

CORPORATION OF THE CITY OF KINGSTON

Ontario

BY-LAW NO. 2004-190

A BY-LAW TO REGULATE THE USE OF CITY STREETS

PASSED: July 14, 2004

As Amended By By-Law No:

By-law No. 2005-203 September 6, 2005

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(Office Consolidation)

(August 17, 2010)

City of Kingston By-law No. 2004-190 “Streets”

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THE CORPORATION OF THE CITY OF KINGSTON

BY-LAW NO. 2004-190

A BY-LAW TO REGULATE THE USE OF CITY STREETS

PASSED: July 14, 2004

WHEREAS subsections 9(3) and 11(1) of the *Municipal Act, 2001* authorize municipalities to enact by-laws with respect to their highways, including by-laws to regulate or prohibit respecting matters, to require persons to do things, to provide for a system of permits, and to impose conditions as a requirement of obtaining or continuing to hold a permit;

THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. **DEFINITIONS:**

In this by-law,

“adjoining owner” means the person who is the registered owner of a property that adjoins a highway;

“boulevard” means that part of a highway, other than a sidewalk, that lies between the shoulder or curb and the boundary of the adjoining property;

“City” and ***“City of Kingston”*** mean The Corporation of the City of Kingston, as incorporated on January 1, 1998;

“City Council” means the Council of the City of Kingston;

“Engineering Division” means the Engineering Division, Department of Planning and Development Services or, in the event of organization changes, another unit designated by City Council to carry out the Division’s responsibilities;

“highway” means a common and public highway, and includes a street, lane and road allowance and any bridge, trestle, viaduct or structure that forms part of a highway and all lands between the lateral boundaries of a highway;

“in-line skates” means boots, to which a number of wheels have been affixed to the centre of the length of the sole in a single, straight line that are laced or secured onto a person’s feet for the purpose of enhancing mobility by muscular power;

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“Manager of Engineering” means the Manager, Engineering Division, Department of Planning and Development Services, his or her designate or, in the event of organizational changes, another employee designated by City Council;

“median” means the portion of a highway that separates traffic travelling in one direction from traffic traveling in the opposite direction by means of a physical barrier or a paved or unpaved separation area that is not intended to allow crossing vehicular movement.

“motor vehicle” includes an automobile, bus, truck, motorcycle, motor assisted bicycle and any other vehicle propelled or driven other than by muscular power, but does not include a traction engine, farm tractor, other farm vehicle, or machine used for road construction or maintenance;

“pedestrian” includes an individual with a disability who is using a wheelchair or other remedial appliance or device, as well as an individual who is on foot;

“person” includes a corporation and organization as well as an individual;

“pesticide” includes a product, organism or substance that is a registered control product under the *Pest Control Products Act* (Canada), which is used as a means of directly or indirectly controlling, destroying, attracting or repelling a pest or for mitigating or preventing its injurious, noxious or troublesome effects, but does not include soap, mineral or horticultural oil, silicon dioxide (also called diatomaceous earth), Bt (*Bacillus thuringiensis*), nematodes and other biological control organisms, borax (also called boric acid or boracic acid), ferric phosphate, acetic acid, pyrethrum or pyrethrins, fatty acids, or sulphur;

“private entrance” means an improved surface within a highway that is used by the owner or occupant of an adjoining property for vehicular entrance to and from that highway;

“public utility” means a system that is used to provide a utility service to the public, and includes water, sewage, electricity, gas, telephone and communications services;

“public utility service vehicle” means a vehicle operated by or on behalf of Utilities Kingston and its subsidiary companies or any other company or agency that supplies or manages a public utility within the City;

“roadway” means the portion of a highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder;

“shoulder” means that part of a highway immediately adjacent to the travelled portion that normally has a surface of asphalt, concrete or gravel;

“sidewalk” means the portion of the boulevard of a highway that is set aside for the use of pedestrians;

“street” has the same meaning as highway;

“vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, machine used for road construction or maintenance, bicycle, and any vehicle drawn, propelled or driven by any kind of power, including muscular power; and

“walkway” means an improved public lane or footpath that provides pedestrian access between streets within residential neighbourhoods.

2. **APPLICATION:**

2.1 This by-law applies to all highways that are under the jurisdiction or joint jurisdiction of the City of Kingston, and to all persons using those highways.

