule "A" (Limited Parking), Schedule "B" (Alternate Parking Limited On), Schedules "H" and "Z" (Parking for persons with disabilities) and Schedule "I" (Loading Zones) hereof for a longer period of time than therein specified as the parking limit within the hours and on the days during the months therein provided. (ADDED B/L 70-2014 APR 22/14)(DELETED B/L 34-2017 FEB 21/17)~~

8. When properly worded or marked signs have been erected and are on display, no person shall park a Vehicle on the Highway or portions of the Highways as set out in Schedule "A" (Limited Parking), Schedule "B"

(Alternate Parking – Limited On), Schedule “H” and “Z” (Parking for persons with disabilities) and Schedule “I” (Loading zones) hereof for a longer period of time than therein specified as the parking limit within the hours and on the days during the months therein provided effective 9:00 a.m. on the first day of each month (**ADDED B/L 34-2017 FEB 21/17**)

9. (amended B/L 9143, Sept. 21/87; repealed B/L 9268, Jan. 18/88.)

10.(1) No person shall park a vehicle at any time -

- (a) on any street in state of abandonment; (**inserted B/L 11976, Oct. 3/94**)(**deleted and added B/L 277-2005, Nov.21/05**)
- (b) within three metres (3 m.) either side of a direct line measured at right angles from the curb, from any fire hydrant;
- (c) within a fifteen metre (15 m.) space immediately in front of the main entrance to theatres, apartment houses, hospitals, hotels, theatre exits and other places of public assembly; (**amended B/L 9143, Sept. 21/87**)
- (d) within a fifteen metre (15 m.) space immediately in front of the main entrance to churches, unless permitted under the provisions of this by-law or any other by-law of the Corporation;
- (e) on any bridge or any subway, or on the approaches thereto, or in any alley;
- (f) in such a position as to prevent the convenient removal of any other vehicle previously parked;
- ~~(g) immediately in front of any driveway.(DELETED B/L 44-2012 APR 16/12)~~
- (1)(g) immediately in front of any portion of any driveway (**ADDED B/L 44-2012 APR 16/12**)
- (h) on any fire route designated in Schedule “DD”;
- (i) on any roadway so as to obstruct or interfere with the movement of traffic, unless otherwise permitted in this by-law (**added B/L 10798, Sept.23/91**) (**amended B/L 11338, Feb.15/93**)
- ~~(j) on core salt/plough routes as set out in Schedule “II” (Core Salt/Plough Routes) hereof, for forty eight (48) hours following the end of any snowfall above seven and one half centimetres (7.5 cm). (added B/L 63-2002, Mar.4/2002)(DELETED B/L 70-2014 APR 22/14)~~
- (j) On core salt/plough routes as set out in Schedule “II” (Core Salt/Plough Routes) hereof, for forty-eight (48) hours following the end of any snowfall above seven and one half centimetres (7.5 cm) when publicly declared by the Corporation (**ADDED B/L 70-2014 APR 22/14**)
- (k) within fifteen metres (15m) of the nearest rail of level railway crossing. (**added B/L 7-2006, Jan. 30/06**)
- (l) within a fifteen metre (15m) space immediately adjacent the entrance(s) to a fenced park, unless permitted under the provisions of this by-law or any other by-law of the Corporation. (**added B/L 64-2008, Apr.14/08**)
- (m)along the entire frontage of any park with unrestricted access, unless permitted under the provisions of this by-law or any other by-law of the Corporation. (**added B/L 64-2008, Apr.14/08**)
- (n) In a designated space that is signed electrical vehicle parking only unless such vehicle is in the process of being re-charged (**ADDED B/L 106-2015 AUG 4/15**)

(2) When properly worded or marked signs have been erected and are on display, no person shall park a vehicle -

- (a) ~~in any designated loading zone during the hours and the days therein provided in this by-law, except as permitted in this by-law (substituted B/L 9310, Feb.29/88);(DELETED B/L 94-2013 JUNE 17/13)~~
- (a) ~~Other than a commercial vehicle displaying a valid permit for accessible parking in accordance with Section 21(6), standing on the portions of the highways hereinafter designated in Schedule "T" (loading zones) or hereof, except during the hours, days and months therein provided (ADDED B/L 94-2013 JUNE 17/13)(DELETED B/L 70-2014 APR 22/14)~~
- (a) Other than a Commercial Motor Vehicle or a Vehicle displaying a valid permit for accessible parking in accordance with Section 21(4) standing on the portions of the Highways hereinafter designated in Schedule "T" (Loading Zones) or hereof, except during the hours, days and months therein provided (ADDED B/L 70-2014 APR 22/14)
- (b) within fifteen metres (15 m.) of an intersection unless permitted under the provisions of this or any other by-law of the Corporation or on any highway or portion of the highway set out in Schedule "C" (No Parking On) hereof or any highway or portion of the highway as set out in section 3 (obedience to Police Officers) hereof; (amended B/L 9268, Jan. 18/88; amended B/L 10836, Nov.4/91)
- (c) within seven and half metres (7.5m)of a fire hall on that side of a highway on which a fire hall is located or within one hundred metres (100 m.) of such fire hall on the opposite side of the highway;(amended B/L 7-2006, Jan. 30/06)
- (d) (amended B/L 9143, Sept. 21/87; B/L 9268, Jan. 18/88)
- (e) on any highway along the curb adjacent to school premises between the hours of 8:00 a.m. and 5:00 p.m., except Saturdays, Sundays, or other school holidays;
- (f) ~~within a cul-de-sac as set out in Schedule "M" (No Parking Within Cul-de-sacs) hereof during the times therein specified. (amended B/L 9143, Sept. 21/87) (amended B/L 11338, Feb.15/93)(DELETED B/L 34-2017 FEB 21/17)~~
- (g) Within 3 metres (3m) either side of a direct line measured at right angles from the curb from any community mailboxes (ADDED B/L 170-2013 OCT 21/13)
- (h) Within 30 metres in either direction of a Multi-use Recreational Trail Crossing Location measured from the nearest trail edge (ADDED B/L 26-2017 FEB 6/17)
- 10(3). No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of three thousand kilograms (3,000 kg.) or more at any time on any highway or portion of highway other than the highways set out in Schedule "AA" (Designated Truck Routes) hereof. (amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)(deleted & replaced B/L 57-2009, March 30/09)
- 10(4) No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of three thousand kilograms (3,000 kg.) or more, during the hours 10:00 p.m. to 6:00 a.m., Monday to Sunday on any Highway within the City of Windsor. (added B/L 283-2004, August 30/04) (deleted & replaced B/L 57-2009, March 30/09)
- 10(5). No licensed vehicle shall be parked in the same spot, upon any street or highway for longer than three (3) consecutive days. (added B/L 277-2005, Nov.21/05)
- 10(6) Unless otherwise permitted in this by law, no person shall stop or park a vehicle at any time.
- (a) Within a roundabout
- (b) Within a traffic circle
- (c) Within a school bus loading zone

- (d) On or adjacent to a median island
- (e) On, under or within 30 meters of a bridge, elevated structure, tunnel or underpass **(Added B/L 82-2010 May 17, 2010)**
- (f) Within a Bicycle Lane **(ADDED B/L 162-2013 OCT 21/13)**

10(7) No person shall park or leave an unattached trailer of any kind on a street **(ADDED BY-LAW 85-2015 JUNE 15/15)**

10(8) Section 10(6)(f) does not apply to the following vehicles which are driven or stopped in any lane or portion of a bicycle lane when properly worded or marked signs have been erected and are on display:

