



THE CORPORATION OF THE CITY OF NIAGARA FALLS

BY-LAW

Number 89-2000

**A by-law regulating parking
and traffic on City Roads**

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A by-law regulating parking and traffic on City Roads

The Council of The Corporation of the City of Niagara Falls enacts as follows:

PART 1 INTERPRETATION

General

101.01 In this by-law:

"Bicycle" has the same meaning as the H.T.A.;

"Boulevard" means all parts of the highway save and except any roadway, shoulder, driveway or sidewalk and;

(i) **"Outer Boulevard"** means such portions of the highway lying between any sidewalk and the roadway or the shoulder where such exists;

(ii) **"Inner Boulevard"** means such portion of the highway lying between the lateral boundary and the sidewalk and where there is no sidewalk it means that portion of the highway lying between the lateral boundary and the roadway or the shoulder where such exists;

"Bus" has the same meaning as in The H.T.A.;

"Bus Stop" means a portion of a highway designated as an area at which buses will stop to receive or discharge passengers

"Chief of Police" means the Chief of The Niagara Regional Police Force;

"City Council" means the Council of the Corporation of the City of Niagara Falls;

"Commercial Motor Vehicle" has the same meaning as The H.T.A.;

"Corner" with reference to the highway intersection, means the point of intersection of the prolongation of the lateral curb lines or in the absence of the lateral curb lines or in the absence of curbs the prolongation of the edges of the roadways;

"Crosswalk" has the same meaning as in The H.T.A.;

"Cul-de-sac" means a highway which is enclosed at one end at where a traffic circle or turning basin is constructed to allow a vehicle to turn around and egress at the open end;

01/2010 **"Director of Transportation Services"** means The Director of Transportation Services of the City of Niagara Falls;

"Driveway" means the improved land on a highway which provides vehicular access from a roadway to a laneway or parking area on adjacent land;

"Emergency Vehicle" has the same meaning as in The H.T.A.;

"Farm Tractor" has the same meaning as in The H.T.A.;

"Gross Weight" has the same meaning as in The H.T.A.;

"Heavy Vehicle" means a commercial motor vehicle having a registered gross weight greater than 4,500 kilograms, but does not include a passenger vehicle, an emergency vehicle, any vehicles owned and operated by the Transit Commission, a privately-owned commercial motor vehicle making a delivery to or a collection from a bona fide destination which cannot be reached via a highway or highways upon which heavy vehicles are not prohibited by this by-law and taking the most direct route to such a destination or part of a highway upon which heavy vehicles are not prohibited by this by-law;

"The H.T.A." or "The Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1980, c. 198, as amended;

"Highway" has the same meaning as in The H.T.A.;

"Holiday" includes Sunday, New Year's Day, Good Friday, Easter Monday, Victoria Day, Canada Day, the day proclaimed as a Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day, the day proclaimed as the monarch birthday or day fixed by proclamation of the Governor General or Lieutenant-Governor-in-Council as a public holiday or for a general feast or thanksgiving and the next following day any such holiday falls on a Sunday;

"Intersection" has the same meaning as in The H.T.A.;

"Island" means a portion of a highway so constructed as to separate or direct vehicular traffic onto specific portions of the roadway, or provided for the use or protection of pedestrians;

"Large Motor Vehicle" shall mean any motor vehicle having a registered gross vehicle weight greater than 2,500 kilograms;

"Loading Zone" means the portion of a roadway set apart for the exclusive purpose of parking a commercial motor vehicle to load or unload the same;

"Median Strip" has the same meaning as in The H.T.A.;

"Ministry" means The Ministry of Transportation of Ontario;

"Mobile Canteen" includes any vehicle in or from which any food or other edible substance or any beverage is offered for retail sale or sold direct to the consumer;

"Motor Assisted Bicycle" has the same meaning as in The H.T.A.;

"Motorcycle" has the same meaning as in The H.T.A.;

"Motor Vehicle" has the same meaning as in The H.T.A.;

"Official Sign" has the same meaning as in The H.T.A. or means any sign or other device placed or erected on a highway under the authority of this by-law for the purpose of regulating, warning or guiding traffic;

"One-Way Roadway" means a roadway or part of a roadway designated as such by by-law of the City of Niagara Falls;

"Park" or "Parking" has the same meaning as in The H.T.A.;

"Parking Meter" means a device that shall indicate thereon the length of time during which a vehicle may be parked which shall have as a part thereof a receptacle for receiving and storing coins, a slot or place in which such coins may be deposited, a timing mechanism to indicate the passage of the interval of time during the parking is permissible and which shall also display a signal when said interval of times shall have elapsed;

"Parking Meter Zone" means the highways or part of highways designated by this by-law as constituting a parking meter zone;

"Parking Space" means a portion of the surface of a highway designated by suitable markings for the parking of one vehicle only and is controlled and regulated by a parking meter or parking ticket dispensing machine;

"Parking Ticket Dispensing Machine" means a device that shall have a receptacle for receiving and storing coins, a space or place in which coins may be deposited, an indicator which shows the amount of deposit and the time paid for, have the capability of dispensing a parking ticket that shall indicate thereon the location, amount paid and valid time purchased when either a ticket button is pressed or automatically upon the deposit of a predesignated fee;

"Parking Zone" means a portion of the surface of a highway designated by suitable markings for the parking of two or more vehicles and is controlled and regulated by a parking ticket dispensing machine;

"Pedestrian" means a person on foot, or in a wheelchair, baby carriage, or on a child's play vehicle propelled by muscular power;

"Pedestrian Barrier" means a rail, fence or a device installed on a sidewalk or at any location within a highway at where a pedestrian is prevented from crossing the roadway or entering a barricaded area;

"Pedestrian Crossover" has the same meaning as in The H.T.A.;

