

TOWN OF MORRIS

BY-LAW NO. 02/03

BEING A BY-LAW OF THE TOWN OF MORRIS TO REGULATE AND CONTROL THE PARKING OF SEMI-TRAILER UNITS ON THE STREETS WITHIN THE TOWN OF MORRIS.

WHEREAS Section 232(1) b) of The Municipal Act Chapter M225 1997 states:

232(1) A Council may pass by-laws for municipal purposes respecting the following matters:

- b) People, structures and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls...

AND WHEREAS it is deemed necessary to regulate the parking of semi-trailer units in the Town of Morris;

NOW THEREFORE the Council of the Town of Morris, in Council assembled, enacts as follows:

1. That By-Law 11/02 be repealed.
2. That no person shall park:
 - (a) A semi-trailer unit, or part thereof (either tractor or trailer- connected or separately) on any residential street as per Town of Morris Planning Scheme, By-Law 7/97 in the Town of Morris:
 - (b) A semi-trailer unit or part thereof **on any central commercial street** as per Town of Morris Planning Scheme, By-Law 7/97 in the Town of Morris for a continuous period of more than 2 hours;
 - (c) Exception may be made for community events upon authorization from Council.
 - (d) Exception may be made during weather conditions hazardous to travel.**
3. That this by-law does not include PTH #75 or PTH #23.
4. That the owner of a vehicle shall incur the penalties for a violation of this by-law unless at the time of the violation, the driver of the semi trailer unit or part thereof was in the possession of the vehicle without the owners consent.
5. That where a Peace Officer or the Compliance Officer has reasonable and probable cause for believing that a vehicle is standing or is parked
 - (a) in violation of any of the provisions of this by-law;he may, without any further notification, have the vehicle moved, or may require the driver or person in charge of the vehicle to move it to a position determined by the Peace Officer, Compliance Officer or other authorized person.
6. That costs and charges incurred in moving and/or storing a vehicle, is a lien on the vehicle that may be enforced under Section 9 of the Garage Keepers Act by the person who moved or stored the vehicle at the request of the Peace Officer or the Compliance Officer.
7. That Section 9,of the Garage Keepers Act does not apply in the case of a vehicle so disabled that it cannot be readily moved until a reasonable time has elapsed to permit its removal.

8. That any person who contravenes, disobeys, or violates, or refuses, omits, neglects, or fails to observe, obey, or comply with any of the provisions of this by-law, is guilty of an offense and liable, on summary conviction, to a fine of:

- (a) **1st Offence – \$50.00;**
- (b) **2nd Offence – \$75.00;**
- (c) **3rd Offence – \$100.00.**

And further, in the case of non-payment of such fines and costs, to imprisonment for a period not exceeding Thirty (30) days.

9. The provisions of the Summary Convictions Act, being chapter S23 of the continuing consolidation of the Statutes of Manitoba shall apply to proceedings under the by-law

10. That this by-law shall come into force and take effect upon the passing thereof.

DONE AND PASSED in open Council assembled in Morris this 25th day of February, 2003.

THE TOWN OF MORRIS

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Read a first time this 14th day of January, 2003.

Read a second time this 11th day of February, 2003.

Read a third time this 25th day of February, 2003.