

CORPORATION OF THE TOWN OF HAWKESBURY

By-law N° 28-2005 A by-law regulating traffic on highways in the Town of Hawkesbury

(consolidated with N° 47-2008, 59-2008,
72-2008, 87-2008, 14-2010, 42-2015,
66-2015 & 60-2019)

WHEREAS the *Municipal Act 2001*, S.O. 2001, c. 25, section 11 authorizes a municipality to pass by-laws respecting matters within the sphere of jurisdiction of "highways, including parking and traffic on highways", in conjunction with the provisions of the *Highway Traffic Act*;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Hawkesbury enacts as follows:

DEFINITIONS

1. DEFINITIONS

In this by-law:

- 1.1 "bicycle" includes a tricycle and unicycle but does not include a motor-assisted bicycle.
- 1.2 "boulevard" means all the parts of the highway save and except any roadway, shoulder or sidewalk and
 - a) "central boulevard" means that part of the highway lying between the travelled portions of a divided highway and include channelizing islands;
 - b) "outer boulevard" means that part of the highway lying between any sidewalk and the travelled portion of the highway or the near edge of the shoulder where such exists;
 - c) "inner boulevard" means that part of the highway lying between the property line and the edge of the sidewalk nearest to the property line and where there is no sidewalk, it means that part of the highway lying between the property line and the travelled portion of the highway or the edge of the shoulder, where such exists, furthest from the travelled portion of the highway.
- 1.3 "bus" means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons.
- 1.4 "bus stop" means a part of a highway designated as a point at which buses will stop to take on or let off passengers.
- 1.5 "By-law Enforcement Officer" means a By-law Enforcement Officer of the Town of Hawkesbury who is duly appointed by the Council of the Corporation for the purpose of enforcing the provisions of the Corporation's by-laws;
- 1.6 "Chief of Police" means the Chief of Police of the Ontario Provincial Police Hawkesbury Detachment or his authorized representative.
- 1.7 "commercial motor vehicle" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways.
- 1.8 "corner" with reference to a highway intersection means the point of intersection of the prolongation of the lateral curb lines or in the absence of curbs the prolongation of the edges of the roadways.

- 1.9 "Corporation" means the Corporation of the Town of Hawkesbury.
- 1.10 "Council" means the Municipal Council of the Town of Hawkesbury.
- 1.11 "crosswalk" means,
- a) that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
 - b) 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.
- ~~1.12 "Director of Technical Services" means the Director of Technical Services of the Corporation of the Town of Hawkesbury. (repealed by N° 47-2008)~~
- 1.13 "driveway" means a part of a highway improved to provide vehicular access from the roadway to a laneway or a parking area on adjacent land.
- 1.14 "farm tractor" means a self-propelled vehicle designed and used primarily as a farm implement for drawing ploughs, mowing-machines and other implements of husbandry and not designed or used for carrying a load.
- 1.15 "gross weight" means the combined weight of vehicle and load.
- 1.16 "Heavy Truck" means a commercial vehicle including construction equipment, farm equipment, repair or towing vehicles and recreational or camping vehicles, but does not include the following:
- a) any vehicle of the police or fire department while performing their duty;
 - b) any vehicle owned or operated by the Town of Hawkesbury while performing their duty;
 - c) any vehicle owned or operated by the Hawkesbury Public Utilities Commission while performing their duty;
 - d) an ambulance while performing their duty;
 - e) any vehicle owned or operated by Bell Canada, Consumer Gas, Hydro One or Hawkesbury Hydro Inc. while performing their duty;
 - f) any school bus or transit bus which is in the course of transporting people;
 - g) any vehicle that has a dimension not greater than 2.6 metres (8.6 ft.) of width, 2.4 metres (7.9 ft.) of height above ground, 9.1 metres (30.0 ft.) of length, nor 4600 kilograms (12,323 lbs.)
- 1.17 "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, any part of which is intended for, or used by, the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- 1.18 "highway, one-way" means a highway upon which the movement of vehicular traffic is limited to one direction.
- 1.19 "intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways which join one another at an angle, whether

or not one highway crosses the other.