"Permitted Period" means the duration of parking in or on a parking space or parking zone as indicated on a receipt from a parking ticket dispenser;

"Police Force" means The Niagara Regional Police Force;

"Police Officer" includes a constable or any municipal by-law enforcement officer appointed for enforcing or carrying out the provisions of this by-law

"Public Vehicle" has the same meaning as in The Public Vehicles Act; R.S.O. 1980, c. 425 as amended;

"Regional Municipality" or "Region" means the Corporation of The Regional Municipality of Niagara;

"Regional Council" means the Corporation of The Regional Municipality of Niagara Act; R.S.O. 1980, c. 438 as amended;

"Roadway" has the same meaning as in The H.T.A.;

"School Bus" has the same meaning as in The H.T.A.;

"Shoulder" means that 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;

"Side, Approach" means that side closest to lawfully approaching vehicular traffic;

"Side, Remote" means that side most distant from lawfully approaching vehicular traffic;

"Sidewalk" means a foot path or any portion of a highway as are set aside or improved for the use of pedestrians;

"Stand" or "Standing" has the same meaning as in The H.T.A.;

"Stop" or "Stopping" has the same meaning as in The H.T.A.;

"Taxi Cab" has the same meaning as in The Public Vehicle Act; R.S.O. 1980, c.425 as amended;

"Through Highway" has the same meaning as in The H.T.A.;

"Traffic" includes pedestrians, ridden, led or herded animals, vehicles, motorized snow vehicles and other conveyances, either singly or together while using any portion of a highway for the purposes of travel or movement of good;

"Traffic Control Device" means any sign, traffic signal or other roadway, curb or sidewalk marking, or any device erected or placed under the authority of this by-law for the purpose of regulating, warning or guiding traffic;

"Traffic Signal" means any device operated manually, electrically or mechanically for the regulation of traffic;

"Trailer" has the same meaning as in The H.T.A.;

"Transit Commission" means any local board of the City of Niagara Falls operating a public passenger transportation system, or any private body operating a public passenger transportation system under franchise from or agreement with the City of Niagara Falls;

"U-turn" means to turn a vehicle within a roadway in order to proceed in the opposite direction from the direction the vehicle was previously travelling;

"Vehicle" has the same meaning as in The H.T.A.;

"Wheelchair" has the same meaning as in The H.T.A.;

101.02 In this by-law:

101.02.01 Words importing the singular number of the masculine gender only, includes more persons, parties or things of the same kind than one, and females as well as males.

101.02.02 A word interpreted in the singular number has a corresponding meaning when used in the plural.

Abbreviations

102.01 In the schedules to this by-law, the following abbreviations, definitions and symbols stand for the words respectively set forth opposite thereto as follows:

Ave.	-	Avenue			
Blvd.	-	Boulevard	m	-	Metres
Cir.	-	Circle	N	-	North
Ct.	-	Court	S	-	South
Cres.	-	Crescent	W	-	West
Dr.	-	Drive	E	-	East
Hwy.	-	Highway	a.m.	-	Ante Meridian
Pkwy.	-	Parkway	p.m.	-	Post Meridian
Pl.	-	Place	Mon.	-	Monday
Regn.	-	Regional	Tue.	-	Tuesday
Rd.	-	Road	Wed.	-	Wednesday
St.	-	Street	Thurs.-	-	Thursday
Sq.	-	Square	Fri.	-	Friday
No.	-	Number	Sat.	-	Saturday
cm	-	Centimetre	Sun.	-	Sunday
km	-	Kilometre	Hol.	-	Holiday
km/h	-	Kilometres per hour			

102.02 Where a distance is used in this by-law as from, to or within a specified distance of an object, structure, land, intersection or part of a highway, such distance shall be measured along the curb or edge of the roadway, from a point in such curb or edge or roadway opposite such object, structure, land or corner, unless the context otherwise requires.

102.02.01 Wherever in this by-law the term parking meter is used, it shall apply to a parking meter or parking ticket dispensing machine and such term refers to parking meters or parking ticket dispensing machines separately and not collectively.

102.02.02 Wherever in this by-law the term parking meter space is used, it shall apply to a parking space or a parking zone.

Cumulative Effect

102.03 The various restrictions of this by-law are cumulative and not mutually self-exclusive

Severability

102.04 It is declared that if any section, subsection or part or parts thereof of this by-law be declared by a court of law to be bad, illegal or ultra vires, such part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

Standard Time and Daylight Saving Time

103.01 Whenever in this by-law a time or day or hour is referred to, the same shall be construed in accordance with Standard Time or Daylight Saving Time, as may be in current official use in the City of Niagara Falls.

PART II STOPPING, STANDING AND PARKING

Two-way Roadway and Right Side of One-way Roadway

- 201.01** Where stopping, standing, or parking is permitted, except as provided in subsection 201.04 and 201.07, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb or no shoulder on the right side of the roadway, having regard to the direction in which such vehicle was travelling, unless the right front and rear wheels are parallel to the right curb or edge of the roadway.
- 201.02** Where stopping, standing or parking is permitted, except as provided in subsection 201.05 and 201.07, no person shall stop stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb, or no shoulder on the right side of the roadway, having regard to the direction in which such vehicle was travelling, unless the right front and rear wheels are not more than thirty centimetres (30 cm) from the right curb or edge of the roadway.
- 201.03** Where stopping, standing or parking is permitted, except as provided in subsection 201.06 and 201.07, no person shall stop stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a shoulder on the right side of the roadway, having regard to the direction in which such vehicle was travelling, unless the right front and rear wheels are parallel to and near as is practicable to the right edge of the shoulder.

