

**PROVINCE OF QUÉBEC
TOWN OF HAMPSTEAD**

**CONSOLIDATION OF BY-LAW N° 694
AND ITS AMENDMENTS NO. 694-1, 694-2,
694-3, 694-4, 694-5, 694-6, 694-7 AND 694-8**

BY-LAW NUMBER 694

BY-LAW CONCERNING TRAFFIC

NOTICE

The consolidation of by-laws and annexes is not official. It has been compiled on April 1st, 2015 by the Town Clerk in order to facilitate the reading of the text. The official text is to be found in the original by-law, annex and in each of its amendments.

ON JUNE 12, 1995, THE COUNCIL DECREES AS FOLLOWS:

**CHAPTER I
INTERPRETATION**

- 1.1 In this by-law, unless the text indicates a different meaning, the following definitions shall apply:

BICYCLE

A non-motorized vehicle composed of a frame with a steering wheel at the front controlled by a handler and with a driving wheel at the back propelled by a system of pedals; in this by-law a tricycle intended to be used by an adult on the roadway is considered as a bicycle.

TOWN

Town of Hampstead

COUNCIL

The municipal Council of the municipality of Hampstead.

CURB

The edge of the exterior limit of the roadway.

HEAVY VEHICLE

- a) a vehicle with a net weight exceeding 5,500 kilograms (5.4 imperial tons)
- b) a vehicle with a net weight of less than 5,500 kilograms but to which is attached a snowplow, shovel, hoe, trailer, semi-trailer, truck box, dumper or any other instrument, tool or equipment of the same type;
- c) a trailer or semi-trailer intended to be pulled by a vehicle with a net weight of more than 5,500 kilograms (5.4 imperial tons).

MOTOR VEHICLE

A road vehicle propelled by a force other than muscular force and primarily designed, equipped and adapted for the transportation of persons or things on a public street.

MUNICIPALITY

Town of Hampstead.

NIGHT

The period comprised between one half hour after sunset and one half hour before sunrise.

PARKING

Voluntarily stopping a vehicle, during three minutes or more, except when ordered to do so by a traffic control device or by a peace officer.

PASSENGER VEHICLE

A motor vehicle, other than a minibus, designed for the transportation of not more than ten persons at a time, when such transportation does not require a permit from the Commission des transport du Quebec, or a motorcycle, light motorcycle or moped.

PERSON

A physical person, a legal person or a partnership.

PUBLIC ROAD OR PUBLIC STREET

The total surface of land or of a structure, the maintenance of which is entrusted to the municipality, over part of which one or more roadways open for public road vehicle traffic are laid out.

PUBLIC PLACE

Any area or place maintained by the municipality and open to the public.

ROADWAY

That part of a street contained between the shoulders, curbs, sidewalks, median strips, or a combination thereof, consisting of lanes designed for public road vehicle traffic.

SNOW VEHICLE

A road vehicle designed for use mainly on snow.

SPEED BUMP

Elevation of a part of the surface of the roadway intended to reduce the speed of vehicles.

TAXI

A motor vehicle designed for the transportation of no more than eight persons and used mainly for this purpose as determined by the *Transportation by Taxi Act* (R.S.Q., chap. T-11.1) or by by-law No. 97 of the Montreal Urban Community and its amendments.

TRAFFIC CONTROL DEVICE

A signal light, sound signal, sign, marking or device, specially designed to prohibit, regulate or control pedestrian and road vehicle traffic, including a speed bump.

TRAFFIC LANE

The area created by the lengthwise division for the roadway into one or more parallel sections to facilitate the movement of vehicles; the limit of each area may be indicated by markings on the pavement or may be only imaginary.

TRICYCLE

A non-motorized vehicle composed of a frame bearing on three wheels and which is set in motion by a system of pedals which are activated by the feet.

1.2 OWNER OF ROAD VEHICLE

For the purpose of this by-law, the owner of a road vehicle is the person who acquires a road vehicle or possesses it under a title of ownership, under a title involving a condition or a term giving him the right to become owner thereof, or under a title giving him the right to use it as owner thereof charged to deliver over.