- 1.20 "Jake brake" means a diesel engine compression release braking device such as an engine brake, compression brake or mechanical exhaust device installed on a diesel engine for the release of compression to slow the truck before the wheel brakes need to be applied.
- 1.21 "laneway" means improved land adjacent to the highway which provides access from the highway to a parking area on adjacent land.
- 1.22 "median strip" means the portion of a highway so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier or a raised or depressed paved or unpaved separation area that is not intended to allow crossing vehicular movement.
- 1.23 "motor assisted bicycle" means a bicycle,
- a) that is fitted with pedals which are operable at all times to propel the bicycle,
 - b) that weighs not more than fifty-five (55) kilograms,
 - c) that has no hand or foot operated clutch or gearbox driven by the motor and transferring power to the driven wheel,
 - d) that has an attached motor driven by electricity or having a piston displacement of not more than fifty (50) cubic centimetres, and
 - e) that does not have sufficient power to enable the bicycle to attain a speed greater than fifty (50) kilometres per hour on level ground within a distance of two (2) kilometres from a standing start.
- 1.24 "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 includes a motor scooter but does not include a motor assisted bicycle.
- 1.25 "motor vehicle" includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in the Highway Traffic Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a streetcar, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act.
- 1.26 "motorized snow vehicle" means a self-propelled vehicle designed to be driven exclusively on snow and/or ice.
- 1.27 "pedestrian" means,
- a) a person on foot;
 - b) a person in a wheelchair; or
 - c) a child in a carriage, stroller or play vehicle.
- 1.28 "pedestrian crossover" means any portion of a roadway, 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 made under the Highway Traffic Act.

- 1.29 "Police officer" or "constable" means a person so appointed by a Police Services Board and "constable" includes a municipal by-law enforcement officer appointed pursuant to subsection 15(1) of the Police Services Act.
- 1.30 "Police Service" means any detachment of the Ontario Provincial Police providing police services to the Town of Hawkesbury by agreement or otherwise having jurisdiction in the Town of Hawkesbury.
- 1.31 "police vehicle" means a vehicle owned or operated by the Ontario Provincial Police.
- 1.31a "Public Works Superintendent" means the Public Works Superintendent of the Corporation of the Town of Hawkesbury or his or her delegate. (added by N° 47-2008)
- 1.32 "roadway" means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.
- 1.33 "roadway, laned" means a highway which has been divided into separate lanes for vehicular traffic which lanes are indicated by lines or other markings on the surface of the roadway or in any other manner.
- 1.34 "roundabout" means a form of intersection that accommodates traffic flow in a counter-clockwise circular direction around a central island. (added by N° 42-2015)
- 1.35 "shoulder" means that part of the highway immediately adjacent to the travelled portion of the roadway and having a surface which has been improved for the use of vehicles with asphalt, concrete or gravel.
- 1.36 "side, approach" means the side of a part of a highway to which vehicular traffic may lawfully approach.
- 1.37 "side, leaving" means the side of a part of a highway opposite the approach side.
- 1.38 "sidewalk" includes all such parts of a highway as are set aside by the Corporation of the Town of Hawkesbury for the use of pedestrians or used by the general public for the passage of pedestrians.
- 1.39 "sign, authorized" means any sign or roadway, curb or sidewalk marking 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.
- 1.40 "sign, official" means a sign approved by the Ministry of Transportation of Ontario.
- 1.41 "sign, point" means a point on the curb or edge of the roadway opposite a sign.
- 1.42 "through highway" means any highway or part of a highway so designated by this by-law and every such highway shall be marked by a stop sign or yield right-of-way sign in compliance with the regulations of the Ministry of Transportation of Ontario.
- 1.43 "traffic" includes pedestrians, animals which are ridden, led or herded, vehicles, and other conveyances either singly or together while using a highway for the purposes of travel.

- 1.44 "traffic control device" means any sign, signal or other roadway, curb, or sidewalk marking, or any other device erected or placed under the authority of this by-law for the purpose of warning, regulating, guiding or directing traffic.
- 1.45 "traffic control signal" means any device operated manually, electrically, mechanically or electronically for the regulation or control of traffic.
- 1.46 "traffic, one-way" means movement by vehicles upon a highway in one direction only.
- 1.47 "trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle, or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
- 1.48 "U-turn" means the turning of a vehicle within the highway so as to proceed in the opposite direction to that in which the vehicle was travelling immediately prior to making the turn.
- 1.49 "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car.
- 1.50 "wheelchair" means a chair mounted on wheels driven by muscular or any other kind of power and used for the carriage of a person who has a physical disability.

