



## BY-LAW NO. : 2013-55

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### TRAFFIC AND PARKING BY-LAW

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Amendments

2013-55-1 and 2013-55-2

**NOTICE**

This consolidation has not been officially adopted by the Municipal Council. It has been compiled on May 8, 2023 in order to facilitate the reading of the texts. The official text is to be found in the text of the original by-law and each of its amendments.

**ADOPTION PROCEDURE**

Notice of motion:	January 14, 2013
Adoption of By-Law:	March 4, 2013
Publication:	March 13, 2013
Coming into force:	March 13, 2013

**THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:****CHAPTER I – DEFINITIONS AND ADMINISTRATION**

1. In this by-law, unless the context indicates otherwise,

“access ramp” [*bateau pavé*] means any depression in a sidewalk in front of the entrance to a property or an alley;

“heavy equipment and vehicles” [*équipements et véhicules lourds*] means :

- any vehicle with a gross vehicle weight rating of 4,500 kg or more;
- any vehicle measuring more than 2,5 metres (8'2") in height and 6 metres (19'7") in length ;
- any vehicle with a gross vehicle weight rating of less than 4,500 kg, to which is attached a snowplow, shovel, hoe, trailer, semi-trailer, truck box, dumpster, or any other instrument, tools or equipment ;
- any trailer or semi-trailer designed to be pulled by a vehicle with a gross vehicle weight rating of 4,500 kg or more ;
- any tow truck ;
- any bus, minibus or other similar vehicle ;
- any road vehicle transporting dangerous substances requiring the display of safety marks ;
- any tractor, backhoe loader, mechanical shovel (excavator) or other similar equipment or vehicle ;
- any recreational vehicle such as: trailer (caravan), tent roller, motorized or other similar vehicles measuring more than 7 metres (23') in length ;
- any boat measuring more than 7 metres (23') in length ;
- any snowplow, shovel, hoe, trailer, semi-trailer, truck box, dumpster or any other heavy instrument, tool or equipment.

“road vehicle” [*véhicule routier*] means a motor vehicle that can be driven on a highway, other than a vehicle that runs only on rails, a power-assisted bicycle or an electrically propelled wheelchair; a trailer, a semi-trailer or a detachable axle is defined as a road vehicle;

“traffic control device” [*signalisation*] means any visual or sound signal, line marking of lanes or device designed to control or prohibit pedestrian or road vehicle traffic or parking, including road signs;

2. This by-law shall be enforced by Public Security, the Service de police de la Ville de Montréal or any other person authorized to do so by Council.
3. Council may have any traffic control devices installed or maintained in order to direct or control traffic, or to prohibit or limit parking, in accordance with any applicable law.

**CHAPTER II – TRAFFIC**

4. The rules included in this chapter apply in addition to any applicable rules contained in the Highway Safety Code (R.S.Q., chapter C-24.2).
5. With the exception of school and *Société de transport de Montréal* buses, commercial vehicles making local deliveries and vehicles heading to a local job site, no commercial vehicles, buses or delivery trucks are permitted to use the streets of Kirkland other than: Saint-Charles Boulevard, the TransCanada Highway and its service roads, Chemin Sainte-Marie on the North side of the TransCanada Highway and Chemin de L'Anse-à-l'Orme.
6. No one may drive a road vehicle at a speed in excess of :
  - a) 30 kilometers per hour in a sector surrounding a school, a daycare center or a park, the road sections that make up such sectors are indicated in magenta on the map shown in Schedule "A";
  - b) 40 kilometers per hour in a residential sector, the road sections included in such sectors are indicated in grey on the map shown in Schedule "A";
  - c) 50 kilometers per hour in any other sector, the road sections included in such sections are indicated in grey on the map shown in Schedule "A".
7. It is forbidden to drive on a sidewalk or curb unless using a depressed access ramp.
8. It is forbidden to drive over a fire hose without the permission of a fireman or another emergency services representative.

