

CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF SHAWVILLE
BY-LAW S.Q. 2009-001
CONCERNING PARKING ENFORCEABLE BY
THE QUEBEC PROVINCIAL POLICE

WHEREAS under section 79 of the *Municipal Powers Act* (Q.R.S., chapter C-47, 1), any local municipality may adopt by-laws relating to parking;

WHEREAS the municipality has received a request from the MRC of Pontiac asking that it update its by-laws relating to penal matters, and

WHEREAS a regular notice of motion was given by councillor James Hodgins on April 14, 2009;

CONSEQUENTLY it is moved by councillor Frank Stafford Jr., seconded by councillor Keith Harris and resolved that this by-law abrogate and replace all previous By-Laws relating to parking, as enforceable by the Quebec Provincial Police.

IT IS RESOLVED that the following by-law be adopted:

"Preamble" **SECTION 1** The preamble forms an integral part of this by-law.

For purposes of this definition of a road vehicle is as follows: motor vehicle which can travel on a path is excluded from the definition of road vehicles that can operate only on rails and electrically powered wheelchairs, are included in the definition of road vehicles all-terrain vehicles, snowmobiles, trailers, semi-trailers and detachable axles motorcycles;

The schedules attached to this by-law form an integral part of it.

"Signs" **SECTION 2** The municipality authorizes the person responsible for the maintenance of a public road to install signs or parking meters indicating stopping and parking zones.

"Responsible" **SECTION 3** The owner whose name is recorded in the register of the Quebec Automobile Insurance Corporation may be declared guilty of an offence relating to parking by virtue of this by-law.

"Prohibited place"

SECTION 4 Parking or stopping a road vehicle on a public road at places where signs or parking meters indicate a violation is prohibited.

"Permitted period"

SECTION 5 Parking or stopping a vehicle beyond the time limit authorized by a sign or a parking meter is prohibited.

"Winter"

SECTION 6 Parking or stopping a vehicle on a public road between midnight and 6:00 a.m. from the 15th of November to the 15th of April is prohibited on the whole territory of the municipality.

"Removable signs"

SECTION 7 Parking or stopping a road vehicle on a public road in areas:

1° where movable parking signs have been installed, in cases of emergencies or for special events, is prohibited.

2° in a place where movable signs or posters indicate ploughing operation or construction work;

"Handicapped persons"

SECTION 8 Parking or stopping a road vehicle on a public road in a parking space reserved for the exclusive use of handicapped persons is prohibited, unless such a road vehicle is equipped with one of the following plates or labels:

1° Identification label delivered in accordance with section 11 of the *Highway Safety Code* (R.S.Q. C. C-24.2), in the driver's name, or that of an accompanying person or the establishment that employs the driver; the label should be suspended to the road vehicle's inside rear-view mirror, so as to be visible from the outside;

2° Any plate or label identifying the handicapped person and delivered by an administrative body in Canada or the United States.

When a road vehicle is equipped with a label delivered according to paragraph 1 above, the driver or the passenger should, upon asked by a peace officer, submit a certificate showing delivery of the label.

Apart from public roads, this section applies to private roads open to public traffic for road vehicles, as well as to shopping malls and other areas to which the general public has access.

POWERS GRANTED TO PEACE OFFICERS

"Moved" **SECTION 9** In the context of the duties exercised by virtue of this by-law, a peace officer may remove or have removed, at the owner's expense, any road vehicle that is parked, in the case of snow removal or in the following emergency situations:

- the road vehicle interferes with traffic to the point of being a risk for public safety;
- the road vehicle interferes with the work of firemen, policemen or any other officials at the time of an event involving public safety.

PENAL PROVISIONS

"Application" **SECTION 10** Council authorizes all peace officers of the Quebec Provincial Police to undertake criminal proceedings against any contravener, and to issue statements of violation for any infraction to one of the provisions of the by-law.

"Penalties" **SECTION 11** Anyone who contravenes one of the sections (4, 5, 6 or 7) of this by-law commits an offence and is liable, over and above expenses, to a minimum fine of thirty dollars (\$30.00).

SECTION 12 Anyone who contravenes section 8 of this by-law commits an offence and is liable, over and above expenses, to a fine of one hundred dollars (\$100.00).

"Abrogation" **SECTION 13** This by-law abrogates any
previous municipal by-laws which
are incompatible with its
provisions.

"Effective date"

SECTION 14 This by-law shall become
effective according to law.

Adopted by the Municipal Council during a session held on
July 14, 2009, and signed by the Mayor and the Assistant
Secretary-Treasurer.

Mayor

Assistant Secretary-Treasurer

CERTIFICATE OF PUBLICATION

I, the undersigned, residing at 568 Tucker Street,
Shawville, Quebec, do hereby certify under my oath of
office, that I have published the public notice relating to
By-Law No. S.Q. 2009-001 by posting two copies thereof, at
the places designated by the Council between the hours of
two and four o'clock in the afternoon on the fifteenth day
of July 2009.

Assistant Secretary-Treasurer