CHAPTER II
APPLICATION

2.1 Authority of Council

The Council may, by resolution, designate the members of the municipal public security Department to implement the provisions of this by-law relating to parking.

2.2 Responsibility of the Police Department

The Police Department of the Montreal Urban Community must ensure that the provisions of this by-law are complied with, including those relating to parking.

2.3 Responsibility of the Municipal Public Security Department

Any person designated in accordance with article 2.1 must ensure that the provisions of this by-law and all the provisions of the Highway Safety Code relating to parking are complied with.

2.4 Special Powers

Any police officer and any employee of the Town in a position of authority is authorized to limit or prohibit traffic or parking or to divert traffic to allow the execution of road works, including the removal or clearing of snow, or for any other reason of necessity or emergency; for this purpose, they are authorized to install appropriate signs.

2.5 Authority of the Fire Department

At the scene of a fire department operation, any fireman may, if necessary, direct traffic or assist the police and public security departments in their task.

In the case of a fire, any representative of the fire police and public security departments may suspend or interrupt the movement of vehicles or of pedestrians in any street, road or public place situated in the vicinity of the fire if it is deemed useful to properly fight or control the scene and, for this purpose, he may suspend, for the period deemed necessary, the provisions of this by-law.

2.6 Towing in the case of a fire

In the case of a fire department operation, any representative of the fire, police or public security departments may tow or cause to be towed any vehicle obstructing fire department operations.

2.7 Traffic prohibited

In the cases contemplated in articles 2.4 and 2.5, no vehicle other than those specifically authorized may circulate on any street or part of street where traffic is prohibited or restricted.

CHAPTER III
TRAFFIC CONTROL DEVICES

3.1 Authority of Council

The municipal council may, by resolution, authorize the installation of traffic signs, traffic control devices, markings on the pavement or any other appropriate device, to regulate, control or direct traffic or to prohibit or limit parking.

3.2 Stop signs

Is hereby decreed the installation of stop signs on certain streets and at certain intersections as indicated in Annex "A".

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

3.3 Traffic lights

Is hereby decreed the installation of traffic lights at certain intersections as indicated in Annex "A".

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

3.4 Compliance with traffic control devices

Everyone must comply with traffic control devices installed on a public street in accordance with the provisions of this by-law. However, when traffic is directed by a police officer, a municipal public security officer or a person authorized to do so in accordance with this by-law, everyone must comply with the orders or signals given by this person.

3.5 Avoidance of traffic control devices

No one may drive on private property in order to avoid complying with a traffic control device.

3.6 No one, except the council, may authorize the installation of a traffic control device on a street.

3.7 Exception

Notwithstanding article 3.6, a person carrying out construction or maintenance works on a public street must install traffic control devices to indicate a temporary danger to be avoided, a temporary direction to be followed or a speed limit other than the prescribed limit to be respected.

3.8 Obstructing a traffic control device

No one may place, maintain or display, on private property, any sign, signal, marking or other device that may be mistaken for or hide from view a traffic control device installed on a public street.

Within twenty-four hours after receiving a notice to that effect, the offender must remove such sign, signal, marking or other device; if he fails to do so, the municipality may remove it at the offender's expense.

3.9 Tampering with traffic control device

It is prohibited to tamper with, move conceal or remove a traffic control device as well as any other sign placed by the competent authority.

CHAPTER IV **RULES OF THE ROAD**

4.1 Authority of Council

Council may, by installing signs for this purpose, reserve roadways for the exclusive use of certain categories of vehicles or for certain manoeuvres only; no other road vehicle may be driven on such roadways or, as the case may be, no manoeuvre other than that permitted may be executed.

4.2 One-ways

The municipal council is authorized to designate, by resolution, the streets and part of streets where one-way traffic only is permitted.

The streets or part of streets mentioned in Annex "A" of this by-law are hereby decreed to be one-way, in the direction indicated for each of them.