- i) Emergency vehicles operated to assist in fire fighting and fire prevention, ambulances, and vehicles operated by the Windsor Police Service
- ii) Public transit motor vehicles owned and operated by the Transit Windsor as part of its regular public transportation service and school buses
- iii) Vehicles actually engaged in works, undertaken for or on behalf of The Corporation of the City of Windsor, Transit Windsor or a public utilities providing telephone, natural gas or cable television services, refuse collection **(ADDED BY LAW 73-2017 MAY 8/17)**

11. Angle parking shall be permitted on the highways hereinafter set out in Schedule "N" (Angle Parking) hereof and every person shall park a vehicle in accordance with the angle prescribed in said Schedule "N" (Angle Parking) with the front end of the vehicle at the curb and within the parking space designated on the said highways. **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb. 15/93)**

~~12. When properly worded or marked signs have been erected and are on display, no person shall park a vehicle on the highways or portions of highways set out in Schedule "D" (Alternate Side Parking – No Parking On) and Schedule "E" (Limited Alternate Side Parking – No Parking On) hereof during the times and months therein specified. **(amended B/L 9143, Sept. 21/87; amended B/L 10298, May 28, 1990; amended B/L 11338, Feb. 15/93)**(DELETED B/L 34-2017 FEB 21/17)~~

12. When properly worded or marked signs have been erected and are on display, no person shall park a vehicle on the highways or portions of highways set out in Schedule "D" (Alternate Side Parking – No Parking On) hereon during the times and months therein specified effective 9:00 a.m. on the first day of each month **(ADDED B/L 34-2017 FEB 21/17)**

13. No person shall double park a vehicle on any highway at any time. **(inserted B/L 11338, Feb./15/93)**

14. On every highway except one-way highways, a vehicle which is stopped for the purposes of parking or for the purpose of taking on or discharging passengers, or loading or unloading merchandise, shall be brought by its operator to a stop with the righthand wheels thereof not more than thirty centimetres (30 cm.) from the righthand curb, and where parking is permitted on the lefthand

side of a one-way highway, the lefthand wheels of a vehicle stopped for any of the purposes aforesaid shall not be more than thirty centimetres (30 cm.) from the lefthand curb; provided that where angle parking is permitted under Section 11 hereof, the provisions of Section 11 and Schedule "N" (Angle Parking) hereof shall prevail. **(amended B/L 9143, Sept. 21/87; B/L 11674, Dec.20/93)**

15. ~~When properly worded or marked signs have been erected and are on display, no person shall leave a vehicle, other than a commercial motor vehicle or a vehicle displaying a valid accessible parking permit, standing on the portions of the highways hereinafter designated in Schedule "I" (Loading Zones) hereof during the hours and days therein provided.~~**(amended B/L 9143, Sept. 21/87; B/L 9310, Feb. 29/88; B/L 11338, Feb.15/93)(amended B/L 210-2008, Dec.1/08)(DELETED B/L 94-2013 JUNE 17/13).**

16. ~~When properly worded or marked signs have been erected and are on display, no person shall leave a vehicle, other than a commercial motor vehicle or a vehicle displaying a valid permit for accessible parking in accordance with section 21(6) hereof, standing on the portions of the highway designated in Schedule "J" (Loading Zones - Alternate Months) hereof, except during hours, days and months indicated in the said Schedule.~~ **(inserted B/L 11338, Feb.15/93)(amended B/L 210-2008, Dec.1/08)(DELETED B/L 94-2013 JUNE 17/13)**

17. When properly worded or marked signs have been erected and are on display, no person shall stand a vehicle at any time on the highways or portions of the highways designated in Schedule "G" hereof relating to "NO STANDING - ANY TIME".

18. Pursuant to subsection 10 of Section 175 of The Highway Traffic Act, R.S.O. 1990, Chapter H8, as amended, the portions of the highways set out in Schedule "BB" hereof are hereby designated "SCHOOL BUS LOADING ZONES".**(amended B/L 7-2006, Jan.30/06)**

18(2). When properly worded or marked signs have been erected and are on display, no person shall park, stop or stand a vehicle other than a school bus on the portions of the highways designated in Schedule "BB" (School Bus Loading Zones) hereof.**(added B/L 10676, May 21/91; inserted B/L 11338, Feb.15/93)**

19. When properly worded or marked signs have been erected and are on display, no person shall stop or park a vehicle on the highways or portions of the highways set out in Schedule "F" (No Stopping or Parking) hereof during the prohibited times or days set out therein. **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)**

20. ~~When properly worded or marked signs have been erected and are on display, no person shall stop or park a vehicle within the area designated as a Bus Stop on any highway or portions of the highway.~~ **(amended B/L 219-1999, Aug.16/99)(DELETED B/L 73-2017 MAY 8/17)**

20. When properly worded or marked signs have been erected and are on display, no person shall stop or park a vehicle within the area designated as a Bus Stop on any highway or portions of the highway except for School buses and Public Transit motor vehicles owned and operated by Transit Windsor as part of its regular public transportation services **(ADDED BY/LAW 73-2017 MAY 8/17)**

20A. When properly worded or marked signs have been erected and are on display, no person shall stop or park a vehicle within 30 metres of a pedestrian crossover.**(added B/L 10104, Jan.29/90; amended B/L 219-1999, Aug.16/99)**

ACCESSIBLE PARKING (amended B/L 210-2008, Dec. 1/08)

21 (1) A designated *accessible parking* space as required by this By-law shall be distinctly indicated in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder. **(amended B/L 210-2008, Dec. 1/08)**

(2) Designated *accessible parking* spaces,**(amended B/L 210-2008, Dec. 1/08)**
 (a) on streets and highways are described in Schedule "H", Schedule "Z" and Schedule "P".

(3) Every owner or operator of a parking lot or other parking facility to which the public has access whether on payment of fee or otherwise which has twenty-five (25) or more parking spaces shall provide designated *accessible parking* spaces therein in accordance with the following table: **(amended B/L 210-2008, Dec.1/08)**

TOTAL NUMBER OF PARKING SPACES	REQUIRED NUMBER OF DESIGNATED <u>ACCESSIBLE PARKING SPACES</u> (amended B/L 210-2008, Dec.1/08)
25-99	1
100-149	2
150-199	3
200-249	4
250-299	5
300-349	6
350-399	7
400-449	8
450-499	9
500-549	10
550-599	11
600-649	12
650-699	13
700 or more	1 (one) <i>accessible parking</i> space for every additional 50 parking spaces or part thereof
	(amended B/L 11891, Aug. 2/94)(amended B/L 210-2008, Dec.1/08)

(4) A Permit for *accessible parking* issued under the Highway Traffic Act shall be clearly displayed in the drivers side of the front windshield of the vehicle when such vehicle is parked in accordance with this By-law. **(amended B/L 210-2008, Dec.1/08)**

(5) A designated *accessible parking* space on a municipal parking lot, a private parking lot or a parking facility shall have a width of not less than 4.6 metres shall be the nearest parking space or spaces to the principal entrance of the main building. **(amended B/L 210-2008, Dec.1/08)**

(6)(a) The provisions of section 8 with respect to Schedule "A" (Limited Parking On) and Schedule "B" (Alternate Side Limited Parking On) shall not apply to a person operating a vehicle on behalf of a person(s) with disabilities provided that a currently valid permit for accessible parking has been issued to the owner or the operator of such vehicle or to a passenger being picked up or transported in the vehicle, and such permit is displayed in accordance with section 21(4) hereof, but in no instance shall such vehicle be so parked in excess of the time specified in Schedule "H". **(inserted B/L 11338, Feb.15/93) (amended B/L 210-2008, Dec.1/08)**

(6)(b). Clause 21(6)(a) above, shall not apply to any parking limit established by Schedule "A" (Limited Parking On) or Schedule "B" (Alternate Side Limited Parking On) of thirty (30) minutes or less. **(inserted B/L 11338, Feb.15/93)**

