

**From:** Regional Clerk

**Sent:** February 24, 2020 10:13 AM

**Subject:** Regional Council Decision - Bylaw No. 2020-03 (A Bylaw to Prohibit or Regulate Parking and Stopping on Regional Roads)

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On January 30, 2020 Regional Council approved and enacted Bylaw No. 2020-03 (A bylaw to amend Bylaw No. 2017-37 to prohibit or regulate parking and stopping on Regional roads). A copy is attached for your information.

Regards,

**Christopher Raynor** | Regional Clerk, Office of the Regional Clerk, Corporate Services

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# THE REGIONAL MUNICIPALITY OF YORK

## BYLAW NO. 2020-03

A bylaw to amend Bylaw No. 2017-37  
to prohibit or regulate  
parking and stopping on Regional roads

WHEREAS the Corporation of the Town of Newmarket has implemented a system of administrative penalties regarding the contravention of any bylaw respecting the parking, standing, or stopping of vehicles within the geographic area of the Town of Newmarket;

AND WHEREAS the Council of The Regional Municipality of York wishes to permit the Town of Newmarket to enforce this bylaw within the geographic area of the Town of Newmarket by imposing fees or charges in connection with the administration of a system of administrative penalties;

NOW THEREFORE, the Council of The Regional Municipality of York hereby enacts as follows:

1. Bylaw No. 2017-37 is hereby amended by:

(a) adding the following definitions to Section 1.1, in alphabetical order:

**“adjudication fee”** means an administrative fee as set out in Schedule F.2 to this bylaw, which may be imposed on a person with respect to any decision regarding a penalty notice issued to that person for a contravention of a provision of this bylaw within the geographic area of the Town of Newmarket and that is upheld by a hearing officer after a review by a hearing officer;

**“early payment amount”** means the amount that is equal to the administrative penalty amount applicable to a contravention of a provision of this bylaw within the geographic area of the Town of Newmarket as set out in Schedule F.1 to this bylaw, less twenty-five percent (25%);

**“MTO plate denial fee”** means an administrative fee as set out in Schedule F.2 to this bylaw, with respect to notifying the Ministry for the purpose of denying renewal of a vehicle permit;

**“MTO registered owner search fee”** means an administrative fee as set out in Schedules E.2, F.2, G.2, and H.2 to this bylaw, with respect to any search of the records of the Ministry to determine the registered owner of a vehicle;

- (b) deleting the definition of “**hearing non-appearance fee**” from Section 1.1 and replacing it with:

“**hearing non-appearance fee**” means an administrative fee, as set out in Schedules E.2, F.2, G.2 and H.2 to this bylaw, with respect to a person’s failure to appear at the time and place scheduled for a review before a hearing officer;
- (c) deleting the definition of “**late payment fee**” from Section 1.1 and replacing it with:

“**late payment fee**” means an administrative fee, as set out in Schedules E.2, F.2, G.2 and H.2 to this bylaw, with respect to a person’s failure to pay an administrative penalty within the time limit for payment set out in the penalty notice;
- (d) deleting the definition of “**MTO Fee**” from Section 1.1 and replacing it with:

“**MTO fee**” means an administrative fee, as set out in Schedules E.2, F.2, G.2 and H.2 to this bylaw, with respect to any search of the records of the Ministry, any inquiry to the Ministry, or any notice to or communication with the Ministry, and includes but is not limited to the MTO plate denial fee and the MTO registered owner search fee;
- (e) deleting the definition of “**Ministry**” from Section 1.1 and replacing it with:

“**Ministry**” means the Ontario Ministry of Transportation and any successor ministry or related authority;
- (f) deleting the definition of “**Provincial Offences Act**” from Section 1.1 and replacing it with:

“**Provincial Offences Act**” means the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, and the regulations made under that Act;
- (g) deleting the definition of “**screening non-appearance fee**” from Section 1.1 and replacing it with:

“**screening non-appearance fee**” means an administrative fee, as set out in Schedules E.2, F.2, G.2 and H.2 to this bylaw, with respect to a person’s failure to appear at the time and place scheduled for a review before a screening officer;
- (h) deleting “the Town of Newmarket,” from Section 10.1;
- (i) inserting “the Town of Newmarket,” immediately after “the City of Markham,” in Section 10.2;