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

4.3 Local traffic signs

In accordance with article 4.1, Council may designate, by resolution, certain roads as being for local traffic only.

4.4 U-Turns

It is prohibited to execute a U-turn:

- a) at an intersection where a sign indicates that this manoeuvre is prohibited;
- b) at an intersection where it is prohibited to make a left turn;
- c) at an intersection where traffic is controlled by traffic lights;
- d) between street intersections.

4.5 Driving on a sidewalk or in a park

It is prohibited to drive a road vehicle on a sidewalk or over a curb, except where there is a depression leading to a driveway. No one may drive a vehicle or conduct a horse in a park, playground or on the landscaped portion of a street, except to carry out works authorized by the municipality.

4.6 Funeral procession

It is prohibited for the driver of a road vehicle to drive such vehicle so as to impede a funeral procession or an authorized convoy. At any intersection where traffic is controlled by a peace officer, the present provision does not apply. In order to identify a funeral procession, all vehicles which are part of the procession must have their headlights on.

4.7 School zone

In a school zone, all road vehicles must be driven carefully.

4.8 Splashing

Where there is water, mud or melting snow on the roadway, the driver of a road vehicle must reduce his speed to avoid splashing pedestrians.

4.9 Driving over a fire hose

It is prohibited for the driver of a road vehicle to drive over an unprotected fire hose, without the authorization of a fireman, a peace officer or a municipal officer.

4.10 Running or procession on street or sidewalk

No one may run or take part in a race on a public street or on a sidewalk so as to push or bump against pedestrians or in such a way as to cause an impediment, an annoyance or confusion; however, races may be organized with the written authorization of the municipal Council.

CHAPTER V

PARKING AND STOPPING

5.1 Authority of Council

Council may, by resolution, prohibit, restrict or otherwise regulate the stopping and parking of vehicles on public streets by placing appropriate signs for this purpose.

5.2 Stopping prohibited

It is prohibited to stop a vehicle on a public street or on municipal property in the locations and during the hours mentioned in Annex "A".

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

5.3 Parking prohibited

It is prohibited to park on a public street or on municipal property in the locations and during the hours mentioned in Annex "A".

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

5.3.1 Limited parking

- A. No one may park a vehicle on a public street during more than eight (8) consecutive hours between 7:00 A.M. and 1:00 A.M.
- B. No one may park a vehicle on a public street between 2:00 A.M. and 5:00 A.M.

5.3.2 Parking limited by a sign

It is prohibited to park a road vehicle for a period of time exceeding that determined by a sign limiting the permitted parking period.

5.4 Overnight parking – Special permits

The municipal Council is authorized to issue special permits for overnight parking on certain streets as shown in Annex “A” of the present by-law to form an integral part thereon.

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

5.5 Parking and stopping prohibited

No one may stop or park a vehicle:

- 1) within twenty-five metres (25 m) of an intersection where traffic is controlled by traffic lights;
- 2) in the areas reserved for the access of fire department vehicles and identified as such;
- 3) on a sidewalk;
- 4) in a park or in a playground, except in the areas reserved for this purpose;
- 5) on the side of the roadway, alongside a vehicle which is stopped or parked near the curb or on the side of the street;
- 6) in front of any driveway;
- 7) in front of and within 5 meters of the entrance to the fire department building;
- 8) on the left side of the roadway in the streets with two roadways separated by a mall or other construction on which traffic is permitted in one direction only;
- 9) in front of a fire hydrant or at a bus zone;
- 10) at less than 4.5 meters from an intersection;
- 11) at more than 30 cm from the curb of a sidewalk;
- 12) *There shall be no parking between the curb and the building line save on a Town approved driveway;*
- 13) *There shall be no parking on private property save in the event of clear and unequivocal consent of the owner of the said property.*

(694-2, art. 1, 11/18/1998)¹⁶

However, notwithstanding the prohibitions contemplated in the first paragraph and to the extent such manoeuvre may be carried out safely, the driver of a vehicle transporting a handicapped person may stop the vehicle to allow this person to embark or disembark the vehicle.