~~(7). Notwithstanding the issue of a currently valid permit for person(s) with disabilities to the owner or operator of a vehicle, or to a passenger being picked up or transported in said vehicle, and the display of such permit in accordance with section 21(6) hereof, no person shall park a vehicle on the portions of the highways designated in Schedule "H" (Designated Accessible Parking – 4 Hour Limit – Unless otherwise specified herein) or Schedule "Z" (Off Street Accessible Parking) or Schedule "P" (Personal Accessible Parking) hereof, for a period exceeding the specified time in the respective schedule. **(inserted B/L 11338, Feb.15/93) (amended B/L 210-2008, Dec.1/08) (DELETED B/L 113-2017 JULY 17/17)**~~

21(7) Notwithstanding the issue of a currently valid permit for person(s) with disabilities to the owner or operator of a vehicle, or to a passenger being picked up or transported in said vehicle, and the display of such permit in accordance with section 21(6) hereof, no person shall park a vehicle on the portions of the highways designated in Schedule "H" (Designated Accessible Parking – 4 Hour Limit per calendar day and per signed location – Unless otherside specified herein) or Schedule "Z" (Off Street Accessible Parking) or Schedule "P" (Personal Accessible Parking)hereof, for a period exceeding the specified time in the respective schedule **(ADDED B/L 113-2017 JULY 17/17)**

(8). No owner or operator of a parking lot or parking facility shall charge a fee for the use of a designated *accessible parking* space, in excess of that fee charged to other members of the general public with respect to non-designated parking spaces. **(inserted B/L 11338, Feb.15/93) (amended B/L 210-2008, Dec.1/08)**

(9) Any owner or operator of a parking lot or parking facility who contravenes any provision of this Section is guilty of an offence and shall be liable upon conviction to a fine of not more than two thousand dollars exclusive of costs for each offence and such penalty and costs shall be recoverable under the Provincial Offences Act.

(12). Where a *accessible parking* space has been designated in accordance with this Section, no person shall park or stop a vehicle in that space unless a currently valid permit for *accessible parking* has been issued to the owner or the operator of such vehicle, or to a passenger being picked up or transported in the vehicle and such permit is displayed in accordance with Section 21(4) above.

(amended B/L 9143, Sept. 21/87)
(amended B/L 10153, Mar. 5/90).
(amended B/L 10868, Dec. 9/91)
(amended B/L 11338, Feb.15/93)
(amended B/L 210-2008, Dec.1/08)

TAXICAB STANDS

22. Where properly worded or marked signs have been erected and are on display, no person shall park a vehicle, other than a taxicab with the driver in attendance, upon the portions of the highways designated in Schedule "K" (Taxicab Stands) and Schedule "L" (Taxicab Stands - Alternate Months) hereof." **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)**

23. No person shall solicit fares for a taxicab or otherwise on any highway other than at a taxicab stand, and no taxicab while waiting for a hire engagement shall be parked on a highway other than a taxicab stand.

PART III

FIRE ROUTES

24.(1) Each owner shall ensure that his building has a fire route constructed and maintained in compliance with the provisions of this by-law.

(2) No person shall establish or sign a fire route other than in accordance with the provisions of this by-law.

25.(1) The Chief Building Official shall refuse to issue a building permit to an applicant for such building permit for any building or extension thereof,

- (a) where at least one (1) of the plans filed (8 1/2" x 14") in duplicate with the building permit application,
 - (i) does not show the proposed location of a fire route, or
 - (ii) shows the proposed location of a fire route which is not in compliance with the provisions of this by-law; and
- (b) until,
 - (i) the applicant has complied with the provisions of paragraph (a) hereof,
 - (ii) he is in receipt of written approval of the fire route from the Chief Fire Official, and
 - (iii) the applicant has complied with the zoning requirements.

(2) The plan to be filed pursuant to subsection (1) hereof shall be in duplicate and show:

- (a) the location of every building on the site;
- (b) the location of all pedestrian walks, parking areas, parking aisles and driveways on the site;
- (c) the location of all water hydrants;
- (d) the proposed location of the fire route;
- (e) provision for the signatures of the Chief Building Official and the Chief Fire Official and;
- (f) compliance with the specifications set forth in Part IV of this By-law.

EXISTING BUILDING

26.(1) Where a building is in existence at the time of enactment of this by-law the owner may apply or if ordered by the Chief Fire Official, shall apply, for the designation of a fire route, by filing an application together with a plan in duplicate of the fire route with the Chief Building Official.

(2) The Plan to be filed pursuant to subsection (1) hereof shall show:

- (a) the location of every building on the site;
- (b) the location of all pedestrian walks, parking areas, parking aisles and driveways on the site;
- (c) the location of all water hydrants, and
- (d) the proposed location of the fire route.

(3) The Chief Building Official shall not approve the fire route until he is in receipt of written approval of the fire route by the Chief Fire Official.

(4) Where an owner is in receipt of an order of the Chief Fire Official as prescribed by

subsection (1) hereof, the plans required to be filed by subsection (1) hereof, shall be filed within two (2) months from the date of issuance of the order.

GENERAL

27.(1) Subject to subsection (2) hereof, every owner shall ensure that the fire route is constructed on his property in accordance with the plans approved and the specifications set forth in Part IV of this By-law, at his own expense.

(2) Where an owner is in receipt of an order of the Chief Fire Official as provided in subsection (1) of Section 26 hereof, the owner shall ensure that the fire route is constructed in accordance with the plans approved and the specifications set forth in Part IV of this By-law within 90 days from the day of the issuance of the order of the Chief Fire Official. **(deleted & replaced B/L 93-2009, June 1/09)**

(3) The owner shall file an as-built plan in pdf format of the fire route with the Chief Building Official and the Executive Director of Operations **(amended B/L 11573, Sept.20/93; deleted & added B/L 7-2006, Jan.30/06) (deleted & replaced B/L 93-2009, June 1/09)**

(4) Upon receipt of the as-built plan, the Chief Building Official shall:

- (a) approve the fire route by affixing his signature to the as-built plan of the fire route, and
- (b) notify the City Solicitor of the approval referred to in paragraph (a) hereof.

(5) Upon receipt of the notice referred to in paragraph (b) of subsection (6), the City Solicitor shall submit the necessary recommendations to City Council for its designation of the fire route under Schedule "DD" (Designated Fire Routes) of this by-law. **(amended B/L ,9143 Sept. 21/87)**

(6) Upon City Council designating the fire route, the City Clerk shall notify the Chief Building Official of its designation, and add it to Schedule "DD" of this by-law. **(deleted & replaced B/L 93-2009, June 1/09)**

(7) The plans of the designated fire route shall be:

- (a) on file in the office of:
 - (i) the Chief Building Official,
 - (ii) the Chief of Police,
 - (iii) the Chief Fire Official, and
 - (iv) the Executive Director of Operations, **(amended B/L 11573, Sept.20/93; deleted & added B/L 7-2006, Jan.30/06)**
- and,
- (b) made available for viewing to the public upon request.