INTERPRETATION

2. GENERAL INTERPRETATION

2.1 In this by-law:

- a) words importing the singular number or the masculine gender only, include more persons, parties or things of the same kind than one and females as well as males and the converse,
- b) a word interpreted in the singular number has a corresponding meaning when used in the plural,
- c) "may" shall be construed as permissive,
- d) "shall" shall be construed as imperative, and

2.2 Abbreviations

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

- a) Ave. - Avenue
- Blvd - Boulevard
- Rd - Road
- St. - Street

- b) cm - centimetre
m - metre
km - kilometre
km/h - kilometre per hour

- c) N. - North
S. - South
E. - East
W. - West

- d) a.m. - Ante Meridiem
p.m. - Post Meridiem

2.3 Severability

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

3. STANDARD TIME AND DAYLIGHT SAVING TIME

Where any expression of time occurs or where any hour or other period of time is stated, the time referred to shall be standard time, provided however, if what is known "daylight saving time" has been generally adopted for any period of the year, under any statute, order-in-council, by-law, resolution or proclamation, whether the same is effective in law or not, such time shall be the time referred to during such period in any reference to time in this by-law.

4. REGULATIONS - SPECIAL CIRCUMSTANCES

- 4.1 If a police officer or the Public Works Superintendent is of the opinion that for some temporary period to ensure the safety of the public, the proper movement of traffic, or the proper and safe performance of some vital function of the Corporation or a local board, special regulations are required for the movement of vehicles on a highway under the jurisdiction of the Corporation, the police officer or Public Works Superintendent is authorized to make special regulations to prohibit or regulate the movement of vehicles on such highway during such times and days as the police officer or the Public Works Superintendent deems proper and necessary and the police officer or the Public Works Superintendent shall erect official signs or otherwise give reasonable notice to indicate such special regulations.

- 4.2 When official or authorized signs have been erected or notice has otherwise been given under subsection 4.1 hereof, every person shall obey the instructions or directions on any sign so erected and the sign is deemed to have been erected pursuant to the section that normally regulates or prohibits the matter, and the appropriate Schedule is deemed to have been amended to implement the regulation, and those provisions apply to any act or failure to act contrary to the special regulations made pursuant to Section 4.

**TRAFFIC MOVEMENTS - TURNS - STOPS - YIELD -
TRAFFIC CONTROL SIGNALS - ONE-WAY HIGHWAYS**

5. STOP SIGNS AT INTERSECTIONS - Schedule "I"

The Corporation shall erect stop signs at the intersections set out in column 1 of Schedule "I" of this by-law facing traffic proceeding in the direction set out in column 2 of the said Schedule "I" on the highway or part of highway set out in column 3 of the said Schedule "I".

6. TRAFFIC CONTROL SIGNALS - Schedule "II"

The Corporation shall erect and operate traffic control signals at the intersections and places named and described in Schedule "II" to this by-law, subject to the provisions of subsections 144(31) and 144(32) of the Highway Traffic Act.

7. YIELD SIGNS AT INTERSECTIONS - Schedule "III"

The Corporation shall erect yield right-of-way signs at each of the intersections set out in column 1 of Schedule "III" to this by-law for the control of traffic entering the intersection in the direction set out in column 2 of the said Schedule "III" and from the highway set out in column 3 of the said Schedule "III".

8. U-TURNS

Where a U-turn is not otherwise prohibited under this by-law or the Highway Traffic Act, no person shall make such a turn when it cannot be made in safety or without interfering with other traffic.

9. PROHIBITED MOVEMENTS - Schedule "IV"

When official or authorized signs, as required by the Highway Traffic Act, have been erected, no person shall drive a vehicle in any intersection, or part of a highway or on property, set out in column 1 of Schedule "IV" to this by-law proceeding in the direction or emerging from a property in the direction set out in column 2 of the said Schedule "IV" and turn or proceed in the direction set out in column 3 of the said Schedule "IV" during the times or days set out in column 4 of the said Schedule "IV".

10. ONE-WAY HIGHWAYS - Schedule "V"

The highways set out in column 1 of Schedule "V" to this by-law between the limits set out in column 2 of the said Schedule "V" are established as one-way highways for the passing of vehicles only in the direction set out in column 3 of the said Schedule "V" during the times or days set out in column 4 of the said Schedule "V".