5.6 Municipal works

It is prohibited to park a vehicle in any street or part of street where the Director of the Public Works of the Town, or his employees, have placed temporary signs prohibiting parking to allow the execution of road works, including snow removal or any other reason of necessity or emergency.

5.7 Towing of vehicles

To facilitate the performance of work on roads, including the removal and clearing of snow, and for any other reason of necessity or emergency, the Director of the Public Works of the Town, or his employees, the commanding officer of the Police Department and his assistants, the Director of the Public Security Department and his Officers and the person authorized for this purpose by the Council may remove or cause to be removed any vehicle parked where it hinders the work of the Town and tow or cause this vehicle to be towed.

When the vehicle, at the time of the towing, was parked in contravention to a provision of this by-law, the owner is liable to the penalty provided in such case and he must also pay, to recover possession of his vehicle, *the towing cost of \$90.00.*

(694-8, art. 1, 05/15/2013)¹⁷

5.8 Pushing a vehicle prohibited

It is prohibited for anyone, not legally in charge of a vehicle, to move or push such vehicle into an area where parking or stopping is prohibited.

5.9 Unattended vehicle

It is prohibited to leave a vehicle with the motor running on a public street, unless the driver is behind the steering wheel.

When a vehicle is left unattended on a public street, it must be locked and closed in such a way that it cannot be set in motion.

5.10 Authority to move a vehicle

Any peace officer and any member of the Public Security Officers may, at the expense of the owner, move or cause to be moved a vehicle stopped or parked in contravention to a provision of this by-law or in contravention of the provisions of the Highway Safety Code relating to parking.

5.11 Repairs on public street

It is prohibited to repair a vehicle on a public street.

5.12 Advertising and signs

It is prohibited to park a vehicle on a public street for the purpose of selling or exchanging same or to exhibit a sign or other form of advertising.

5.13 Deliveries

It is prohibited for the owner or person in charge of a vehicle used for the transport of merchandises or materials to load or unload such vehicle unless it is parked in parallel with a roadway so as not to interfere with the flow of traffic. Such loading or unloading must be carried out without interruption.

5.14 Parking of buses, trucks, trailers, machinery and equipment prohibited

It is prohibited to park in any street or public place a bus, a truck, a tractor, a van, a trailer, a semi-trailer, a motorized or non-motorized camper, a service vehicle, a commercial or delivery vehicle except for loading or unloading, which must be carried out without interruption.

The present article does not apply to a vehicle used for municipal works or public utilities.

CHAPTER VI
RATE OF SPEED

6.1 Imprudent rate of speed

Any rate of speed or any action that is unsafe or that endangers life or property is prohibited on all streets.

Without restricting the scope of the first paragraph, no one may drive a road vehicle at a speed:

6.1.1 Speed limit in school zone

Exceeding thirty kilometres per hour (30 km/h) on a public street in a school zone;

6.1.2 Speed limit in park and playground zones

Exceeding thirty kilometres per hour (30 km/h) in any street or part of street designated as “playground zone” or “park zone”;

6.1.3 Speed limit in streets

Exceeding forty kilometres per hour (40 km/h) in any street or part of street with the exception of Cote-St-Luc, Fleet and Queen Mary Roads where the speed limit is at fifty kilometres per hour (50 km/h).

6.2 School zone

Are considered “school zones”, the public streets or part of public streets so described in Annex “A”.

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

6.3 Parks and playground zones

Are considered “playground zones” and “park zones” the public streets or part of public streets so described in Annex “A”.

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

6.4 Buses

It is prohibited to drive a bus used for public transit or a school bus, at a speed exceeding thirty kilometres per hour (30 km/h) on any street or part thereof where special signs have been placed for this purpose.

CHAPTER VII **RULES APPLICABLE TO BICYCLES**

7.1 Parking of bicycles

It is prohibited to park a bicycle alongside a building so as to interfere with pedestrians, or alongside a roadway so as to interfere with traffic or persons getting into or out of vehicles.

