

THE CORPORATION OF THE TOWN OF THESSALON

BY-LAW NUMBER 1399

BEING A BY-LAW to prohibit parking on municipal roads, streets and lanes between the hours of 11:00 p.m. and 8:00 a.m. from December 1st to April 30th in the Town of Thessalon to facilitate snow removal.

WHEREAS Section 11 (1) of The Municipal Act, 2001, c.25, provides that a municipality may pass by-laws respecting matters within the “Highways, including parking and traffic on highways” sphere of jurisdiction;

AND WHEREAS Section 1(1) of the Highway Traffic Act provides that “park” or “parking” when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading and unloading merchandise or passengers;

AND WHEREAS Section 1(1) of the Highway Traffic Act provides that “stop” or “stopping” when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or of a traffic control sign or signal;

AND WHEREAS Section 1(1) of the Highway Traffic Act provides that “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.

THEREFORE the Council of The Corporation of the Town of Thessalon hereby **ENACTS AS FOLLOWS:**

1. **THAT** no person shall park a vehicle between the hours of 11:00 p.m. and 8:00 a.m. from December 1st to April 30th on any road, street or lane, at the side of and between the limits of the road, street or lane.
2. **THAT** no person shall stop or stand a vehicle between the hours of 11:00 p.m. and 8:00 a.m. from December 1st to April 30th on any road, street or lane, at the side of and between the limits of the road, street or lane.
3. **THAT** any vehicle found parked or stopped in contravention of this by-law will be towed away at the expense of the owner of the vehicle.
4. **THAT** every person who contravenes this by-law is guilty of an offence, and on conviction is liable to a fine pursuant to the Provincial Offences Act.
5. **THAT** the owner of a vehicle that is parked, stopped or left standing in contravention of this by-law is guilty of an offence and on conviction is liable to a fine of \$25.00 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.
6. **THAT** By-Law 424 is hereby rescinded.
7. **THAT** this by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first and second time this 19th day of April, 2006

Read a third time and finally passed this 19th day of April, 2006.

Seal

MAYOR

CLERK

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