One-way Roadway, Left Side

- 201.04** Where stopping, standing or parking is permitted on the left side of a highway designated for one-way traffic, except as provided in subsection 201.07, no person shall stop stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb, or no shoulder on the left side of the roadway, having regard to the direction in which such vehicle was travelling, unless the left front and rear wheels are parallel to the left curb or edge of the roadway.
- 201.05** Where stopping, standing or parking is permitted on the left side of a highway designated for one-way traffic, except as provided in subsection 201.07, no person shall stop stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb, or no shoulder on the left side of the roadway, having regard to the direction in which such vehicle was travelling, unless the left front and rear wheels are not more than thirty centimetres (30 cm) from the left curb or edge of the roadway.
- 201.06** Where stopping, standing or parking is permitted on the left side of a highway designated for one-way traffic, except as provided in subsection 201.07, no person shall stop stand or park any vehicle or permit a vehicle to remain stopped, standing or parked on any roadway where there is a barrier curb, or no shoulder on the left side of the roadway, having regard to the direction in which such vehicle was travelling, unless the left front and rear wheels are as near

as is practicable to the curb or edge of the roadway.

Angled Parking Zones

- 201.07** Where angle parking is permitted, no person shall stop, stand or park any vehicle or permit a vehicle to remain stopped, standing or parked except at the angle designated by signs or marking, and with the front end of the vehicle at the curb or the edge of the designated space which is remote from the centre of the roadway.

Signed or Marked Areas

- 201.08** No person shall permit a vehicle to remain stopped, standing or parked on any portion of any highway designated by signs or markings on the highway for stopping, standing, or parking except when said vehicle is entirely within the space or area so designated.

Double Parking Prohibited

- 201.09** No person shall stop, stand or park a vehicle or permit a vehicle to remain stopped, standing, or parked on any highway on the roadway side of any stopped, standing or parked vehicle.

Shoulder And Boulevard Restriction

- 202.01** Unless otherwise posted in this by-law, no person shall stop, stand or park a vehicle or permit a vehicle to remain stopped, standing or parked on any shoulder and boulevard contrary to the prohibition or restriction applicable to the adjacent roadway as herein provided by this by-law.

Parking Prohibition Within the Same Zone

- 202.02** No person shall stop, stand or park a vehicle or permit a vehicle to remain stopped, standing, or parked on any portion of the highway within thirty metres (30 m) of, or within one hour from the time of its removal from such portion of the highway where such portion is referred to in Part II to this by-law.

Large Motor Vehicles

- 202.03** No person shall stop, stand or park a large motor vehicle or a truck trailer on any street in any residential area unless it is at the time being used to make a delivery or to provide a service, with the exception of a school bus which may be parked on a residential street between the hours of 9:00 am and 3:00 pm, Monday to Friday.

Parking of Bicycles

- 202.04** No person shall stop, stand or park a bicycle on a highway, except in an upright position and in such a manner as to cause the least obstruction to pedestrians or vehicular traffic; and no bicycle shall be laid on it's side along any highway or sidewalk.

**Stopping Prohibited -
Specified Places, Without Signs**

- 203.01** No person shall stop any vehicle or permit any vehicle to remain stopped on any highway:
- 203.01.01** On or partly on or over a sidewalk;
- 203.01.02** Within the intersection or crosswalk;
- 203.01.03** Adjacent to or across the roadway from any obstruction in the roadway when such action would impede the free flow of traffic;
- 203.01.04** Upon any bridge or elevated structure and within any tunnel or underpass, or within thirty metres (30 m) of either end of any such structure, except where stopping in these areas is otherwise permitted by this by-law;
- 203.01.05** On any median strip or adjacent to either side or the ends of any median strip separating two roadways, except when stopping in these locations is otherwise permitted by this by-law;
- 203.01.06** On any outer boulevard.

**Stopping Prohibited -
Specified Places, With Signs**

- 203.02** When official signs are on display, no person shall stop a vehicle or permit a vehicle to remain stopped on a highway:
- 203.02.01** Within thirty metres (30 m) of the approach side of a crosswalk at a school crossing designated by official signs and within ten metres (10 m) of the remote side of a school crosswalk;
- 203.02.02** Within thirty metres (30 m) of a railroad level crossing;
- 203.02.03** On either side or both sides of such highway adjacent to a school or playground at such times as displayed on the sign;
- 203.02.04** Within fifteen metres (15 m) of an intersection;
- 203.02.05** Within sixty metres (60 m) of an intersection controlled by a traffic signal;
- 203.02.06** Within thirty metres (30 m) of a pedestrian crossover;

- 203.02.07** In front of or within eight metres (8 m) of the property limits on which a fire hall is located, or on the opposite side of the said highway, within thirty metres (30 m) of the prolonged lot limits of the said property.

**Stopping Prohibited -
Schedule "A"**

- 203.03** When official signs are on display, no person shall stop a vehicle or permit a vehicle to remain stopped on a highway, at the side, between the limits, and during the times or days set out respectively in columns 1, 2, 3 and 4 of Schedule "A" of this by-law.
- 203.04** The provisions of subsection 203.02.01, 203.02.03 or 203.03, shall not apply to a school bus within a School Bus Loading Zone designated by official signs.

**Standing Prohibited -
Specified Places, With Signs**

- 204.01** Subject to Section 203, when official signs are on display, no person shall stand a vehicle or permit a vehicle to remain standing on a highway:
- 204.01.01** Within twelve metres (12 m) remote side of a designated Transit Commission bus stop or within twenty-eight metres (28 m) of the approach of such bus stop, provided such vehicles does not interfere with a bus waiting to enter or about to enter or exit from such bus stop.

**Standing Prohibited -
Schedule "B"**

- 204.02** Subject to Section 203, when official signs are on display, no person shall stand a vehicle for the purpose of standing or permit a vehicle to remain standing on a highway, at the side, between the limits, and during the times or days set out respectively in columns 1, 2, 3 and 4 of Schedule "B" of this by-law.