It is also prohibited for a person other than the owner or operator of a bicycle to move a bicycle parked in accordance with this by-law or to interfere or in any manner hinder any person from parking a bicycle in accordance with this by-law.

However a peace officer, a member of the Fire Department or a member of the Public Security Department may move, or as the case may be, prevent the parking of a bicycle, when, in his judgment, this action is necessary to properly safeguard persons or property.

7.2 Registration of bicycle

The owner of a bicycle residing within the limits of the Town, must register such bicycle with and obtain from a person designated for this purpose by resolution of Council a plate which must be permanently fixed on such bicycle. In order to obtain a plate, the applicant must fill out the appropriate form supplied by the Town.

The cost of the plate is ten (\$10.). The said plate is renewable every year and is only valid between the 1st of January of one given year until the 31st of December of the same year. When the address of the owner of the bicycle changes, the original plate must be replaced by the designated person and the cost of the new plate is five dollars (\$5.).

7.3 Bicycle equipment

A bicycle must be equipped with:

- a) a horn or with any similar device. It is prohibited to use such horn except in the case of necessity;
- b) a light in front and reflector in the rear.

CHAPTER VIII
BUSES AND MINIBUSES

8.1 Authority of Council

The Council may determine stop zones for buses and minibuses which must be clearly identified by adequate traffic and control devices.

8.2 Stop zones

Are hereby enacted the locations described in Annex “A” as “Stop Zones” for buses and minibuses.

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

CHAPTER IX
PEDESTRIANS

9.1 Authority of Council

Council may lay out pedestrian crosswalks which must be clearly identified by appropriate signs.

9.2 Pedestrian crosswalks and security zones

Is hereby enacted the establishment of pedestrians crosswalks and security zones as listed in Annex “A”.

(694-5, art.1, 01/21/2009), (694-8, art. 2, 05/15/2013)¹⁵

CHAPTER X
PARKING FOR THE HANDICAPPED

10.1 Definitions

In the present Chapter, the following words and expressions have the meaning given to them by the present article:

10.1.1 “HANDICAPPED PERSON” a handicapped person as defined by the Act concerning the rights of handicapped persons (1978, C7).

10.1.2 “PERMIT” a permit issued in accordance with the provisions of this Chapter and on which appears a silhouette as shown in ANNEX “D”.

10.1.3 “VEHICLE FOR A HANDICAPPED PERSON” a vehicle identified as such:

- a) by a permit affixed to the rear windshield of a vehicle, or
- b) by a moveable permit placed on the lowered sun-visor, on the driver’s side.

10.1.4 “RESERVED SPACE” a parking place identified by:

- a) a sign as shown in ANNEX “B” placed in front of the space;
- b) a sign as shown in ANNEX “C” painted, in white or yellow, in the middle of the area of such space.

10.2 Issuance of permit

A permit is issued:

- a) by the Régie de l’assurance automobile du Québec,
- b) by the Office des personnes handicapées du Québec,
- c) by a recognized agency outside the province.

10.3 Visible permit

The permit must be visible at all times.

10.4 Reserved spaces

Reserved spaces are designated and identified by the municipal Council in the case of a street, public place or area of land which belongs to the Town or which is under its jurisdiction.

10.5 Infraction

The following constitutes an infraction:

- a) parking a vehicle on which no permit is affixed in a reserved space;
- b) parking a vehicle in a reserved space when no handicapped person is using such vehicle, either as the driver or as passenger;
- c) obstructing, with a vehicle or otherwise, a reserved space or access thereto.

CHAPTER XI

OBSTRUCTIONS TO TRAFFIC

11.1 Games prohibited in the streets

It is prohibited to use a public street to engage therein in any game or sport except those streets or part of streets specially designated for this purpose by the municipal Council.

11.2 Obstructions on sidewalks

It is prohibited for two persons or more to arrange into a group, on a public street or on a sidewalk, so as to obstruct traffic.

CHAPTER XII
PROTECTION AND CLOSING OF A PUBLIC STREET

12.1 Authority of Council

The Council may, on the whole or part of a public street and for security reasons, prohibit or restrict, for the period of time it determines, the traffic of road vehicles or of certain categories of such vehicles.