SIGNS

28.(1) Upon receipt of notice of the designation of the fire route, the Chief Fire Official, the Police

Chief or the Executive Director of Operations is hereby authorized and directed to enter or cause entry on the property to erect or cause to be erected, inspected and maintained, such signs, markings or barricades as are required to give effect to this by-law and as are required to regulate and govern traffic for the safety of the public. **amended B/L 11573, Sept.20/93; deleted & added B/L 78-2006, Jan.30/06)**

28(2). Signs designating a fire route shall be as specified in Schedule "FF" herein and shall be placed at intervals of not less than 15.24 metres and not more than 45.72 metres along the designated fire route and one such sign shall be placed at each limit of the fire route." **(inserted B/L 9590, Nov. 7, 1988; B/L 11338, Feb.15/93)**

- (b) **(deleted B/L 9590, Nov. 7, 1988)**
- (c) **(deleted B/L 9590, Nov. 7, 1988)**
- (d) **(deleted B/L 9590, Nov. 7, 1988)**
- (e) be placed,
 - (i) on intervals of not less than 15.24 metres and not more than 45.72 metres along the designated fire route, and
 - (ii) one at each limit of the fire route.
 - (iii) The signs must be installed on the right side of the roadway, at an angle of between 30 and 45 degrees to the flow of traffic and must always be visible. **(added B/L 93-2009, June 1/09)**
 - (iv) The left edge of the sign must be placed no closer than 0.6 metres and no greater than 2.0 metres from the edge of the roadway. **(added B/L 93-2009, June 1/09)**
 - (v) The bottom of the sign shall be placed no less than 2.3 metres and no greater than 3.0 metres above grade. **(added B/L 93-2009, June 1/09)**

ACCOUNTS

29.(1) The owner shall pay the Corporation for the services prescribed in subsection (4) of Section 27 and subsection (l) of Section 28 hereof.

(2) All accounts rendered by the Corporation for services as referred to in subsection (l) hereof, shall be paid within thirty (30) days of the day of billing.

(3) If payment is not made by the owner in accordance with the provisions of subsection (2) hereof, the Corporation may recover the expense incurred by action, or the same may be recovered in like manner as municipal taxes.

30.(1) No person shall, without authority from the Chief Fire Official, Police Chief or Executive Director of Operations erect, alter, move, remove or deface or in any manner interfere with any sign, marking or barricade placed, erected or maintained under the authority of this by-law. **(amended B/L 11573, Sept.20/93; deleted & added B/L 7-2006, Jan.30/06)**

(2) Every owner shall at his own expense erect and maintain such signs in good order and to the satisfaction of the Chief Fire Official, Police Chief or Executive Director of Operations. **(amended B/L 11573, Sept.20/93; deleted & added B/L 7-2006, Jan.30/06)**

31. No person shall park, leave or stop a vehicle in an area designated by a sign as a designated fire route as in Schedule "DD" (Designated Fire Routes) of this by-law. **(amended B/L 9143, Sept. 21/87)**

32. The owner shall maintain the fire route:

- (a) in good repair;
- (b) clear of snow and ice; and
- (c) free of blockage by any means.

33. If an owner provides a fire route for the sole purpose of a fire route, the control of entry of vehicles for the exclusive fire route shall be:

- (a) drive through flexible barriers

PART IV

FIRE ROUTE SPECIFICATIONS

CONSTRUCTION AND DESIGN

34. Where the fire route is not used as part of a service road, it shall be constructed as follows:

- (a) not less than 9.0 cm. of hot mixed asphalt on not less than 30.0 cm. crushed stone or gravel on a compacted base; or
- (b) not less than 15.24 cm. concrete slab minimum compressive strength 30000 K.Pascals on not less than 15.24 cm. crushed stone on a compacted base.

35. Where the fire route is used as part of a service road, it shall be constructed as follows:

- (a) not less than 7.62 cm. of hot mixed asphalt on not less than 30.00 cm. crushed stone or gravel on a compacted base; or
- (b) not less than 15.24 cm. of concrete slab minimum compressive strength 30000 K.Pascals on not less than 15.24 cm. crushed stone on a compacted base.

36. Changes in horizontal direction on a fire route shall have an inside radius of not less than 15.24 metres.

37. If a fire route is constructed over an underground structure, it shall be designed to support the expected loads imposed by the municipal fire fighting equipment.

38. A fire route shall have a vertical clearance throughout its width and length of not less than

5.0 metres and such clearance shall be maintained at all times.

39. No portion of a fire route shall have a grade of not more than 1 in 12.5 over a minimum distance of 15 meters.

40. Where the building or structure is three (3) or more storeys in height, the nearest edge of a fire route shall be located:

- (a) not less than 3 metres from a building; and
- (b) not more than 10 metres from a building.

41. A designated fire route:

- (a) shall be subject to paragraph (b) hereof, not less than 6 metres in width on straight portions,
- (b) shall be where the building or structure is three (3) or more storeys in height, not less than 6 metres in width on the portion of the fire route that is parallel to the face or faces of the building or structure which it serves, and
- (c) shall be not less than 6 metres in width on curved portions.
- (d) have no vertical deflections (speed bumps, humps etc.) throughout the site it is required to be constructed on.

PART V

PRIVATE PROPERTY

42.(1) No person shall park or leave any motor vehicle on private property without the consent of the owner or occupant of such property.

(2) No person shall park or leave any motor vehicle on property owned or occupied by the Corporation without the consent of the Corporation.

(3) Notwithstanding Section 42(1) no person shall park, stand or stop a motor vehicle on a front yard in a residential district except on a driveway or as authorized by statute, regulation, by law or otherwise by the Corporation. **(ADDED B/L 182-2016 DEC 12/16)**

43. Subject to Section 44, any motor vehicle which is parked or left in contravention of this by-law may be removed or impounded by the Police Chief, and all costs and charges for removing or impounding the vehicle shall be paid by the owner thereof and shall be a lien upon the vehicle, which may be enforced in the manner provided by the *"Repair and Storage Liens Act"*. **(amended B/L 12285, Aug.14/95)**

44. ~~Notwithstanding Section 45, the driver or owner of a motor vehicle parked or left on private property is not liable to any penalty or to have the motor vehicle removed from such property or impounded under this by-law, except upon the written complaint of the owner or occupant of the~~

~~property given to a constable or Provincial Offences Officer enforcing this by law. (DELETED B/L 182-2016 DEC 12/16)~~

The driver or owner of a motor vehicle parked or left on private property in violation of Section 42(1) or Section 42 (2) is not liable to any penalty or to have the motor vehicle removed from such property or impounded under this by law, except upon written complaint of the owner or occupant of the property given to a constable or Provincial Offences Officer enforcing this by law. (ADDED B/L 182-2016 DEC 12/16)

~~45.(1) — A Special Constable appointed under The Police Act, or a Provincial Offences Officer, may enforce the provisions of this By-law with respect to the property owned or occupied by the persons listed in Schedule "Q" (Private Property) hereto, and shall be deemed to have the written authority of the owner or occupant of the property to enforce this By-law and such Special Constable or Provincial Offences Officer is not required to receive a written complaint before enforcing this By-law. (amended B/L 9143, Sept. 21/87) (DELETED B/L 182-2016 DEC 12/16)~~

45.(1) Notwithstanding Section 44, a police officer or a Provincial Offences Officer, may enforce the provisions of this By law with respect to the property owned or occupied by the persons listed in Schedule "Q" (Private Property) hereto, and shall be deemed to have the written authority of the owner or occupant of the property to enforce this By law and such Police Officer or Provincial Offences Officer is not required to receive a written complaint before enforcing this By law (ADDED B/L 182-2016 DEC 12/16)

(2) For the purposes of this section where an owner or occupant of property listed in Schedule "Q" (Private Property) has posted signs stating the conditions on which a motor vehicle may be parked or left on the property, or prohibiting the parking or leaving of a motor vehicle on the property, a motor vehicle parked or left on the property contrary to such posted conditions or prohibition shall be deemed to have been parked or left on the property without the owner's or occupant's consent. (amended B/L 9143, Sept. 21/87)

PART VI

PARKING LOTS AND METERS

PARKING LOTS

46. The lands described in Schedules "U" (Description of Parking Lots) and "V" (Description of Garage Parking Lots) of this by-law are hereby set aside and established as Municipal Parking Lots for the parking thereon of the types of motor vehicles specified hereunder. (amended B/L 9143, Sept.