**CHAPTER III – PARKING**

9. It is prohibited to park a road vehicle on a street:
  - a) in violation of a traffic control device which prohibits or limits parking or stopping;
  - b) at any location during a period in which parking is reserved for other vehicles as specified by traffic control devices;
  - c) in a manner that obstructs traffic on a public road;
  - d) alongside a vehicle stopped or parked at the curb or on the side of the road;
  - e) for a period of more than four consecutive hours on the same block;
  - f) in front of a driveway;
  - g) less than 5 meters from a fire hydrant or the point at which the line of a public road intersects the imaginary perpendicular line that leads to a fire hydrant;
  - h) less than 5 meters from the point at which the line of a public road intersects the imaginary perpendicular line that leads to a stop sign;
  - i) less than 6 meters from a trench or excavation in the roadway;
  - j) less than 5 meters from a street corner;
  - k) at any location identified as a bus stop;
  - l) between a curb and the nearest property line;

- m) between the hours of 1 a.m. and 7 a.m. during the period from November 15 to April 15 of the following year;
- n) while a Town snow removal operation is underway;
- o) during a snowfall once 2.5 centimeters of snow have accumulated on the roadway or the 12 hours thereafter;
- p) where temporary “No parking” signs have been posted by the Town;
- q) in order to sell it or use it for advertising purposes;
- r) that is out of service;

Subparagraphs e) and m) of the first paragraph do not apply to the following street segments:

- the North side of the street in front of the buildings located at 2 to 12 Kirkland Boulevard;
- the Southeast side of the street in front of the buildings located at 9 to 17 Kirkland Boulevard;
- the Northeast side of the street in front of 1 Beacon Road and from there to the corner of Mountain View Avenue;
- the north side of the street in front of the buildings located at 301 to 443 Bruce Avenue;
- the South side of Hymus Boulevard from the City of Pointe-Claire to the intersection with Eaton Avenue.

9.1. It is prohibited to park all heavy equipment and vehicles on a street, park or any other place belonging to the Town, unless the driver is present on site to carry out work requiring the use of such heavy equipment and vehicles.

10. It is forbidden to park a road vehicle:

- a) in a park or any other green space belonging to the Town, except for Town and emergency vehicles;
- b) between a curb and the nearest property line;
- c) in a municipal parking lot unless the driver of the vehicle is on the premises of the municipal building or park which is adjacent to the parking lot;
- d) on Saint-Charles Boulevard;
- e) on a sidewalk
- f) in a priority traffic lane for emergency vehicles.

11. It is forbidden to park a road vehicle in a public parking lot or in a private parking lot to which the current by-law applies:

- a) in such a way that the vehicle occupies more than one indicated parking spot;
- b) in an area that is not designated for parking;
- c) in violation of any posted parking rules.

12. It is forbidden for a person other than a vehicle’s owner or driver to remove a statement of offence from the vehicle.

13. It is forbidden to remove chalk or other marks used to measure the amount time a vehicle has been parked while the vehicle remains parked in the same place.

**CHAPTER IV – USE OF STREETS**

14. It is forbidden to repair or wash a road vehicle in the street.
15. Defacing, damaging, moving, hiding, removing or otherwise interfering with traffic control devices is prohibited.

Any costs incurred by the Town to repair, clean, replace, re-install or otherwise correct damage caused to a traffic control device shall be claimed from any individual convicted of causing such damage under the first paragraph.

16. Council may authorize the establishment of loading zones. Upon approval of such a zone by Council, the Town shall issue the necessary permits and install the appropriate signs.

The driver of a road vehicle shall not stop or park longer than required to embark or disembark travellers or to load or unload material in a loading zone. In no case should the loading or unloading of material exceed a duration of 30 minutes.

17. The use of streets for parades, processions, sporting events and community activities is prohibited with the exception of :
  - a) funeral or wedding processions;
  - b) activities authorized by Council or the Director General.