Any sign, gate or other device placed at the entrance to a public street or to part of such street to prohibit the traffic of road vehicles is proof of such prohibition.

12.2 Closure by peace officer or public security officer

Any peace officer or public security officer may prohibit the access of any vehicle or of certain categories of vehicles to any public street or part of such street if justified by an emergency.

12.3 Access prohibited

When a prohibition or restriction contemplated in articles 12.1 or 12.2 is in effect, no vehicle except those specially authorized, may be driven on a street or part of street where traffic is prohibited or restricted.

12.4 Obstruction to traffic prohibited

No one, other than a person contemplated in article 12.2, may place an obstruction to traffic on a public street. Any peace officer or Public Security Officers are authorized to remove or order the removal of such obstruction, at the expense of the owner.

CHAPTER XIII
OTHER PROVISIONS

13.1 Silent muffler required

On a public street, a motor vehicle, a motorcycle, a light motorcycle or a moped must be equipped with a muffler and an exhaust system in good working order and which conforms to any provincial regulation relating to the level of noise.

13.2 Tampering with muffler prohibited

No one may install on a motor vehicle, a motorcycle, a light motorcycle or a moped, an exhaust system equipped with a muffler-braker, a diversion system or any similar apparatus; it is also prohibited to use a vehicle so equipped.

13.3 Driving over wet paint

It is prohibited for a vehicle or a pedestrian to travel over freshly painted lines on the pavement when these lines are identified as such.

13.4 Advertising and demonstrations

On any public street or public place, it is prohibited to use a sound system, signs or placards to advertise a business, an event, an exhibition or a show.

Notwithstanding the first paragraph, Council may, by resolution, authorize the use of a sound system on special occasions; the resolution must specify the day, the period of time and the street where the use of a sound system is authorized.

13.5 Removal of traffic ticket prohibited

It is prohibited for anyone other than the driver of the vehicle to remove a notice or traffic ticket placed thereon by a peace officer or by any other authorized municipal officer.

13.6 Removal of marks on tires prohibited

No one may erase a mark made on a tire of a motor vehicle, with chalk or pencil, by a peace officer or an authorized person, for the purpose of controlling how long such vehicle has been parked.

13.7 Smoke

It is prohibited to allow dense smoke to emanate from a vehicle or drive such a vehicle within the limits of the municipality.

13.8 Transporting metal objects

The driver of a vehicle transporting scrap iron, metal objects or other similar articles, must deafen the noise produced by the rattling of such objects.

13.9 Radio

It is prohibited to use the radio of a motor vehicle or any other sound system so as to produce excessive noise.

13.10 Siren

It is prohibited to use a siren, except in case of necessity on an emergency vehicle.

13.11 Obstruction

No one may doze while in charge of a vehicle or no one may sleep in a vehicle on a public street.

13.12 Muddy wheels

It is prohibited to drive on a public street a vehicle which carries on its wheels or tires mud or soil which may become detached and fall on the roadway.

13.13 Parking on a vacant lot

It is prohibited to park a vehicle on a vacant lot.

13.14 Propane gas delivery vehicles

It is prohibited to park a vehicle used or intended for the transportation of propane gas or of any similar gas on any public street or public place.

13.15 All vehicles prohibited in parks

It is prohibited to drive any vehicle, including a snow vehicle, in any public park or green area.

This prohibition does not apply to the Town's vehicles, to public utilities vehicles or to vehicles belonging to a contractor hired by the Town.

13.16 Security zones

The Town Council may establish safety zones for pedestrians, in any public street, by marking the pavement or by installing signs for this purpose.

It is prohibited to drive or park in such zones.

This prohibition does not apply to buses and emergency vehicles.

13.17 Washing vehicle in street

It is prohibited to wash a vehicle on a public street or sidewalk.