- (j) inserting “F.1” immediately after “E.1,” in Sections 10.2 and 14.2;
- (k) inserting the following Section 10.3:
  - 10.3 Where an officer has issued a penalty notice to a person with respect to a contravention of any provision of this bylaw within the geographic area of the Town of Newmarket, that person may pay the early payment amount instead of the full administrative penalty amount, provided the early payment amount is received by the Town of Newmarket within fifteen (15) calendar days from the date of issue of the penalty notice in accordance with Town of Newmarket’s Bylaw number 2019-62, as may be amended or replaced from time to time.
- (l) deleting “the Town of Newmarket” from Section 11.1;
- (m) inserting “the Town of Newmarket” immediately after “the City of Markham,” in each of Sections 12.1, 12.2, 12.3, 14.1, and 14.2;
- (n) inserting the following Section 13.4:
  - 13.4 For the purposes of Sections 15 and 16 of this bylaw, the screening officers and hearing officers appointed by the Town of Newmarket pursuant to the Town of Newmarket Bylaw 2019-62, as amended or replaced from time to time, are hereby appointed as screening officers and hearing officers respectively of the Region for the geographic area of the Town of Newmarket with respect to this bylaw.
- (o) changing the numbering of Section 14.6 to Section 14.7;
- (p) inserting the following Section 14.6:
  - 14.6 A penalty notice issued in the geographic area of the Town of Newmarket shall contain the information as specified in the Town of Newmarket Bylaw number 2019-62, as amended or replaced from time to time, and shall be served in accordance with the provisions of said bylaw for any contravention of this bylaw within the geographic area of the Town of Newmarket.
- (q) changing the numbering of Section 15.5 to Section 15.6;
- (r) inserting the following as Section 15.5:
  - 15.5 The provisions of the Town of Newmarket Bylaw number 2019-62, as amended or replaced from time to time, governing the review by a screening officer, apply to a review by a screening officer under this bylaw within the geographic area of the Town of Newmarket.
- (s) changing the numbering of Section 16.5 to Section 16.6;
- (t) inserting “F.2.” immediately after “E.2,” in Sections 15.6, 16.6, 19.3, and 19.4;

- (u) inserting the following Section 16.5:
    - 16.5 The provisions of the Town of Newmarket Bylaw number 2019-62, as amended or replaced from time to time, governing the review by a hearing officer, apply to a review by a hearing officer under this bylaw within the geographic area of the Town of Newmarket.
  - (v) inserting the following Section 17.4:
    - 17.4 The provisions of the Town of Newmarket Bylaw number 2019-62, as amended, supplemented, or replaced from time to time, governing the service of documents, apply to the service of administrative penalty documents under this bylaw within the geographic area of the Town of Newmarket.
  - (w) amending “Town of Richmond Hill” in each instance to “City of Richmond Hill”, with all necessary grammatical changes;
  - (x) inserting the attached Schedule F.1 as Schedule F.1; and
  - (y) inserting the attached Schedule F.2 as Schedule F.2.
2. Any proceeding commenced under Bylaw numbers 2017-37, R-1102-96-100, R-1102(v)-1998-118, R-1378-2003-074, R-1102(av)-2005-041, 2010-74 or 2012-49, as amended, before this bylaw came into force shall be continued and finally disposed of in accordance with the provisions of that bylaw.

ENACTED AND PASSED on January 30, 2020.

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Regional Clerk

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Regional Chair

*Authorized by Clause 6 in Report No. 8 of the Committee of the Whole dated April 25, 2017, adopted by Regional Council at its meeting on May 25, 2017.*

**SCHEDULE F.1**  
**NEWMARKET – ADMINISTRATIVE PENALTIES**

<b>Column 1</b>	<b>Column 2 Designated Provisions</b>	<b>Column 3 Short Form Wording</b>	<b>Administrative Penalty Amount</b>
1.	3.1(a)	in such a manner as to obstruct a sidewalk	\$40.00
2.	3.1(a)	in such a manner as to obstruct a crosswalk	\$40.00
3.	3.1(a)	in such a manner as to obstruct a private entrance	\$40.00
4.	3.1(b)	within three (3) metres of a fire hydrant	\$100.00
5.	3.1(c)	on or within 100 metres of a highway overpass or underpass bridge	\$50.00
6.	3.1(d)	within nine (9) metres of an intersection	\$50.00
7.	3.1(e)	within fifteen (15) metres of a signalized intersection	\$50.00
8.	3.1(f)	within fifteen (15) metres of a railway crossing	\$40.00
9.	3.1(g)	in a position or place that prevents or is likely to prevent the removal of any vehicle already parked on the highway – double parked	\$50.00
10.	3.1(h)	for greater than three hours	40.00
11.	3.2	interfere with the clearing of snow.	\$150.00
12.	4.1(a)	disobey a “no parking” sign	\$50.00
13.	4.1(b)	in a fire route	\$50.00
14.	4.1(c)	in a school zone at prohibited times	\$40.00
15.	5.1	on the wrong side of a highway	\$40.00
16.	6.1	park on highway during prohibited time	\$40.00
17.	7.1	park on highway in excess of the maximum time permitted	\$40.00
18.	7.1	park on highway during restricted time	\$40.00
19.	8.1	Stop on highway during prohibited time	\$40.00
20.	9.1	accessible parking	\$300.00

**SCHEDULE F.2**  
**NEWMARKET – ADMINISTRATIVE FEES**

Item	Amount
Adjudication fee	\$25.00
Late payment fee	The amount that is twenty-five percent (25%) of the applicable administrative penalty amount
Screening non-appearance fee	\$50.00
Hearing non-appearance fee	\$100.00
MTO registered owner search fee	\$10.00
MTO plate denial fee	\$20.00