11. MULTIPLE LANED HIGHWAYS - Schedule "VI"

When official signs have been erected, the highways set out in column 1 of the said Schedule "VI", between the limits set out in column 2 of the said Schedule "VI", are designated as multiple laned highways.

12. ROUNDABOUTS

No person shall drive any animal or vehicle otherwise than in a counter clockwise direction in any roundabouts. (amended by N° 42-2015)

12A. ONE-WAY LEFT-TURN LANES – Schedule “XIV”

12A.1 When signs have been erected on a highway in compliance with the regulations under the Highway Traffic Act , the centre lanes of the highways described in column 1 between column 2 and column 3 of Schedule XIV of this by-law are designated as lanes for the making of left turns by vehicles travelling in either direction, and no person shall drive a vehicle in a designated centre lane except in preparation for a left turn.

12A.2 When signs have been erected on a highway in compliance with the regulations under the Highway Traffic Act, no person driving a vehicle on a highway described in column 1 between column 2 and column 3 of Schedule XIV of this by-law shall move the vehicle into the designated centre lane of that highway in preparation for a left turn until he or she has first ascertained that the movement can be made with safety.

12A.3 The installation of signs identifying the designated centre lanes described in column 1 of Schedule XIV is hereby authorized. (New Section added by N° 59-2008)

SPEED REGULATIONS

13. INCREASED AND DECREASED SPEED LIMITS - Schedule "VII"

When signs have been erected on a highway in compliance with the regulations under the Highway Traffic Act as set out in column 1 of Schedule "VII" to this by-law between the limits set out in column 2 of the said Schedule "VII", no person shall drive, move or operate any vehicle at a greater rate of speed than the rate of speed set out in Column 3 of the said Schedule "VII".

14. DECREASED SPEED LIMITS IN PARKS - Schedule "VIII"

When signs have been erected at the vehicular entrances to any public park or exhibition ground set out in Column 1 of Schedule "VIII", no person shall drive, move or operate any vehicle at a greater rate of speed than the rate of speed set out in Column 2 of the said Schedule "VIII".

15. DECREASED SPEED LIMITS ON BRIDGES - Schedule "IX"

When signs have been erected, no person shall drive, move or operate any vehicle on a bridge or part of bridge set out in column 1 of Schedule "IX" at a greater rate of speed than the rate of speed set out in column 2 of the said Schedule "IX".

16. DECREASED SPEED LIMITS ADJACENT TO SCHOOLS - Schedule "X"

When any highway set out in column 1 of Schedule "X" to this by-law, between the limits set out in column 2 of the said Schedule "X", is marked in compliance with the regulations under the Highway Traffic Act, 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 "X".

HEAVY TRUCKS

17. HEAVY TRUCKS PROHIBITED

17.1 When official signs have been erected, no person shall drive, move or operate a heavy truck on any highway not specifically identified in Schedule "XV" of section 17.5 – Truck Routes. (Amended by By-law 72-2008 & 60-2019)

17.2 Subsection 17.1 shall not apply to any vehicle actually engaged in making delivery to or a collection from premises which cannot be reached except by way of a highway or a portion of highway referred to in said subsection or to prohibit the use of vehicles for such purposes provided that, in making such delivery and collection, the said highway or portion of highway is travelled only insofar as is unavoidable in getting to and from such premises. (Amended by By-law 72-2008)

17.3 REDUCED LOAD PERIODS - Schedule "XVI"

17.3(1) When official signs have been erected and are on display, the provisions of section 122 of the Highway Traffic Act shall extend and apply to all highways within the town, and no person shall drive, move or operate a heavy truck on any highway except the highways set out in column 1 of Schedule "XVI" to this by-law between the limits set out in column 2 of said Schedule "XVI", from the first day of March to the fifteenth day of May in each and every year. (Added by By-law N° 87-2008)

17.3(2) Despite subsection 17.3 (1), the Public Works Superintendent is hereby authorized to erect the official signs either before or after the first day of March and to remove the official signs either before or after the fifteenth day of May in each and every year in response to extraordinary weather conditions. (Added by By-law N° 87-2008)