13.18 Protection of sidewalks

It is prohibited to drive a vehicle over a sidewalk or curb except;

- a) where there is a depression provided for this purpose, or
- b) if the sidewalk or curb is protected adequately for the load by a bridge or a covering of planks so constructed as to prevent damage to the sidewalk or curb and as to prevent any obstruction to the drainage system.

13.19 Non solicited towing

On a public street or within five (5) meters thereof, it is prohibited to offer, in return of a consideration, for oneself or any other person, towing or break-down services for a damaged or stalled vehicle unless solicited by the driver or an occupant of said damaged or stalled vehicle.

CHAPTER XIV
INFRACTIONS AND PENALTIES

14.1 General penalty

Anyone contravening a provision of this by-law for which no specific penalty is provided for, commits an infraction and is liable to the following fines:

- a) **for a first infraction:** a minimum of SEVENTY-FIVE DOLLARS (\$75.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person, or a minimum of SEVENTY-FIVE (\$75.) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a moral person.
- b) **for a repeat infraction:** a minimum of ONE HUNDRED DOLLARS (\$100.) and maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person, or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

14.2 Infraction to certain articles

Anyone contravening one of the following articles commits an infraction and is liable, to the minimum and maximum fines shown opposite each article plus the applicable costs:

Article Number	Fines (4)	
	Minimum	Maximum
3.4	75	200
3.5	75	200
4.1	75	150
4.4	100	200
4.5	75	150
4.6	75	150
4.7	75	150
4.8	75	300
4.9	75	150
4.10	75	300
5.2	30	150
5.3	30	150
5.3.1	30	150
5.3.2	30	150
5.5	30	150
5.6	30	150
5.9	30	150
5.11	30	150
5.12	30	150

Article Number	Fines (4)	
	Minimum	Maximum
5.13	30	150
5.14	30	150
6.1	300	600
7.1	30	75
7.2	30	75
7.3	30	75
10.5	30	150
11.1	30	100
11.2	30	100
12.3	75	150
12.4	75	150
13.1	30 (cyclomotor & al)	75
	50 (vehicles)	150
13.3	75	150
13.4	75	150
13.5	75	150
13.6	50	150
13.9	75	150
13.10	75	150
13.12	75	150
13.13	30	300
13.14	30	300
13.15	75	300
13.16	75	150
13.17	75	150
13.18	75	150
13.19	75	300

14.3 Fine for excessive speed

Anyone contravening the second paragraph of article 10.1, commits an infraction and is liable to the fine prescribed by the Highway Safety Code for the same infraction.

14.4 Statement of offence – Issuance

A police officer or a Public Security Officer may issue a statement of offence in the case of an infraction to a provision of the present by-law.

A person appointed in accordance with article 2.1 may issue a statement of offence in the case of an infraction to a provision of the present by-law relating to parking.

14.5 Statement of offence – Amount of the fine

Notwithstanding any provision to the contrary in this by-law, the amount of the fine claimed on a statement of offence may not exceed THIRTY DOLLARS (\$30.) for an infraction relating to a provision on parking and SEVENTY-FIVE (\$75) for an infraction to any other provision, except an infraction to any provision contemplated in paragraphs 4, 5 or 8 of article 626 of the Highway Safety Code (R.S.Q., c., C_24.2) in which case the sum must be equal to the minimum provided for in the said Code for an infraction respecting the same matter.

14.5 Responsibility of the owner

In the case of an infraction to a provision of this by-law which is contemplated in the second paragraph of article 592 of the Highway Safety Code, the owner is not responsible for the infraction unless he was driving the vehicle at the time of the infraction or unless he was inside the vehicle then driven by his agent; in the latter case, either or both of them are responsible the infraction.