21/87)

ERECTION OF METERS AND OTHER DEVICES AND THE DESIGNATION OF PARKING SPACES

47.(1) The erection, maintenance and creation of automatic or other mechanical meters or devices, with the necessary stands for the same, for the purpose of controlling the parking of any vehicle and measuring and recording the duration of parking upon the highways or portions of the highways as set out in Schedule "S" (Street Meters) and on municipal parking lots as set out in Schedule "T" (Parking Lots) is hereby authorized. **(amended B/L 9143, Sept. 21/87)**

(2) The designation of parking spaces by lines or markings painted or placed upon the curb and/or upon the highway adjacent to each parking meter, in a manner sufficient to designate the parking space for which such meter is to be used, and the designation of parking spaces by similar or other marking on the surface of municipal parking lots is hereby authorized.

THE PARKING OF MOTOR VEHICLES IN PARKING SPACES

48. Where parking meters have been installed and parking spaces designated therefore under the authority of this by-law on any highway in the municipality, every person parking in such a space shall park totally within the space designated for the respective parking meter. **(inserted B/L 11338, Feb.15/93)**

49. Where parking meters or pay and display machines have been installed and parking spaces designated therefore under the authority of this by-law in a municipal parking lot, every person using a parking space therein shall park totally within the parking space designated as such by lines or markings painted upon the surface of the parking lot. **(inserted B/L 11338, Feb.15/93)**

50. Where a municipal parking lot is controlled by a control gate, every person using a parking space therein shall park within the parking space designated therein by lines or markings painted upon the surface of the parking lot. **(inserted B/L 11338, Feb.15/93)**

51. No person shall park a vehicle on any street or portion of a street or on any municipal parking lot across any lines or markings, or in such a position that the vehicle shall not be entirely within the area designated by such lines or markings designating the parking space. **(inserted B/L 11338, Feb.15/93)**

52. No person shall park on any municipal parking lot any vehicle that has a gross vehicle weight of more than 3,000 kilograms. **(substituted B/L 12201, May 8/95)**

PAYMENT OF PARKING FEES

53. The operator of every vehicle upon parking the vehicle in a parking space on a highway or municipal parking lot set out in Schedules "S" (Street Meters) and "T" (Parking Lots) hereof shall pay

such fees and be governed by such times and conditions as are set out in the said Schedules, except as follows:

(a) ~~For forty eight (48) hours following the end of any snowfall in excess of seven and one half centimetres (7.5 cm), the requirement to pay such fees in municipal parking lots as set out in Schedule "T" (Parking Lots) hereof, shall be waived. (DELETED B/L 32-2014 MARCH 17/14)~~

(b) ~~For the purposes of subsection 53(a), the definition of "municipal parking lot" as set out in subsection 1(24) hereof, shall not include a municipal parking garage. (amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93; B/L 63-2002, Mar.4/2002)(DELETED B/L 32-2014 MARCH 17/14)~~

(c) For any vehicle bearing a valid and unexpired "poppy" license plate issued by the Ministry of Transport for the Province of Ontario and denoting service in the armed forces, the requirement to pay such fees in municipal parking lots as set out in Schedule "S" (Street Meters) and Schedule "T" (Parking Lots) hereof, shall be waived. **(added B/L 237-2005, Sept.26/05)**

~~54. No person shall park a vehicle in any parking space for which a parking meter has been designated while said meter is displaying that time is expired. (inserted B/L 11338, Feb.15/93)~~

Deleted B/L 120-2010 July 26/10

54. No person shall park any vehicle in any parking space for which a parking meter has been designated while said meter is displaying any of the following:

(a) Time has expired and therefore needs additional monies

(b) That the meter is out of order and shows "Fail"

(c) that the meter has no display or reads blank **(Added B/L 120-2010 July 26/10)**

55. The operator of every vehicle using the municipal parking lots operated by a control gate or an attendant as set out in Schedule "X" (Garage Parking Lot Fees) hereof shall pay such fee and be governed by such times and conditions as are set out in the said Schedule. **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)**

56. Notwithstanding any other provisions of this by-law or any other by-law, the permissible parking period of any parking space on any street or part of a street, described in Schedule "S" (Street Meters) or on any municipal parking lot described in Schedule "U" (Description of Parking Lots) shall be the periods described by Schedules "S" (Street Meters), "T" (Parking Lots) and "Y" (Visitors Lots Without Fees) of this by-law, and no person shall allow a vehicle to remain parked in a parking space beyond the maximum parking period for the parking space. **(amended B/L 9143, Sept. 21/87)**

57. ~~Executive Director of Operations or designate, of the Corporation is hereby authorized and directed to issue parking permits to applicants therefore permitting the use of Parking Lots 4-1, 4-2, 4-3, 6, 9, 14, 15, 16, 18, 21, 22, 23, 25, 26, 27, 28, 29, 31, 35, as shown on Schedule "T" (Parking Lots) of this by-law on a calendar month basis upon the payment in advance of a monthly fee of \$20.00 per vehicle for Lots 4-1, 4-2, 4-3, 9, 14, 18, 21, 29 and 35; and a monthly fee of \$30.00 per vehicle for Lots 6, 11, 15, 22, 23, 25, 26, 27, 28, and 31; and permitting the use of Garage Parking Lots 1 and 2 as shown on Schedule "X" of this by-law on a calendar month basis upon the payment in advance of a monthly fee of \$60.00 per vehicle (or \$50.00 per vehicle for corporate groups of 30 or more vehicles)~~

~~for Parking Garage Lot 1 and for Parking Garage Lot 2; provided, however, that no such permit shall be issued until the applicant therefore has executed and filed with the Executive Director of Operations or designate, an agreement with the Corporation undertaking to comply fully with all rules and regulations that may from time to time be incorporated as part of such agreement, and without limiting the generality of the foregoing, the applicant shall agree to pay the monthly fee in advance and to surrender the card key and remove the windshield sticker upon expiration of the permit by lapse of time or otherwise. (amended B/L 9143, Sept. 21/87; B/L 9501, Aug.29/88; B/L 9555, October 11, 1988; B/L 10098, January 22, 1990; B/L 10573, Feb. 18/91 (amended B/L 11573, Sept.20/93; deleted & replaced B/L 7-2006, Jan.30/06)." (DELETED BY/LAW 121-2012 AUGUST 27/12)~~

57. Executive Director of Operations or designate, of the Corporation is hereby authorized and directed to issue parking permits to applicants therefore permitting the use of Lots 4-1,4-2,4-3, 6, 9, 14, 15, 16, 18, 21, 22,28,29,31,35,36,37, 38 and 39 on a monthly basis or any fraction thereof upon the payment in advance of a monthly fee as shown on Schedule "T" (Parking Lots) of this by law; and permitting the use of Garage Parking Lots 1,2 and 3 on a monthly basis upon the payment in advance of a monthly fee as shown on Schedule "X" (Garage Parking Lots) of this by law provided, however, that no such permit shall be issued until the applicant has executed and filed with the Executive Director of Operations or designate, an agreement with the Corporation undertaking to comply fully with all rules and regulations that may from time to time be incorporated as part of such agreement, and without limiting the generality of the foregoing, the applicant shall agree to pay the monthly fee in advance and to surrender the card key upon expiration of the permit by lapse or time or otherwise. **(ADDED B/L 121-2012 AUG 27/12)**

58. The Executive Director of Operations shall supply each monthly permit holder referred to in Section 57 with:-

- (1) A numbered permit to be placed by the said holder on the dashboard of his vehicle at the lower left-hand corner; and
- (2) A card key for use in actuating the municipal parking lot control gate system, provided that a deposit of Five Dollars (\$5.00) shall be paid to the Treasurer in respect of the card key, which deposit shall be returnable on the surrender of the card key, and failing surrender thereof shall be forfeited to the Municipality.**(deleted and replaced, B/L 7-2006, Jan.30/06)**