17.4 HEAVY LOADS – SPECIAL PERMITS

The Public Works Superintendent is hereby authorized to grant a permit to exempt a heavy truck from the axle weight restriction specified in section 122 of the Highway Traffic Act on a highway under the jurisdiction of the town during the period that official signs are erected pursuant to section 17.3 (1). (Added by By-law N° 87-2008)

17.5 TRUCK ROUTES – Schedule "XV"

Subsection 17.1 shall not prevent the driving, moving and operation of any heavy truck on a highway set out in column 1 of Schedule "XV" to this by-law between the limits set out in column 2 of said Schedule "XV" and during the times or days set out in column 3 of said Schedule "XV", which highways or parts of highways are referred to as truck routes. (Added by By-law N°14-2010)

18. DANGEROUS MATERIAL

No person shall drive a vehicle transporting dangerous material on all streets in the Town of Hawkesbury.

19. HEAVY LOADS - SPECIAL PERMITS

No person shall drive heavy vehicles, loads, objects or structures in excess of otherwise lawful limits pursuant to Section 110 of the Highway Traffic Act. The Public Works Superintendent is hereby authorized to grant or refuse permits for the moving of such heavy loads.

20. JAKE BRAKES

No person driving a vehicle shall use or operate or cause to be used or operated within the limits of the Town of Hawkesbury, any Jake brakes designed to aid in the braking or deceleration of any vehicle that result in excessive, loud, unusual or explosive noise from such vehicle.

DRIVING AND RELATED RULES

21. EMERGING FROM LANES

The driver or operator of a vehicle emerging from a driveway, laneway, lot, building or bus loop onto a highway shall, upon driving onto a sidewalk, yield the right-of-way to pedestrians upon such sidewalk.

22. BARRICADED HIGHWAYS

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 for the time is prohibited or restricted.

23. TRAFFIC CONTROL AT FIRES

23.1 No person shall drive a vehicle other than a Police Service, Fire Department or emergency vehicles on any highway within ninety (90 m) metres of a fire, fire apparatus or fire-fighting equipment, except as directed by a constable, a By-law Enforcement Officer or an employee of the Public Works.

23.2 Unless directed by a constable, a By-law Enforcement Officer or an employee of the Public Works, no person shall drive a vehicle over a fire hose on any highway.

24. RACING PROHIBITED

No person shall drive a vehicle on a highway in a race or on a bet or wager.

25. VEHICLES OBSTRUCTING TRAFFIC

25.1 No person driving or operating a vehicle approaching a circular green or green arrow traffic control signal-light at an intersection shall enter the intersection unless traffic in front of the said person is moving in a manner that would reasonably lead him or her to believe he or she can clear the intersection before the traffic control signal-light turns red.

25.2 Subsection 25.1 hereof shall not apply to the driver or operator of a vehicle who enters an intersection for the purpose of turning to the right or left into an intersecting highway and signals his or her intention to make such turn prior to entering the intersection.

26. EMERGENCY AND SPECIAL REGULATIONS

Despite any provisions of this by-law to the contrary, a police officer or the Public Works Superintendent may, during any emergency or special circumstance, by the

erection of appropriate signs or signals, prohibit or regulate the movement of vehicles on any highway or part of a highway and no person shall drive or operate a vehicle in contravention of any such sign or signal.

27. FUNERAL AND OTHER PROCESSIONS

27.1 No person shall, except under the direction of a police officer, drive or operate a vehicle on a highway between vehicles comprising a funeral cortege or other procession recognizable as such by the display of pennants or other identifying insignia while the vehicles in such procession are in motion.

27.2 No person shall drive a vehicle in a funeral cortege or other procession on a highway except as near to the right-hand edge of the roadway as is practicable and follow the vehicle ahead as close as is practicable and safe.

28. VEHICLES CROSSING SIDEWALKS, BOULEVARDS AND CURBS

28.1 Vehicles on Sidewalks Prohibited

No person shall drive a vehicle or ride upon a skateboard or roller skates on a sidewalk except for the purpose of directly crossing the sidewalk.

28.2 Curb and Sidewalk Depressions

No person shall drive a vehicle over a raised curb or sidewalk except at a place where there is a ramp, rolled curb or depressed curb.

28.3 Exemptions

Subsections 28.1 and 28.2 hereof shall not apply to wheelchairs, baby carriages, tricycles, children' wagons or handcarts used for vending.