CHAPTER XV

OVERNIGHT PARKING PERMIT

- 15.1 *In this Chapter the word “permit” means a sticker which is issued by the Town.*
- 15.2 *A permit is issued by an employee of the Town appointed for this purpose by the Municipal Council to anyone justifying that he or she is a habitual occupant of a building where Council is authorizing “overnight parking”.*
- 15.3 *An employee referred to in paragraph 15.2 may cancel a permit if the person to whom it has been issued no longer meets the requirements of paragraph 15.2.*
- 15.4 *The permit must be affixed on the inside of the top centre of the rear window of the vehicle for which it is issued.*
- 15.5 *It is prohibited to park a vehicle, on which there is no permit affixed in accordance with article 15.4, on any street or part of any street where parking is prohibited except for permit holders, or those with temporary permission.*
- 15.6 *Independently of whether or not the owner or lessee of a vehicle possesses an overnight parking permit, parking is prohibited even for permit holders when the Public Works Department or their duly authorized representatives have placed temporary signs prohibiting parking to allow the execution roadwork, including snow removal or for any other reason of necessity or emergency.*

In the event that a vehicle is parked, with or without a permit, when temporary signs are posted at least twelve hours prior to the time the vehicle was parked, the owner or lessee of the vehicle is liable for a fine of \$30 plus costs and the Director of Public Security, or his duly authorized representative, shall have the authority to tow the vehicle and the owner or lessee shall pay costs for towing in the amount of \$50.

15.7 General Rules

- 15.7.1 *No more than two annual (calendar year) permits may be issued for the same dwelling.*
- 15.7.2 *An employee, authorized by the Town to issue a permit, may request the person to whom it is issued to provide evidence that he or she still meets the requirements for the issuance of such permit.*
- 15.7.3 *A permit is not transferable.*
- 15.7.4 *If a person to whom a permit has been issued no longer meets the requirements for holding such permit, he or she must remove and destroy the permit.*
- 15.7.5 *Annual permits (calendar year) are issued only to those residents who have insufficient combined parking space, in their driveway and garage, to accommodate their vehicles.*
- 15.7.6 *Any change in vehicle or licence plate, including the temporary use of an alternative vehicle, must be reported to the Town Hall.*
- 15.7.7 *Failure to comply with the above-mentioned regulations could result in the permit being revoked, without a refund, and could also result in the issuing of a parking fine.*

(694-4, art. 1, 12/27/2006)¹⁸

15.8 *The tariffs for obtaining an overnight parking permit are established as follows:*

- 15.8.1 *For an annual (calendar year) permit (conditions of Section 15.7 apply):*
- | | |
|-------------------------------|--------------|
| <i>1st Vehicle</i> | <i>\$150</i> |
| <i>2nd Vehicle</i> | <i>\$225</i> |
- 15.8.2 *For a permit from April 1st to December 1st* *Abolished*
- 15.8.3 *For a monthly permit (conditions of Section 15.7 apply)* *\$ 25/vehicle*
- 15.8.4 *For a weekly permit (conditions of Section 15.7 apply)* *\$10/vehicle*

(694-6, art. 1, 01/20/2010)¹⁹; (694-4, art. 1, 12/27/2006)¹⁸

15.9 *On the following holidays, the Town of Hampstead will be granting **overnight** parking tolerance:*

- a) **Passover** – (March-April) from the first day for Nine (9) days;
- b) **Good Friday to Easter Monday** – (March-April) – Four (4) days;
- c) **Shavuot** – (May-June) – From the first day for three (3) days;
- d) **Rosh Hashanah/ Yom Kippur / Succot / Simchat Torah** – (September-October) - From the first day of Rosh Hashanah to the day following Simchat Torah;

- e) *Christmas Eve & New Year – (December 24 to January 2) – Ten days.*

(694-7, art. 1, 08/23/2010)^{2°}

CHAPTER XVI

FINAL PROVISIONS

16.1 **By-law applies to all streets**

The provisions of this by-law apply to all vehicles and pedestrians in all the streets of the town.

16.2 **Repeal**

The present by-law repeals By-Law Nos. 377, 496, 496-1, 496-2, 496-3, 496-4, 496-5, 518, 539 and 550. This repealing shall not be interpreted as affecting any procedure or complaint undertaken under the authority of such by-law.

16.3 **Coming into force**

The present by-law comes into force according to law.

(Signed)

Irving L. Adessky, Q.C., Mayor

(Signed)

Maurice Guay, c.m.o., Town Clerk