**Parking Prohibited -
Specified Places, Without Signs**

- 205.01** Subject to Sections 203 and 204, no person shall park a vehicle or permit a vehicle to remain parked on any highway:
- 205.01.01** Within ten metres (10 m) of an intersection;
- 205.01.02** Within three metres of a point on the curb or edge of the shoulder of the road opposite any fire hydrant;
- 205.01.03** On an inner boulevard;

- 205.01.04** On a driveway within thirty centimetres (30 cm) of a sidewalk, between the sidewalk and the roadway or where there is no sidewalk within three metres (3 m) of the edge of roadway or one metre (1 m) of shoulder;
- 205.01.05** In front of or within one and one-half metres (1.5 m) of a laneway or driveway or a curb-cut or depressed curb thereto;
- 205.01.06** On either side of a roadway so as to obstruct a vehicle in the use of any laneway or driveway;
- 205.01.07** In such a position that will prevent the convenient removal of any other vehicle previously stopped, standing or parked;
- 205.01.08** For the purpose of displaying such vehicle for sale or lease;
- 205.01.09** For the purpose of servicing, or repairing such vehicle except for repairs as have been necessitated by an emergency;
- 205.01.10** For a longer period than 12 hours at any one time;
- 205.01.11** Between the hours of 2:00 a.m. and 6:00 a.m. except those vehicles which have displayed face up on the driver's side of the vehicle's dashboard an "on-street overnight parking permit".
"Between the hours of 2:00 a.m. and 6:00 a.m., except where signed otherwise.(03/97)"
- 205.01.12** If it is a heavy vehicle and is parked between the hours of 2:00 a.m. and 6:00 a.m. unless permitted by sign.
- 205.01.13** If it is a heavy vehicle and is parked on a boulevard.

**Parking Prohibited -
Specified Places, With Signs**

- 205.02** Subject to Sections 203 and 204, when official signs are on display, no person shall park a vehicle or permit a vehicle to remain parked on any highway;
- 205.02.01** In front of or within eight metres (8 m) of the property limits on which a fire hall is located, or on the opposite side of the said highway, within thirty metres (30 m) of the prolonged lot limits of the said property;
- 205.02.02** Within twenty-two metres (22 m) of an intersection;
- 205.02.03** Within sixty metres (60 m) of an intersection controlled by a traffic signal;
- 205.02.04** In front of or within three metres (3 m) of the main entrance to, or any emergency exit from any public house, hotel, motel, hospital nursing home, theatre, auditorium or other building or enclosed space in which persons may be expected to congregate in large numbers;

- 205.02.05** Within three metres (3 m) of a laneway or driveway or a curb cut or depressed curb thereto;
- 205.02.06** Having a roadway width of eight metres (8 m) or less;
- 205.02.07** Within thirty metres (30 m) of the approach side and within fifteen metres (15 m) of the remote side of a crosswalk controlled by a traffic signal and not located at an intersection;
- 205.02.08** So as to interfere with the formation of a funeral procession;
- 205.02.09** Within the turning circle or basin of a cul-de-sac;
- 205.02.10** Within fifteen metres (15 m) of the termination of a dead end roadway;
- 205.02.11** Within thirty metres (30 m) of a pedestrian crossover;
- 205.02.12** Within thirty metres (30 m) of railroad level crossing;
- 205.02.13** On either side or both sides of such highway adjacent to a school or playground at such time as displayed on the sign;
- 205.02.14** Where the Director of Transportation Services is of the opinion that, for some temporary period, the safety of the public, the proper movement of traffic, or the proper and safe performance of some vital function of the City requires the prohibition of limited parking. (Revised Jan 2010)

**Parking Prohibited -
Schedule "C"**

- 205.03** Subject to Sections 203 and 204, when official signs are on display, no person shall park a vehicle or permit a vehicle to remain parked on a highway, at the side, between the limits, and during the times and days set out respectively in columns 1, 2, 3 and 4 of Schedule "C" of this by-law.

**Trailer and Commercial Motor Vehicle parking Prohibition -
Schedule "D"**

- 205.04** Subject to Section 203 and 204, when official signs are on display, no person shall park a trailer or commercial motor vehicle, or permit a trailer or commercial motor vehicle to remain parked on a highway, at the side, between the limits, and during the times and days set out respectively in Column 1, 2, 3 and 4 of Schedule "D" of this by-law.

**Parking Restriction Exemptions -
Funeral Corteges**

- 206.01** If the Chief of Police is of the opinion or deems it desirable, he may declare that Subsection 205.02.03, 205.02.04, 205.02.07 and 205.03 do not apply for a temporary period to prevent the parking of vehicles forming part of any funeral cortege, provided that all such vehicles are parked on only one side of the highway at one time.

**Limited Parking -
Schedule "E"**

- 207.01** Subject to the previous sections of Part II, when official signs are on display, no person shall park a vehicle or permit to remain parked on a highway, at the side, between the limits, for a longer period of time and during the times of day set out respectively in columns 1, 2, 3, 4 and 5 of "Schedule "E" of this by-law.

**Angle Parking -
Schedule "F"**

- 208.01** Subject to the previous sections of Part II, angle parking is permitted on the roadways, at the sides, and between the limits set forth respectively in columns 1, 2 and 3 of Schedule "F" of this by-law.

