

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

BY-LAW NUMBER 2021-48

Being a By-Law to designate Community Safety Zones within the Corporation of the Township of Nipissing.

WHEREAS Section 10(1) of the *Municipal Act*, S.O. 2001 c. 25, as amended, empowers municipalities to provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS the *Highway Traffic Act* R.S.O., Bill 26, 1998 provides that municipalities may designate a part of a highway under their jurisdiction as a Community Safety Zone;

AND WHEREAS subsection 425(1) of the *Municipal Act*, as amended, authorizes municipalities to pass by-laws providing that any person who contravenes a by-law of the municipality passed under said Act is guilty of an offence,

AND WHEREAS the Council of the Corporation of the Township of Nipissing deems it expedient to pass a by-law to provide for the designation of an area as a Community Safety;

NOW THEREFORE Council of the Corporation of Township of Nipissing hereby enacts as follows:

PART 1 – DEFINITIONS

1. In this By-Law:
 - a) “**Authorized Sign**” means any sign or any marking placed or made on any highway or roadway or public place by the Township.
 - b) “**Community Safety Zone**” means a designated stretch of roadway, recognized under provincial legislation, marked with community safety zone signs allowing the doubling of fines associated with speeding and, through the applicable sections of Bill 65, Safer School Zones Act, 2017.
 - c) “**Council**” means the Council of the Corporation of the Township of Nipissing.
 - d) “**Driver**” means a person who drives or is care or control of a vehicle.
 - e) “**Highway**” means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, or any part which is intended for or used by the general public for the passage of motor vehicles and includes the area between the lateral property line thereof, and “street” and “road” shall have a like meaning.
 - f) “**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 that join one another at an angle, whether or not one crosses the other.
 - g) “**Motor Vehicle**” includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power, or a motorized snow vehicle, a motor assisted bicycle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine.
 - h) “**Pedestrian**” means a person afoot or in a wheelchair or a child in a wheeled carriage.
 - i) “**Police Officer**” means a member of the police force of the Ontario Provincial Police.
 - j) “**Roadway**” means that portion of a street improved, designed or ordinarily used for vehicular traffic.

- k) **“Traffic”** includes vehicles, pedestrians, ridden or herded animals, and other conveyances either singly or together while using any street for the purposes of travel.
- l) **“Traffic Control Device”** means any sign or roadway markings placed under the authority of the Council for the purpose of guiding or directing traffic.
- m) **“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.

PART 2 – COMMUNITY SAFETY ZONE

A Community Safety Zone is hereby designated beginning at the intersection of Provincial Highway 654 at Beatty Street for the entirety of Beatty Street, Front Street, Blake Street and along Powerplant Road up to the property line at the end of the Near North District School Board property, known as South Shore Education Centre.

The speed limit in this area will be 40 km/h at all times during the day, every day of the year.

This area is noted as a special concern to Council as it contains an elementary school, a green space public park and outdoor ice rink and facility, open to the public during the appropriate season. The route from Powerplant Road along Beatty Street to Highway 654 is used by trucks hauling from gravel pits located on Power Plant Road.

The designated Community Safety Zone as marked with community safety zone signs, allows for the doubling of fines associated with speeding and, through the applicable sections of Bill 65, Safer School Zones Act, 2017.

PART 3 – ENFORCEMENT

3.1 The Ontario Provincial Police (O.P.P.) may enforce the provisions of this By-law.

PART 4 – PROVISIONS SEPARATE AND INDEPENDENT

All sections of this By-law shall be deemed to be separate and independent and the invalidity of any section or provision hereof shall not affect the remaining sections.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 5TH DAY OF OCTOBER, 2021.

THE CORPORATION OF THE TOWNSHIP
OF NIPISSING

Tom Piper, Mayor

Kris Croskery-Hodgins,
Municipal Administrator