

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

BY-LAW NO. 4744D-23

**A BY-LAW TO AMEND BY-LAW 4744-14 AS
AMENDED, BEING A BY-LAW TO ESTABLISH A
SYSTEM OF ADMINISTRATIVE PENALTIES AND
ADMINISTRATIVE FEES AND TO ADD THE
FOLLOWING SCHEDULE:**

**SCHEDULE E – REGULATING HEAVY
MOTOR VEHICLE TRAFFIC ON HIGHWAYS
UNDER THE JURISDICTION OF THE TOWN
OF NIAGARA-ON-THE-LAKE.**

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake approved By-Law 5157-19 on the 13th day of May 2019;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001 S.O. 2001, c25*, as amended (the “Act”) provides that the powers of a municipality under any act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

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

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

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

AND WHEREAS Council considers it desirable and necessary to provide for administrative penalties regarding heavy motor vehicle parking, standing or stopping in By-Law 5157-19 as amended, being a by-law to regulate heavy motor vehicle traffic on highways under the jurisdiction of the Town of Niagara-on-the-Lake;

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

1. That Part Two - Schedules, Section 2 of by-law 4744-14 (Administrative Penalties) as amended be further amended by deleting:

SCHEDULE	DESCRIPTION
Schedule “A”	Designated By-Law Provisions of the Parking and Traffic By-Law
Schedule “B”	Designated By-Law Provisions of the Private Property Parking By-Law
Schedule “C”	Designated By-Law Provisions of the Fire Route By-Law
Schedule “D”	Administrative Fees

2. That Part Two – Schedules, Section 2 of by-law 4744-14 (Administrative Penalties) as amended, be further amended by adding:

SCHEDULE	DESCRIPTION
Schedule “A”	Designated By-Law Provisions of the Parking and Traffic By-Law
Schedule “B”	Designated By-Law Provisions of the Private Property Parking By-Law
Schedule “C”	Designated By-Law Provisions of the Fire Route By-Law
Schedule “D”	Administrative Fees
Schedule “E”	Designated By-Law Provisions of the Heavy Motor Vehicle Prohibitions By-Law

3. That Schedule “E” (designated by-law provisions of the Heavy Motor Vehicle Prohibitions By-Law), as attached, be added to By-Law 4744-14 (Administrative Penalties), as amended.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 21st DAY OF NOVEMBER 2023.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

.SCHEDULE “E”

ADMINISTRATIVE PENALTIES

**DESIGNATED BY-LAW PROVISIONS OF THE
HEAVY MOTOR VEHICLE PROHIBITIONS BY-LAW**

- 1. For the purposes of Section 8 of this By-Law, Column Two in the following table lists the provisions in the Heavy Motor Vehicle Prohibitions By-Law 5157-19 as amended that are hereby designated for the purposes of Section 3(1)(b) of the Regulation.
- 2. Column One in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column Two
- 3. Column Three in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column Two.

COLUMN ONE	COLUMN TWO	COLUMN THREE
Offence	Section	Administrative Penalty
Park/Stand/Stop Heavy Motor Vehicle where prohibited	3.1.2	\$120.00