**Parking Meters -
General Regulations**

- 209.01** Where parking meters have been installed under the authority of this by-law, no person shall park a vehicle or permit a vehicle to remain parked in a parking meter space unless:
- 209.01.01** Where parallel parking is permitted, the front wheels of such are adjacent to the single parking meter provided for such parking meter space;
- 209.01.02** Where parallel parking is permitted and two meters are mounted on the same standard, the rear wheels of the remote vehicle shall be adjacent to or as close as is practicable to such parking meters and the front of the approach vehicle shall be adjacent to or as close as is practicable to such parking meters;

- 209.01.03** Where angle parking is permitted, the front wheels of the vehicle shall be adjacent to or as close as is practicable to the parking meter provided for such parking meter space.
- 209.02** No person shall park a vehicle or permit a vehicle to remain parked in such a manner that it is not wholly within the area designated as a parking space unless the vehicle is of such length as to render it impossible to park it in one parking space, in which case the adjoining parking space or spaces may, in addition, be used if the required coin deposits are made in the parking meters provided for all such parking spaces so used.
- 209.03** No person shall park a vehicle or permit a vehicle to remain parked in a parking meter space if:
- 209.03.01** The parking meter has been covered by a parking meter cover or parking prohibition sign or the parking meter has an "Out of Order" display or a "No Parking" display on the indication.
- 209.03.02** Such parking meter space is presently occupied by another vehicle.

Parking Metered Space Subject to Other Provisions

- 209.04** The stopping, standing, and parking of vehicles in metered spaces shall be subject to all prohibitions, restrictions, limitations and provisions of this By-law, other City of Niagara Falls By-laws and The H.T.A..

Use of Parking Meter

- 209.05** No person shall deposit or cause to be deposited in any parking meter:
- 209.05.01** Any slug, device or other substitute for a coin of the Dominion of Canada or of the United States of America, or a City of Niagara Falls parking token, or;
- 209.05.02** Any coin except a five cent coin commonly referred to as a "nickel", a ten cent coin commonly referred to as a "dime", a twenty-five cent coin commonly referred to as a "quarter", a fifty-cent coin, a dollar coin, a two dollar coin, of the Dominion of Canada or the United States of America, or a City of Niagara Falls parking token.

**Parking Meter Zones -
Schedule "G"**

- 209.06** The highways or portion of the highways described in Schedule "G" of this by-law are hereby designated as parking meter zones.
- 209.06.01** Subject to the provisions in Subsection 209.06.02, when parking meters have been erected on the highway, at the side, and between the limits set out respectively in Column 1, 2 and 3 of Schedule "G" of this by-law, no person shall park a vehicle or permit a vehicle to remain

parked for a longer period of time and during the times of day set out respectively in Columns 4 and 5 of the said schedule;

209.06.02 Subject to the maximum parking time period and the hours and days of operation set out in Schedule "G" of this by-law, no person shall park any vehicle or permit a vehicle to remain parked in a parking meter space unless the fee set out in Column 4 of the said schedule is deposited in the meter controlling such parking meter space and the said meter is in operation and the said time limit on the meter for which the appropriate fee has been paid has not expired and that the receipt issued by the parking ticket dispenser shall be placed inside the windshield of the vehicle while the vehicle is parked in or on the parking space in a position so that the writing and markings on the receipt face outward so as to be easily seen from outside the vehicle.

209.06.03 Subject to the provisions in Subsection 209.06.02, when parking meters have been erected on the highway, at the side, and between the limits set out respectively in Column 1, 2 and 3 of Schedule "G" of this by-law, no person shall park a vehicle or permit a vehicle to remain parked in the area prescribed in schedule "G2" and "G3", attached to this by-law for a longer period of time and during the times of day set out respectively in Columns 4 and 5 of the schedule "G"; **(as amended by by-law 2003-110 06/02/03)**

Unexpired Parking Meter

209.07 The driver of a vehicle shall not be prevented from using the unexpired time remaining on a parking meter from its previous user without depositing a coin therefor.

Vehicle at Expired Parking Meter

209.08 The fact that a parking meter governing a parking meter space indicates that a vehicle, displaying no time in the parking meter or displaying an expired ticket or no ticket at all, is unlawfully parked in prima facie evidence that such a vehicle is unlawfully parked.

Loading and Parking Permits

209.09.01 The Director of Transportation Services or their designate may issue:
Revised Jan 2010

- (i) "Commercial loading permits" to the owner of any commercial vehicle and any commercial vehicle for which such a permit has been issued may be parked in any parking space while actually engaged in loading goods, wares, or merchandise, without making use of the parking meter adjacent to such parking space, for a period not longer than thirty minutes;
- (ii) "Commercial parking permits" to the owner of any commercial vehicle and any commercial vehicle for which such a permit has been issued may be parked in a metered parking space while such a vehicle is being used in connection with the construction and/or maintenance of any plant, equipment or adjacent structure or any

service required at abutting properties;

- (iii) “On-street overnight parking permit” to the owner of any vehicle, who is a resident of the City of Niagara Falls, and who has made application and received approval from the Director of Transportation Services or their designate and the owner may only park his vehicle on the section and side of the road indicated on the permit.

209.09.02 Every commercial vehicle for which a commercial loading permit or a commercial parking permit has been issued and every vehicle for which an on-street overnight parking permit has been issued, shall be identified by having displayed face up on the driver’s side of the vehicle’s dashboard the official permit issued by the Director of Transportation Services or their designate; (Revised Jan 2010)

209.09.03 The fee for every commercial loading permit, commercial parking permit and on-street overnight parking permit shall be in accordance with the tariff contained in Schedule “G1” to this by-law.

Taxicab - Parking Prohibited

209.10 No person shall stop, stand or park any taxicab in a metered parking space, whether prescribed fee for the use thereof is paid or not, for the purpose of soliciting business; however, it shall be unlawful for the driver to stop his taxicab in any unoccupied parking space while actually engaged in loading or unloading passengers.