18. The Director General may close a street or sidewalk for repairs.
19. No sports or games may be played on streets, except when a street is closed for a street party with the authorization of Council or the Director General.
20. It is forbidden to use the streets or sidewalks for the following: ice skating, rollerskating, inline skating, skiing, snowboarding, tobogganing, sledding, skateboarding, bicycle towing, hitching, or any similar activity.
21. It is forbidden to loiter or sleep in a parked vehicle.

**CHAPTER V - IDLING**

22. It is prohibited to allow:
  - a) the motor of a motionless vehicle to run more than three minutes per sixty minute period, subject to paragraphs b) and c);

- b) the diesel motor of a motionless heavy vehicle to run more than five minutes per sixty minute period;
- c) the diesel motor of a heavy vehicle which has not reached its normal operating temperature, when the outside temperature is less than 0°C, to run more than ten minutes per sixty minute period.

23. Section 22 does not apply to the following vehicles:

- a) an emergency vehicle as defined in the Highway Safety Code;
- b) a vehicle used as a taxi, as defined in the Highway Safety Code, during the period between November 1 and March 31, provided a person, which may be the driver, is in the vehicle;
- c) a vehicle with a motor used to carry out works or to refrigerate food or keep it warm;
- d) a vehicle which is stopped because of traffic congestion, heavy traffic or a street traffic light;
- e) a vehicle covered with frost or ice during the time required to allow or safe driving;
- f) an armoured vehicle
- g) any vehicle propelled by hydrogen as well as any vehicle propelled, in whole or in part, by electricity, such as a hybrid vehicle;
- h) a heavy vehicle when it is necessary to allow the motor to run in order to carry out a pre-departure inspection, in accordance with article 519.2 of the Highway Safety Code.

24. Section 22 does not apply when the outside temperature is less than -10°C and the motor of the vehicle runs to activate the heating system because there is a person inside the vehicle.

For the purposes of this first paragraph, the outside temperature is that measured, each hour, by Environment Canada, at Pierre-Elliott-Trudeau International Airport, for the Island of Montreal.

## CHAPTER VI – TOWING

25. The Town or the police may have any road vehicle towed to a nearby street or impounded when:

- a) it is parked in violation of the current by-law;
- b) it is parked in a manner that impedes traffic;
- c) it is impeding a snow removal operation or emergency vehicles;
- d) it is deemed necessary to move the vehicle in the event of an emergency.

26. The owner of a road vehicle moved or towed under this by-law shall be charged a towing fee of up to \$150. This amount shall be shown on the statement of offence issued for this purpose. If the vehicle is impounded and left unclaimed by its owner for more than 24 hours, daily storage fees of up to \$25 per day shall also be charged.

**CHAPTER VII – PENAL PROVISIONS**

27. Any person who violates a provision of Chapter III of this by-law commits an offence and shall be subject to a fine of \$35.

Any person who violates any other provision of this by-law commits an offence and shall be subject to a fine of 100\$.

28. If an offence is continuous, each day of the continuity shall constitute a separate offence.

29. All officers of the peace and *Service de police de la Ville de Montréal* officers are responsible for enforcing this by-law and may, to that end, institute penal proceedings and issue statements of offence to any person who violates one of its provisions.

30. All Public Security officers are responsible for enforcing the provisions of this by-law that relate to parking and may, to that end, issue statements of offence to any person who violates one of the aforementioned provisions.

31. All officers of the peace, police officers, Public Security officers and persons designated by the Town who move or tow a road vehicle in conformity with this by-law shall issue for that purpose a statement of offence as provided by section 29.

**CHAPTER VIII – REPEALING AND FINAL PROVISIONS**

32. Sections 15 and 16 to 16-11 of by-law 219 are repealed.

33. By-law 79-10 is repealed.

34. The present by-law shall come into force in accordance with the law.

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Mayor

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Town Clerk

# SCHEDULE A



Annexe « A » du Règlement 2013-55-1  
Schedule "A" of By-Law 2013-55-1

## CARTE DE VILLE