28.4 Bicycles to Yield

Despite the provisions of subsection 28.1 hereof, a person driving a bicycle on a sidewalk for the purpose of directly crossing the sidewalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

28.5 Pedestrian Obligation

Nothing in this section shall relieve the pedestrian from the obligation of taking all due care to avoid an accident.

29. BOARDING AND ALIGHTING FROM MOVING VEHICLES

No person shall board or alight from any vehicle while such vehicle is in motion.

30. OBEDIENCE TO POLICE OFFICERS, SIGNS AND TRAFFIC CONTROL SIGNALS

Despite any provisions of this by-law, every person shall promptly obey all signals given by a traffic control signal, traffic control device or authorized or official sign and all directions given by a police officer or by any officer having jurisdiction over the regulation of traffic on a highway and nothing in this by-law shall affect the powers to regulate traffic held by any police force having jurisdiction in the municipality.

31. MUNICIPAL VEHICLES PERFORMING WORK ON HIGHWAYS - EXEMPTION

The provisions of subsection 28.1 do not apply to vehicles of the Corporation of the Town of Hawkesbury and public utilities vehicles while such vehicles are engaged in the performance of cleaning, clearing, maintenance, repair, construction or other work on any highway.

32. EMERGENCY VEHICLES - EXEMPTION

Sections 22, 23, 26 and 30 shall not, in the case of emergency, apply to ambulances or police, fire or emergency measures department vehicles.

PEDESTRIANS

33. PEDESTRIAN TO YIELD TO VEHICULAR TRAFFIC

Except where traffic control signals are in operation or where traffic is being controlled by a constable, no pedestrian shall cross a highway without yielding the right-of-way to all vehicles upon the roadway, but nothing in this section shall relieve the driver of a vehicle from the obligation of taking all due care to avoid an accident.

34. PEDESTRIAN PROHIBITED ON ROADWAY

Except for the purpose of crossing a roadway, where there is a sidewalk that is reasonably passable on one side or on both sides of a roadway, no person shall walk on the roadway.

35. PEDESTRIAN BARRIERS

No person shall go over or under a pedestrian barrier installed on a sidewalk, or at any other location within a highway.

36. PLAYING ON ROADWAY PROHIBITED

36.1 No person shall play or take part in any game or sport upon a roadway.

36.2 Where there are sidewalks, no person on or riding in or by means of any children's wagon, toboggan, or similar device shall go upon a roadway, except for the purpose of crossing it, and when so crossing, such person shall have the rights and be subject to the obligations of a pedestrian.

37. PEDESTRIAN CROSSOVERS - Schedule "XII"

The parts of the highways set out in column 1 of Schedule "XII" at the locations set out in column 2 of the said Schedule "XII" are hereby designated as pedestrian crossovers.

BICYCLES

38. BICYCLES

38.1 A person driving a bicycle upon a roadway shall:

- a) drive as near the right-hand side of the roadway as practicable; and

- b) exercise due care when passing a parked, stopped or standing vehicle or one proceeding in the same direction.
- 38.2 A person driving a bicycle upon a highway designated for one-way traffic shall:
- a) drive as near the right-hand or left-hand side of the roadway as practicable; and
 - b) exercise due care when passing a parked, stopped or standing vehicle or one proceeding in the same direction.
- 38.3 Persons driving bicycles upon a roadway shall do so in a single file.
- 38.4 No person driving a bicycle upon a highway shall carry any package, bundle or article which prevents the rider from keeping both hands on the handle bars.
- 38.5 No person driving a bicycle upon a highway shall remove his or her feet from the pedals while the bicycle is in motion.
- 38.6 No person shall place a bicycle upon a highway except in such a manner as to cause the least possible obstruction to pedestrian or vehicular traffic.

39. RESERVED RECREATIONAL LANES

Establishment - Schedule "XIII"

Notwithstanding the provisions of Section 38.1 a) and Section 38.2 a), the lanes set out in column 3 of Schedule "XIII" on the highway set out in column 1 of the said Schedule "XIII" between the limits set out in column 2 of the said Schedule "XIII" are hereby established as Reserved Recreational Lanes for bicycles, pedestrians, in-line skates and roller skates travelling in the direction indicated in column 4 of the said Schedule "XIII" during the times or days set out in Column 5 of the said Schedule "XIII". (amended by By-law N° 66-2015)

When authorized signs have been erected, no person shall:

- 39.1 drive or permit to be driven any vehicle, other than a bicycle, on any lane or part of lane established as a Reserved Recreational Lane under subsection 39. hereof; or
- 39.2 stop or permit to remain stopped any vehicle, other than a bicycle, on any lane or part of lane established as a Reserved Recreational Lane under subsection 39. hereof.
- 39.3 Subsections 39.1 and 39.2 shall not apply to prevent:
- a) a vehicle making a right-hand or a left-hand turn from a one-way highway provided the vehicle does not enter the Reserved Recreational Lane at a point farther from the point of making the right-hand turn or left-hand turn;
 - b) the driver of a taxi cab operating under a valid taxi licence, from stopping for a period of not more than thirty (30) seconds for the purpose of and while in the process of receiving or discharging passengers provided that such taxi cab shall not be stopped in a lane set out in column 3 of Schedule "XIII" during the times or days set out in column 5 of the said Schedule in such a manner as to interfere with the movement of a bicycle, pedestrian, in-line skater or roller-skater; or

(amended by By-law N° 66-2015)

- c) the stopping of a motor vehicle for the purpose of and while actually engaged in receiving or discharging a physically disabled person, provided that:
 - i) such motor vehicle shall not be stopped in a lane set out in column 3 of Schedule "XIII" during the times or days set out in column 5 of the said Schedule "XIII" in such a manner as to interfere with the movement of a bicycle, pedestrian, in-line skater or roller-skater and; (amended by By-law N° 66-2015)
 - ii) such motor vehicle has a valid physically disabled permit displayed upon its dashboard or has a valid physically disabled licence plate.

SIGNS

40. ERECTION OF SIGNS, TRAFFIC CONTROL SIGNALS, ETC.

The Public Works Superintendent is hereby authorized and directed to erect and maintain such signs, traffic control signals, markings, barricades, traffic control devices and other structures, plant and equipment as are required to give effect to this by-law and as are required to regulate, direct, warn or guide pedestrian and vehicular traffic for the safety and convenience of the public.

41. SIGNS BY CHIEF OF POLICE

The Chief of Police may erect, place and maintain such official and authorized signs as are required to give effect to the provisions of this by-law coming within the jurisdiction of the Chief of Police.

42. CONFLICTING PRIVATE SIGNS

No person shall place, maintain or display upon, or visible from, any highway any sign, signal, marking or device which,

- 42.1 conceals a traffic control device, traffic control signal or parking meter from view,
- 42.2 interferes with the effectiveness of a traffic control device, traffic control signal or parking meter, or
- 42.3 purports to be or is an imitation of or resembles any official or authorized sign, traffic control signal or traffic control device.

43. DEFACING SIGNS AND TRAFFIC CONTROL SIGNALS

No person shall move, remove, deface or in any manner interfere with any authorized or official sign, traffic control signal, marking or other traffic control device placed, erected or maintained under this by-law.

44. FRESHLY PAINTED LINES ON ROADWAY

- 44.1 No person shall drive any vehicle over any marking on the roadway where markers are in place to indicate that the marking material has been freshly applied.

44.2 No person shall drive any vehicle into or over any marker placed on the roadway.

OFFENCES AND FINES

45. OFFENCES

Every person who contravenes any of the provisions of this by-law is guilty of an offence.

46. FINES

Every person who is convicted of an offence is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, Chap. P.33, as amended.

APPLICATION AND ADMINISTRATION

47. ENFORCEMENT

47.1 This by-law shall be enforced by the Chief of Police and the Municipal By-law Enforcement Officers of the Corporation.

47.2 The Chief of Police and the Municipal By-law Enforcement Officers are exempt from complying with the provisions of this by-law while actively engaged in its enforcement or the parts thereof that they have been appointed to enforce.

48. APPLICATION OF BY-LAW

This by-law applies to all highways under the jurisdiction of the Corporation of the Town of Hawkesbury.

49. BY-LAW SUBJECT TO THE HIGHWAY TRAFFIC ACT

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

50. SCHEDULES ADOPTED

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.

51. BY-LAW IN FORCE

This by-law shall come into force and take effect upon approval of the set fines by the Regional Senior Judge of the Ontario Court of Justice and thereupon shall repeal By-law N° 19-97 and its related set fines.

CONSOLIDATED VERSION SIGNED ON JULY 8, 2015

Mayor

Clerk