Parking Meter Exemptions

209.11 Notwithstanding anything hereinbefore contained, drivers of the following classes of vehicles shall not be required to deposit coins in the parking meters or parking ticket dispensing machines provided for a parking space or parking zone occupied by such vehicles:

- (i) Fire Department vehicles,
- (ii) Niagara Regional Police Force vehicles,
- (iii) Ambulances,
- (iv) Hearses,
- (v) Privately owned vehicles in use by employees of the City of Niagara Falls on City business or the employees of the Region on Regional business, provide that such vehicles are identified by having affixed to the windshield thereof an official parking permit issued by the City of Niagara Falls,
- (vi) Vehicles owned by the City of Niagara Falls or the Region,

- (vii) Vehicles of a Public Utilities Commission while such vehicles are being used in connection with the construction, maintenance or repair of any plant or equipment of such Commissions,
- (viii) A privately owned vehicle, identified by an official handicapped permit displayed in the windshield or a valid government issued “Veterans” license plate for up to two hours or the maximum period of time indicated on the face of the meter, whichever is less, as identified in Schedule “G”.
- (ix) A commercial vehicle identified by a commercial loading permit displayed in the windshield.

PART III SPECIAL ZONES

Bus Stops

- 301.01** The establishment of a bus stop for local Transit Commission buses on roadways is hereby authorized, and shall be conclusively deemed to have been established when official signs are on display;

Public Vehicle (Inter-City) Parking Zone Schedule "H"

- 301.02** Subject to Part II, when official signs are on display, no person shall park a vehicle or permit a vehicle to remain parked on the highway, at the side, between the limits and during the days and times set out respectively in Columns 1, 2, 3 and 4 of Schedule "H" of this by-law, except a public vehicle.

Public Vehicle (Inter-City) Bus Stop Schedule "I"

- 301.03** Subject to Part II, when official signs are on display, no person shall stand a vehicle or permit a vehicle to remain standing on a highway, at the side, between the limits and during the times and days set out respectively in Columns 1, 2, 3 and 4 of Schedule "I" to this by-law, other than a public vehicle taking or discharging passengers except that the driver of a vehicle may temporarily stop in a bus stop for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with a public vehicle waiting to enter or about to enter such bus stop.

School Bus Loading Zones

- 302.01** When official signs have been erected in accordance with The H.T.A., the portion of highway designated by such signs is hereby established as a "School Bus Loading Zone" and subject to the regulation under the said Act.

Vending Stops - Schedule "J"

- 303.01** No person who sells or offers for sale or take orders for goods, wares, merchandise or produce from a vehicle, shall for the purpose of carrying on their business, stop the vehicle or permit the vehicle to remain stopped on any part of the highway in such a manner as to interfere with the movement of traffic.
- 303.02** No person shall offer for sale or take orders for goods, wares, merchandise or produce from a vehicle on a highway except from the side of such vehicle facing the closest boulevard.

- 303.03** Subject to Part II, no person shall stop a mobile canteen on a roadway, at the side, between the limits, and during the times and days set out respectively in Columns 1, 2, 3 and 4 of Schedule "J" of this by-law.

**Taxi Cab Stands -
Schedule "K"**

- 304.01** Subject to Part II, when official signs are on display, no person shall stand a vehicle or permit a vehicle to remain standing on the highway, at the side, between the limits and during the times and days set out respectively in Columns 1, 2, 3 and 4 of Schedule "K" of this by-law, except a taxi cab.

**Loading Prohibited -
Schedule "L"**

- 305.01** Subject to Part II, when official signs are on display, no person shall stop a vehicle to load or unload freight or merchandise or permit a vehicle to stop to load or unload freight or merchandise on a highway, between the limits and during the times and days set out respectively in Columns 1, 2, 3 and 4 of Schedule "L" of this by-law.

**Loading Zones -
Schedule "M"**

- 305.02** Subject to Part II and previous sections of Part III, when official signs are on display, no person shall stop a vehicle or permit a vehicle to remain stopped on the highway, at the side, between the limits and during the times and days set out respectively in Columns 1, 2, 3 and 4 of Schedule "M" of this by-law, except a commercial motor vehicle when parked temporarily for the purpose of and while actually engaged in loading or unloading freight or merchandise, and such parking shall not exceed a period of thirty (30) minutes.

PART IV TRAFFIC MOVEMENT

Through Highways - Schedule "N"

- 401.01** The highways between the limits set out in Columns 1 and 2 of Schedule "N" of this by-law, are, except as provided in subsection 401.02 hereby designated as through highways.
- 401.02** The designation in subsection 401.01 of a highway or part of a highway as a through highway shall not include any intersection thereon where the highway intersected is a King's Highway or Regional Road, where traffic signals are installed or where the roadway passes over the land owned by the Crown or the Region.

Stop Signs at Intersections - Schedule "P"

- 402.01** The City of Niagara Falls shall erect stop signs on the highways, at the intersections set out in Columns 1 and 2 of Schedule "P" of this by-law, facing traffic proceeding the direction set out in column 3 of the said schedule.
- 402.02** The City of Niagara Falls shall erect stop signs on the highways, at railway crossings set out in Columns 1 and 2 of Schedule "P1" of this by-law, facing traffic proceeding the direction set out in column 2 of the said schedule.

Yield Signs at Intersections - Schedule "Q"

- 403.01** The City of Niagara Falls shall erect yield signs on the highways, at the intersections set out in Columns 1 and 2 of Schedule "Q" of this by-law, facing traffic proceeding the direction set out in column 3 of the said schedule.

Prohibited Turns - Schedule "R"

- 404.01** When official signs are on display, no vehicle on the highways, at the intersections or locations set out in Columns 1 and 2 of Schedule "Q" of this by-law, and proceeding in the direction set out in column 3 of the said schedule, shall be turned in the manner or the direction, during the times and days set out in columns 4 and 5 of the said schedule.
- 404.02** Where a U-turn is not otherwise prohibited under this by-law or under the H.T.A., such a turn shall be made only where it can be made in safety and without interfering with other traffic.