59. ~~Notwithstanding any other provision in this by law, the Executive Director of Operations is hereby authorized and directed to issue parking permits and card keys to employees of the Corporation applying therefore permitting the use of Parking Lots 11, 12, 15, 17, 22, 23, 25, 26, 31 and Parking Garages 1 & 2, as shown on Schedule "T" of this by law, on the payment in advance of a monthly fee of FIVE (\$5.00) DOLLARS per vehicle for Windsor Police Service employees and TWENTY (\$20.00) DOLLARS for other employees of the Corporation; provided that no such permit shall be issued until the applicant therefore has executed and filed with the Executive Director of Operations an agreement with the Corporation undertaking to comply fully with all rules and regulations that may from time to~~

~~time be incorporated as part of such agreement, and without limiting the generality of the foregoing the applicant shall agree to pay the monthly fee in advance and to surrender the card key and remove the permit upon expiration of the permit by lapse of time or otherwise (substituted B/L 10346, July 3/90; amended B/L 10573, Feb.18/91; deleted and replaced B/L 7-2006, Jan.30/06).~~(DELETED B/L 18-2012 FEB 6/12)

59. Notwithstanding any other provision in this by-law, the Executive Director of Operations is hereby authorized to issue parking permits and card keys to employees of the Corporation or employees of Agencies, Boards and Commissions applying for the same, therefore permitting the use of various municipal parking lots and garages, upon the payment in advance of a month fee as established herein or as identified in the appropriate Collective Agreement or as mandated by the Canada Revenue Agency; provided that no such permit shall be issued until the applicant therefore has executed and filed with the Executive Director of Operations an agreement with the Corporation undertaking to comply fully with all rules and regulations that may from time to time be incorporated as part of such agreement, and without limiting the generality of the foregoing the applicant shall agree to pay the monthly fee in advance and to surrender the card key and remove the permit upon expiration of the permit by lapse of time or otherwise.” (ADDED B/L 18-2012 FEB 6.12)

60. Notwithstanding any other provision in this by-law, the Executive Director of Operations shall supply each monthly permit holder referred to in Section 59 of this by-law with:

- (1) A permit to be placed by the said holder on the dashboard of his vehicle at the lower left-hand corner;
- (2) A card key for use in actuating the municipal parking lot control gate system provided that a deposit of FIVE Dollars (\$5.00) shall be paid to the Executive Director of Operations in respect of the card key, and failing surrender thereof shall be forfeited to the Municipality (substituted B/L 10346, July 3/90; deleted & replaced B/L 7-2006, Jan. 30/06)

61. No person properly in possession of a card key shall use or permit the same to be used for any vehicle other than the vehicle for which it was issued by the Executive Director of Operations. (deleted & replaced B/L 7-2006, Jan.30/06)

62. Any card key used contrary to the provisions of this by-law may be revoked at the discretion of the Treasurer, and the fee paid therefore shall be forfeited to the Municipality.

DEFACING AND OTHER VIOLATIONS

63. No person shall deface or injure, tamper with, destroy or damage any parking meter, Pay and Display Machine, control gate, barrier, direction sign or any other structure or object relating to, placed upon or made part of municipal parking lots and highways by virtue of this by-law.

64. No person shall deposit or cause to be deposited or attempt to deposit in any parking meter, Pay and Display machine, or control gate installed under the provisions of this by-law any object except a coin or coins of lawful tender of the Government of Canada and the United States of America.

PARKING FOR JURORS

65. (repealed B/L 11573, Sept. 20/93)

ENFORCEMENT

66. This by-law, where it applies to highways, only applies to highways under the jurisdiction of the Corporation.

67. Schedules "A" to "HH" both inclusive, hereof, shall form part of this by-law and each entry in a column of such Schedule shall be read in conjunction with the entry or entries across therefrom and not otherwise. **(inserted B/L 11338, Feb.15/93)**

~~68. Members of the Police Department and Provincial Offences Officers of the City of Windsor shall have the duty of enforcing the provisions of this by-law.~~ **(DELETED B/L 112-2013 JULY 8/13)**

68. 1. This By law can be administered and enforced by Members of Windsor Police Services, Provincial Offences Officers of the city of Windsor or any other person authorized by the City **(ADDED B/L 112-2013 JULY 8/13)**

68. 2. Members of Windsor Police Services, Provincial Offences Officers of the City of Windsor, or any other person authorized by the City, may, at any reasonable time, enter on land for the purpose of carrying out an inspection to determine compliance with this by law **(ADDED B/L 112-2013 JULY 8/13)**

EXEMPTION

69. The provisions of this By-law regulating the stopping or parking of vehicles shall not apply to Fire Department vehicles, Police Department vehicles, or any ambulance, while the said vehicles are responding to a call, nor shall this By-law apply to Provincial Offences Officers' vehicles while enforcing this By-law, but this exemption shall not excuse a driver of any such vehicle from exercising due care. **(amended B/L 9143, Sept. 21/87)**

REMOVAL OF VEHICLES

70. Where any vehicle is parked in contravention of this by-law, a police officer may cause it to be moved or taken to and placed in storage and all costs for removing and storing the vehicle shall be a lien upon the vehicle which may be enforced in the manner provided in The Mechanics' Lien Act.

70(2) When properly worded or marked signs, as specified in Schedule "HH" of this By-law, have been erected and are on display, no person shall allow a vehicle, other than a vehicle displaying a municipally issued residential parking permit for that specific area, to be left standing on the portions of the highway as designated in Schedule "GG" (on-street permit parking areas) of this By-law. Where a person leaves a vehicle in violation of this subsection the vehicle may be removed in accordance with the provisions of section 70 of this By-law. **(added B/L 10405, Sept. 4/90)**

~~70(3) The Licence Commissioner or designate is hereby authorized and directed to issue on-street parking permits to area residents, permitting parking in accordance with Schedule "GG" (on-street~~

~~permit parking areas) provided, however, that should it be required, no such permit shall be issued until the applicant has executed and filed with the Corporation an agreement to comply fully with all the rules and regulations that from time to time may be incorporated in such an agreement, and without limiting the generality of the foregoing, the applicant shall surrender the permit upon expiration of the permit by lapse or otherwise. (added B/L 10405, Sept. 4/90; amended B/L 11573, Sept.20/93; deleted & replaced B/L 7-2006, Jan.30/06)(DELETED B/L 6-2012 JAN 9/12)~~

70(3) “The Executive Director of Operations or designate is hereby authorized and directed to issue on-street parking permits to area residents, permitting parking in accordance with Schedule “GG” (on-street permit parking areas) provided, however, that should it be required, no such permit shall be issued until the applicant has executed and filed with the Corporation an agreement to comply fully with all the rules and regulations that from time to time may be incorporated in such an agreement, and without limiting the generality of the foregoing, the applicant shall surrender the permit upon expiration of the permit by lapse or otherwise.”(ADDED B/L 6-2012 JAN 9/12)

70(4) Any person issued a permit under this section shall clearly display the permit either on the driver's side of the front windshield of the vehicle or hanging from the rear view mirror when such a vehicle is parked in accordance with this section. (added B/L 10405, Sept. 4/90; deleted & replaced B/L 7-2006, Jan.30/06).