**One Way Highways -
Schedule "T"**

- 405.01** When official signs are on display, the highways between the limits set out in columns 1 and 2 of Schedule "T" of this by-law, are hereby designated as one-way roadways for the passage of vehicles only in one direction set out in column 3 of the said schedule.

Traffic Circles

- 406.01** No person shall drive any animal or vehicle otherwise than in a counterclockwise direction in any traffic circle, or cul-de-sac.

**Designated Lanes -
Schedule "U"**

- 407.01** When official signs are on display, the portion of a highway between the limits set out in columns 1 and 2 of Schedule "U" of this by-law, in the lane during the times set out in column 3 and 4 of the said schedule, shall be designated for the traffic movement set out in column 5 of the said schedule.
- 407.02** The City of Niagara Falls shall divide the roadways between the limits set out in columns 1 and 2 of Schedule "U", into clearly marked lanes for traffic movements in a particular direction set out in column 5 of the said schedule.

PART V SPEED REGULATIONS

Speed Limits on Bridges - Schedule "V"

- 501.01** When any structure on a highway set out in columns 1 and 2 of Schedule "V" of this by-law, is marked in compliance with the regulations under the H.T.A., the maximum rate of speed on such structure shall be the rate of speed set out in column 3 of the said schedule.

Speed Limits on Highways - Schedule "W"

- 501.02** Subject to subsection 501.01, when any highway or part of a highway between the limits set out in columns 1 and 2 of Schedule "W" of this by-law is marked in compliance with the regulations under the H.T.A., the maximum rate of speed on such highway or part of highway shall be the rate of speed set out in column 3 of the said schedule.

Speed Limits in School Zones - Schedule "X"

- 501.03.01** Subject to subsection 501.01 and 501.02, when official signs and the flashing amber beacons are on display in compliance with the H.T.A., the maximum rate of speed on the highway or part of a highway between the limits set out in columns 1, 2 and 3 of Schedule "X", shall be 40 kilometres per hour during the days and hours set out in columns 4 and 5 of the said schedule.
- 501.03.02** Subject to subsection 501.03.01 and where required on any school day to accommodate variations from normal school hours or a school emergency, the flashing amber beacons may be actuated and the speed limit is reduced to 40 km/h for any period between 8:00 a.m. and 5:00 p.m. and not provided under subsection 501.03.01.

PART VI LOAD RELATED RESTRICTIONS

Reduced Load on Highways (5 tonnes per axle) During March and April - Schedule "Y"

- 601.01** When official signs are on display, the reduced load restriction provisions of the H.T.A. are declared to be in force with respect to the highways and between the limits set out in Columns 1 and 2 of Schedule "Y" of this by-law, during the period from the 1st day of March to the 30th day of April inclusive in each and every year.

Reduced Load on Highways (5 tonnes per axle) During Entire Year - Schedule "Z"

- 601.02** When official signs are on display, the reduced load restriction provisions of the H.T.A. are declared to be in force with respect to the highways and between the limits set out in Columns 1 and 2 of Schedule "Z" of this by-law, during the period from the 1st day of January to the 31st day of December in each and every year.

Oversize and Overweight Load Permits

- 602.01** The Director of Transportation Services or their designate is hereby authorized to grant or refuse permits for the moving of heavy vehicles, loads, objects or structures in excess of the otherwise lawful limits, pursuant of The H.T.A.. (Revised Jan 2010)

Heavy Vehicle Prohibited - Schedule "S"

- 603.01** When official signs are on display, no person shall drive, move or operate Heavy Vehicles on the highway or part of a highway between the limits set out in columns 1 and 2 of Schedule "S" of this by-law, during the times and days set out in column 3 of the said schedule.

Weight Limits on Bridges Schedule "V1"

- 604.01** The gross weight of any vehicle or combination of vehicles passing over bridges listed in Column 1 and Column 2 of Schedule V1 of this by-law, shall be limited to the weights set out in the corresponding line of Column 3 of said Schedule.
- 10/2009

PART VII DRIVING AND RELATED RULES

Emerging from a Driveway, Laneway, Etc.

- 701.01** The driver or operator of a vehicle emerging from a driveway, laneway, building or lot onto a highway shall bring the vehicle to a full stop immediately before driving onto a sidewalk and upon proceeding shall yield the right-of-way to pedestrians upon the sidewalk.

Barricaded Highways

- 702.01** No person shall drive, operate or park a vehicle or permit a vehicle to remain parked on any part of any highway barricaded and marked by signs showing that its use is prohibited or restricted.

Vehicles Crossing Sidewalks, Boulevards and Curbs

- 703.01** In this section, bicycle shall include any such vehicle having a wheel or wheels in excess of 50 cm. in diameter.
- 703.02** No person shall drive a vehicle upon a sidewalk on a highway, except for the purpose of directly crossing the sidewalk.
- 703.03** No person shall drive any motor vehicle over a raised curb or a wheelchair ramp at a crosswalk or sidewalk except at a place where there is a driveway, mountable curb or depressed curb intended for vehicular access.
- 703.04** No person shall drive any motor vehicle on any boulevard except for the purpose of directly crossing a boulevard at a driveway or other designated vehicular crossing.

Boarding or Alighting from Motor Vehicles

- 704.01** No person shall board or alight from any vehicles while such vehicle is in motion.

PART VIII PEDESTRIANS

Pedestrian Barriers

- 801.01** No pedestrians shall proceed over or under a barrier, or within a barricaded area, installed on a sidewalk or at any other location within a highway.

Playing on Roadway Prohibited

- 802.01** No person shall play or take part in any game or sport upon a roadway.
- 802.02** No person upon roller skates, or riding in or by means of any coaster, or similar device shall go upon a roadway except for the purpose of crossing the roadway, and when so crossing such person shall have the rights and subject to the obligations of a pedestrian.

Pedestrian Crossing Prohibited - Schedule "AA"

- 803.01** When official signs are on display, no pedestrian on the highways, at the locations set out in columns 1 and 2 of Schedule "AA" of this by-law, shall enter onto or cross the roadway approach set out in column 3 of the said by-law.
- 804.01** When official signs are on display in compliance with The H.T.A., the highways at the locations set out in columns 1 and 2 of Schedule "AB" of this y-law are thereby designated as pedestrian crossovers.

PART IX ERECTION OF SIGNS

Authorization

- 901.01** The Director of Transportation Services or their designate, are hereby authorized to apply, erect and maintain such traffic control devices and other structure, plant and equipment as required to give effect to this by-law. (Revised Jan 2010)
- 901.02** Where the Director of Transportation Services or their designate is of the opinion that, for some temporary period, the safety of the public, the proper movement of traffic, or the proper and safe performance of some vital function of the City requires the immediate erection or removal of official regulatory signs, the Director of Transportation Services or their designate, are hereby authorized to apply, erect, maintain or remove such traffic control devices and other structure, plant and equipment until such time that it is further deemed by the Director of Transportation Services or their designate, that the safety of the public, the proper movement of traffic, or the proper and safe performance of some vital function of the City is no longer endangered and that the traffic control devices erected or removed for a temporary period can be removed or re-installed as required. (Added Jan 2010)

Conflicting Private Signs

- 902.01** Subject to the provisions of other by-laws controlling signs, no unauthorized person shall place, maintain or display upon a sign, signal, marking, or device visible from any highway which:
- 902.01.01** Conceals a traffic control device, or parking meter from view;
- 902.01.02** Interferes with the effectiveness of a traffic control device, or parking meter, or;
- 902.01.03** Purports to be, is an imitation of, or resembles any official sign or any regulatory or traffic control device.

Damage to Traffic Control Devices

- 903.01** No person shall move, deface, remove, or in any manner interfere with any traffic control device placed, erected or maintained by the City of Niagara Falls.
- 903.02** No person shall drive any vehicle on or over any pavement marking, line or stripe on the roadway where markers are in place, or signs are on display to indicate that the marking material has been freshly applied, nor shall any person drive any vehicle into or over such marker so placed, or move or remove such markers unless authorized to do so.

PART X OFFENCES AND PENALTIES

Subject to Provincial Offences Act

- 1001.01** Any fine imposed or offence created by this by-law is subject to the provisions of the Provincial Offences Act.

Offences Punishable by The Highway Traffic Act

- 1001.02** Any person who contravenes any section of this by-law for which a penalty is provided by The Highway Traffic Act is subject to such penalties.

General Penalty

- 1001.04** Any person who contravenes any of the provisions of this by-law for which a penalty for the contravention thereof has not otherwise been provided, is liable upon the conviction therefore to a fine not less than five dollars (\$5.00) and not more than two thousand dollars (\$2,000.00).

Exemptions - Municipal Vehicles

- 1003.01** The provisions in Parts II and III of this by-law, except section 209 thereof do not apply to:
- 1003.01.01** Vehicles operated by or behalf of the City of Niagara Falls or the Region while engaged in the performance of cleaning, clearing, maintenance, repair, construction or other work on the highway;
- 1003.01.02** Vehicles operated by or behalf of the City of Niagara Falls or the Region while on official Business and identified by a permit.
- 1003.02** Parts II and III of this by-law shall not, in the case of emergency, apply to an emergency vehicle.

PART XI APPLICATION, ADMINISTRATION AND ENFORCEMENT

Enforcement

- 1101.01** This by-law shall be enforced by the Police Force and by any officer appointed for the enforcing or carrying out of the provisions of this by-law.

Removal of Vehicles

- 1102.01** A Police Officer, upon discovery of any vehicle parked or standing in contravention of this by-law, of any vehicle apparently abandoned or of any vehicle without proper number plates on the highway, may cause such vehicle 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, if any, are a lien upon such vehicle, which may be enforced in the same manner provided in the Repair and Storage Liens Act.
- 1102.02** In addition to any other penalties provided for in this by-law, a member of the Niagara Regional Police Force, Ontario Provincial Police Force, or a Provincial Offences Officer may, where a motor vehicle is parked or stopped in contravention of Part II - Stopping, Standing and Parking and Part III - Special Zones of this by-law, cause that motor vehicle to be removed, taken away and stored in a suitable place.
- 1102.03** All costs and charges incurred for removing, taking away and storing a motor vehicle pursuant to subsection 1102.02 of this section, shall be a lien upon the motor vehicle, which lien may be enforced in the manner prescribed in the Repair and Storage Liens Act, as amended.

Application of By-law

- 1103.01** This by-law applies to all highways and parts of highways under the jurisdiction of the City of Niagara Falls.

By-law Subject to The Highway Traffic Act

- 1104.01** The provisions of this by-law are subject to the provisions of The Highway Traffic Act.

Schedules Adopted

- 1105.01** The Schedules referred to in this by-law shall form part of this by-law, and each entry in a column of such a schedule shall be read in conjunction with the entry or entries across therefrom, and not otherwise.

Former By-laws Repealed

- 1106.01** The following by-laws are hereby repealed:-
3790, 3791, 6340, 76-293, 82-41, 72-163
85-203, 85-204, 87-30, 87-262, 87-263
and any other by-law that is found to be inconsistent with this bylaw is hereby repealed in whole or in part on the passing of this by-law.

Effective Date of By-law

- 1107.01** This by-law shall come in force on the first day of September 1989.

Passed this 10th day of April, 1989.

PAUL J. BRENNAN, CITY CLERK

WILLIAM S. SMEATON, MAYOR

First Reading: April 10, 1989
Second Reading: April 10, 1989
Third Reading: April 10, 1989

SCHEDULES