70(5) Where any vehicle is parked in contravention of this by-law in the defined areas set out in Schedule "CC" TOW AWAY AREAS, a police officer or a Provincial Offences Officer may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Lien Act. (added B/L 11839, May 30/94)

~~71(1).—Every person who contravenes any of the provisions of this by law is guilty of an offence and upon conviction is liable to a penalty as provided in The Provincial Offences Act. (inserted B/L 11338, Feb.15/93)(DELETED B/L 112-2013 JULY 8/13)~~

~~71(1) Each person who contravenes s5,6 or s21(12) of this by law is guilty of an offence and upon conviction is liable to a penalty as provided in the Provincial Offences Act, R.S.O. 1990, c P33 as amended(ADDED B/L 112-2013 JULY 8/13)(DELETED B.L 119-2016 AUG 2/16)~~

71(1) Each person who contravenes a s.5 or 6 of this by law is guilty of an offence and upon conviction is liable to a penalty as provided in the Provincial Offences Act, R.S.O. 1990, c P33 as amended. (ADDED B/L 119-2016 AUG 2/16)

~~71(2) The owner of a vehicle that is parked, stopped or left standing in contravention of s.21(12) is guilty of an offence and upon conviction is liable to such fines as provided in the Provincial Offences Act, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another Person without the owner's consent, express or implied (ADDED B/L 112-2013 JULY 8/13) (DELETED B/L 119-2016 AUG 2/16)~~

~~71(2). The owner of a vehicle that is parked, stopped or left standing in contravention of this by-law, as the case may be, is guilty of an offence and upon conviction is liable to such fines as provided in the Provincial Offences Act, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied. (inserted B/L 11338, Feb.15/93)(DELETED B/L 112-2013 JULY 8/13)~~

72. (amended B/L 9268, Jan. 18/88; B/L 9940, Sept. 18/89; B/L 10429, Sept. 24/90; amended B/L 10656, May 14/91; amended B/L 10836, Nov.4/91; REPEALED B/L 11338, Feb.15/93)

(2) (amended B/L 9091, August 5, 1987; B/L 9143, Sept. 21/87; B/L 9268, Jan. 18/88; B/L 9940, Sept. 18/89; B/L 10429, Sept.24/90; REPEALED B/L 10656, May 14/91)

72 (added B/L 11779, March 28, 1994; deleted B/L 12618, July 2, 1996)

~~73. The defendant may, within twenty days of the service of the parking infraction notice, give notice of intention to appear in Court for the purpose of entering a plea and having a trial pursuant to the Provincial Offences Act. (substituted B/L 10656, May 14/91; substituted B/L 12618, July 2/96)(DELETED B/L 112-2013 JULY 8/13)~~

73. The defendant may, within twenty days of the service of the parking infraction notice for a contravention of s.21(12) give notice of intention to appear in Court for the purpose of entering a plea and having a trial pursuant to the Provincial Offences Act (ADDED B/L 112-2013 JULY 8/13)

~~74. Failure by the defendant to pay the set fine payment or to give notice of intention to appear in Court for the purpose of entering a plea within twenty days of the service of the Parking Infraction Notice shall render the defendant liable to prosecution pursuant to the Provincial Offences Act. (amended B/L 9143, Sept. 21/87; substituted B/L 12618, July 2/96)(DELETED B/L 112-2013 JULY 8/13)~~

74. Failure by the defendant to pay the set fine payment or to give notice of intention to appear in Court for the purpose of entering a plea within twenty days of the service of the Parking Infraction Notice for a contravention of s.21(12) shall render the defendant liable to prosecution pursuant to the Provincial Offences Act (ADDED B/L 112-2013 JULY 8. 2013)

75. (amended B/L 9143, Sept. 21/87; REPEALED B/L 10656, May 14/91)

76. That By-laws Numbered 2303, 5193, 6683 and 7644 be and the same are hereby repealed. (amended B/L 9143, Sept. 21/87)

77. (deleted B/L 9143, Sept. 21/87)

78. That this By-law shall come into force and effect on the 1st day of October, 1987.

**PART VII
ADMINISTRATIVE PENALTIES AND FEES
(ADDED B/L 112-2013 JULY 8/13)**

Designation of Administrative Penalties

79. Sections 80-99, **Schedule “W”** and the parts of this by law to which **Schedule “W”** relates are designated as parts of this By law to which the Parking Administrative Penalty System Applies.

Penalty Notice

80. Each person who contravenes any designated provision of this by-law pursuant to section 79 and each registered owner of that vehicle, when given a Penalty Notice in accordance with this by-law, shall be liable to pay to the City an Administrative Penalty in the amount set out in **Schedule “W”** Administrative Penalties, hereof for each day or part of a day on which the contravention continues, and any fees related thereto.
81. An Officer who has reason to believe that a Person has contravened any provision of this by-law except s.21(12) may give to the Person a Penalty Notice.
82. ~~The Penalty Notice shall be given to the Person as soon as is reasonably practicable and shall include the following information:~~
- ~~(a) The date of the Penalty Notice (**DELETED B/L 30-2015 MAR 23/15**)~~
 - ~~(b) The Penalty Notice Number~~
 - ~~(c) Particulars of the contravention~~
 - ~~(d) The amount of the Administrative Penalty~~
 - ~~(e) Information respecting the process by which the Person may exercise the Person’s right to request a review of the Administrative Penalty; and~~
 - ~~(f) A statement advising that an Administrative Penalty will, unless cancelled or reduced pursuant to the review and appeal processes, constitute a debt of the Person to the City (**DELETED B/L 30-2015 MAR 23/15**)~~
 - ~~(g) Penalty due date (**ADDED B/L 30-2015 MAR 23/15**) (**DELETED IN ITS ENTIRETY B/L 61-2015 MAY 4/15**)~~
82. The Penalty Notice shall be given to the person as soon as is reasonably practicable and shall include the following information:
- (a) The Penalty Notice Date
 - (b) The Penalty Notice Number
 - (c) Particulars of the contravention
 - (d) The amount of the Administrative Penalty
 - (e) Information respecting the process by which the Person may exercise the Person’s right to request a review of the Administrative Penalty
 - (f) A statement advising that an Administrative Penalty will, unless cancelled or reduced pursuant to the review and appeal processes, constitute a debt of the Person to the City, and
 - (g) Penalty due date
(ADDED B/L 61-2015 MAY 4/15)
83. ~~Any Person who is given a Penalty Notice and who does not pay to the City the amount of the Administrative Penalty within fifteen (15) days of the Penalty Notice Date shall pay to the City a Fee—MTO Search. (**DELETED B/L 30-2015 MAR 23/15**)~~
83. Any Person who is given a Penalty Notice and who does not pay to the City the amount of the Administrative Penalty within thirty (30) days of the Penalty Notice Date shall pay to the City a Fee (MTO Search) **(ADDED B/L 61-2015 MAY 4/15)**
84. ~~A Person who is given a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so within 15 days after the Penalty Notice Date. (**DELETED B/L 30-2015 MAR 23/15**)~~
84. A Person who is given a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so within thirty (3) days after the Penalty Notice Date. **(ADDED B/L 61-2015 MAY 4/15)**

Review By Screening Officer

85. The following applies to review of an Administrative Penalty by a Screening Officer:
- (1) Any Person may request that the Screening Officer extend the time to request a review within 30

days after the Penalty Notice Date, at which time the Administrative Penalty shall be deemed to be final

- (2) Person's right's to request a review, or to request an extension of time to request a review are exercised by giving the City written notice of the request to review that includes:
 - (a) The Penalty Notice Number
 - (b) The Person's mailing address and, if applicable, facsimile transmission number;
 - (c) In the case of a request to extend the time to request a review, the reasons, if any, for having failed to exercise the right to request a review within the time limited by s.84;
 - (d) Particulars of all grounds upon which the request to review is based; and
 - (e) The Person's election to
 - i) ~~meet with the Screening Officer for the review, or~~ **(DELETED B/L 54-2015 MAY 4/15)**
 - ii) have the review undertaken by a Screening Officer in writing in respect of the particulars provided by the Person pursuant to s.7(2)(d)
- (3) Written notice of the request to review is to be given by completing the Screening Officer Review Form and delivering to the City in accordance with s.92 of this By-law.
- (4) Where the Person elects to meet with the Screening Officer in accordance with s.85(2)(e)(i) the Person shall be given no fewer than seven (7) days notice of the date, time and place of the hearing of the review by the Screening Officer
- (5) Where the Person elects to meet with the Screening Officer in accordance with s.85(2)(e)(i) and the Person fails to remain at such place until the Screening Officer has made a Screening Decision respecting the Administrative Penalty then:
 - (a) The person shall be deemed to have abandoned the request for review;
 - (b) The Administrative Penalty shall be deemed to be final
 - (c) The Administrative Penalty shall not be subject to review, including review by any Court; and;
 - (d) The Person shall pay to the City a Fee-Screening No-Show
- (6) On a review of the Administrative Penalty, the Screening Officer may affirm the Administrative Penalty, or the Screening Officer may cancel the Administrative Penalty, reduce the Administrative Penalty or extend the time for payment of the Administrative Penalty, including any late payment administrative fees, on the following grounds:
 - (a) Where the Person establishes, on a balance of probabilities that the motor vehicle was not parked, standing or stopped as described in the Penalty Notice; or
 - (b) The cancellation of the Administrative Penalty, reduction of the Administrative Penalty or extension of the time for payment of the Administrative Penalty, including any late payment administrative fees, is necessary to reduce undue financial hardship
- (7) Every Person who requests a review by the Screening Officer shall receive a Screening Decision

86. A person who has been given a Screening Decision pursuant to section 85 may appeal the Screening Decision to a Hearing Officer, and shall do so within 15 days after the Screening Decision was issued.

Appeal to Hearing Officer

87. The following applies to appeals to a Hearing Officer against the Screening Decision:

- (1) Any Person may request that the Hearing Officer extend the time to appeal within 30 days after the Screening Decision was issued, at which time the Screening Decision shall be deemed to be final
- (2) A Person's rights to appeal the Screening Decision to a Hearing Officer or to request an extension of time to appeal are exercised by giving to the City written notice of the request to review that includes:
 - (a) The Penalty Notice Number
 - (b) The Person's mailing address and, if applicable, facsimile transmission number
 - (c) In the case of a request to extend the time to appeal, the reasons, if any, for having failed to exercise the right to appeal within the time limited by s.86; and
 - (d) Particulars of all grounds upon which the appeal is made
- (3) Written notice of the request to appeal is given by completing the Hearing Office Appeal Form and delivering it to the city in accordance with s.92 of this By-law
- (4) The Person shall be given no fewer than seven (7) day's notice of the date, time and place of the hearing of the appeal by the Hearing Officer
- (5) If the Person fails to appear at the time and place scheduled for the hearing of the appeal:
 - (a) The Person shall be deemed to have abandoned the appeal;
 - (b) The Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall be deemed to be final;
 - (c) The Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall not be subject to review, including review by any Court; and
 - (d) The Person shall pay to the City a Fee – Hearing No-Show
- (6) A Hearing Officer shall not make any decision respecting an appeal unless a Hearing Officer has given each of the Person and the Officer who gave the Penalty Notice an opportunity to be heard at the time and place scheduled for the hearing of the appeal

- (7) On an appeal of the Screening Decision, the Hearing Officer may affirm the Screening Decision, or the Hearing Officer may cancel the Administrative Penalty, including any late payment administrative fees on the following grounds:
- (a) Where the Person establishes, on a balance of probabilities that the motor vehicle was not parked, standing or stopped as described in the Penalty Notice; or
 - (b) The cancellation of the Administrative Penalty, reduction of the Administrative Penalty or extension of the time for payment of the Administrative Penalty, including any late payment administrative fee, is necessary to reduce hardship
- (8) Every Person who requests a review by the Hearing Officer shall receive a Hearing Decision
88. The decision of a Hearing Officer is final and not subject to review including review by any Court
89. Neither a Screening Officer nor a Hearing Officer has jurisdiction to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law

Notice

90. Subject to section 91, any notice or document respecting this by law may be given in writing in any of the following ways and is effective:
- (1) When a copy is placed on or affixed in any manner to a Person's vehicle
 - (2) When a copy is delivered to the Person to whom it is addressed
 - (3) On the third (3rd) day after a copy is sent by registered mail or by regular letter mail to the Person's last known address; or
 - (4) Upon the conclusion of the transmission of a copy by facsimile transmission to the Person's last known facsimile transmission number
91. For the purpose of section 90, a Person's last known address, last known facsimile transmission Number and the last known email address are deemed to include those provided by the Person pursuant to sections 85(2) and 87(2)
92. Any notice or document respecting this by-law to be given to the City shall be in writing, shall be given in any of the following ways and is effective:
- (a) When a copy is personally delivered to the City during its regular business hours to "City of Windsor, Public Works, Parking Enforcement Office, 1266 McDougall Avenue, Windsor, Ontario N8X 3M7
 - (b) On the third (3rd) day after a copy is sent by registered mail or by regular mail to "City of Windsor, Public Works, Parking Enforcement Office, 1266 McDougall Avenue, Windsor, Ontario N8X 3M7
 - (c) Upon the conclusion of the transmission of a copy by facsimile transmission to (519) 255-9467

Financial Administration

93. No Officer who gives a Penalty Notice may accept payment of the Administrative Penalty Respecting that Penalty Notice
94. An Administrative Penalty that is affirmed or reduced or in respect of which the time for payment has been extended pursuant to this By-law is due and payable and constitutes a debt to the City of each Person to whom or to which the Penalty Notice was given.
95. Payments of an Administrative Penalty must be received by the due date and will not be credited until received by the City.
96. Where a Person has paid an Administrative Penalty or an administrative fee that is then cancelled or reduced pursuant to this By-law, the City shall refund the amount cancelled or reduced.
97. ~~Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within fifteen (15) days after the date that they become due and payable, each Person to whom the Penalty Notice was given shall pay to the City a Fee Late Payment. (DELETED B/L 30-2015 MAR 23/15)~~
97. Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within thirty (30) days after the date that they become due and payable, each Person to whom the Penalty Notice was given shall pay to the City a Fee Late Payment (**ADDED BY-LAW 30-2015 MAR 23/15**)
98. Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within thirty (30) days after the date that they become due and payable, each Person to whom the Penalty Notice was given shall pay to the City a Fee – MTO Plate Denial.

Complaints and Comments

~~99. Complaints and comments respecting the administrative of the City's system of parking administrative penalties may be given to the Manager of Traffic Operations. The Manager of Traffic Operations shall consider each such complaint or comment in relation to the Manager of Traffic Operation's consideration of opportunities for improvements to the City's system of parking administrative penalties. (DELETED B/L 106-2015 AUG 4/15)~~

99. Complaints and comments respecting the administration of the City's system of parking administrative penalties may be given to the Senior Manager of Traffic Operations, Parking and Transportation Planning. The Senior Manager of Traffic Operations, Parking and Transportation Planning shall consider each such complaint or comment in relation to the Senior Manager of Traffic Operations, Parking and Transportation Planning's consideration of opportunities for improvements to the City's system of parking administrative penalties. (ADDED B/L 106-2015 AUG 4/15)

It is Council's opinion that the delegations in this By law to Hearing Officers and to Screening Officers are of a minor nature. In forming this opinion, Council has had regard to the number of people, the size of geographic area and the time period affected by the exercise of each delegated power (ADDED B/L 112-2013 JULY 8/13)

~~This By law shall come into force and take effect on September 1, 2013 (ADDED B/L 112-2013 JULY 8/13)(DELETED B/L 137-2013 AUGUST 26/13)~~

This by law shall come into force and take effect on November 1, 2013. (ADDED BY-LAW 137-2013 AUGUST 26/13)

(signed) "D. A. Burr"

MAYOR

(SEAL)

(signed) "Thomas Lynd"

CLERK

FIRST READING - June 8, 1987

SECOND READING - June 8, 1987

THIRD READING - June 8, 1987

Last Update: By-Law 113-2017 passed July 12, 2017