2.2 This by-law does not apply to provincial highways or private roads.

3. **ADMINISTRATION:**

3.1 The Manager of Engineering is responsible for the administration of this by-law.

3.2 All provincial offences officers with authority to enforce the by-laws of the City are responsible for enforcing the provisions of this by-law.

3.3 Where notice is to be given by the City under this by-law, it will be given by personal notice or by prepaid registered mail.

4. **REGULATIONS:**

General

4.1 No person shall dig up, cut or otherwise damage a highway or remove any asphalt, concrete, gravel, grass, turf, sod, earth, shrub or plant from a highway except in compliance with By-Law No. 99-174, “A By-Law to Establish Provisions For Right-Of-Way Cuts Within Any City Road Allowance or Public Place”, or a successor to that by-law.

4.2 No person shall damage, destroy or, without lawful authority, remove any utility pole, light standard, hydrant or other object or structure that is located on a highway.

4.3 No person shall block or obstruct a highway by any means, or obstruct or construct a drain, ditch, gutter or watercourse on a highway.

- 4.4 No person shall deposit any leaves or brush on a highway except for the purpose of participating in any collection of yard waste that may be undertaken by the City.
- 4.5 No person shall deposit any sand, gravel, earth, stone, wood, coal or other material, substance or object on a highway.
- 4.6. No person shall deposit any glass, nails, tacks, scrap metal, handbills, notices, advertisements, litter, debris, rubbish, refuse or waste on a highway, except in receptacles provided for this purpose or in accordance with the applicable by-law or by-laws regulating the collection, removal and disposal of waste.

Public Health and Safety

- 4.7 No person shall set fire to or burn any leaves, brush, wood, wood chips, wood shavings, paper, hay, straw, rubbish or other combustible material on a highway.
- 4.8 No person shall pollute or foul, or cause or permit the pollution or fouling of a highway by a vehicle, animal or any other means.
- 4.9 No person shall, either directly or indirectly, discharge or cause or permit the discharge or deposit of any prohibited substance into a land drainage works located on a highway in contravention of section 3 of By-Law No. 2000-263, "A By-Law to Control Waste Discharges to Municipal Sewers", or a successor to that by-law.
- 4.10 No person shall use or cause or permit the use of pesticides on the boulevard or any other part of a highway, except in accordance with the policy developed by the City, which provides for pesticide use on lands owned by the City only as a last resort in situations where there is a threat to human or animal health or where the viability of trees, shrubs or other "natural infrastructure" is threatened.
- 4.11 The policy developed by the City with respect to the use of pesticides pertains only to the non-agricultural use of pesticides for cosmetic purposes and does not apply to the use of pesticides for agricultural purposes.
- 4.12 No person who is transporting earth, sand, stone or other material in a vehicle shall load or drive the vehicle in a manner that causes or permits the material to be deposited on a highway.

- 4.13 No person shall drive a vehicle onto a highway or cause or permit the driving of a vehicle onto a highway unless the person has removed, as completely as is reasonably practicable in the circumstances, all mud, clay, lime, oil, sand, stone or other material from the wheels of the vehicle that is likely,
- (1) to cause an obstruction or dangerous condition on the highway, or
 - (2) to damage the surface of the highway.
- 4.14 No person shall move or cause or permit the moving of a vehicle that is equipped with metal cleats, including cleats with rubber inserts or pads, flanges or tracks on its wheels or roller onto or along the roadway of a highway unless the vehicle is being carried on a float or trailer.
- 4.15 No person shall move or cause or permit the moving of a vehicle that is equipped with metal cleats, including cleats with rubber inserts or pads, flanges or tracks on its wheels or roller across the roadway of a highway unless a preventive pad has first been laid on the portion of the roadway that is to be crossed.
- 4.16 Sections 4.14 and 4.15 do not apply to a vehicle that is moved onto, along or across a roadway with the authorization of the Manager of Engineering.
- 4.17 Every owner of an animal or other person who is in charge of an animal shall immediately remove any faeces left on a highway by that animal.
- 4.18 The Manager of Engineering may remove any material or object deposited by a person on a highway in contravention of this by-law at the expense of that person.
- 4.19 No person shall climb any utility pole, light standard or tree or climb over any fence, barrier or other device that is located on a highway, other than an authorized person who is maintaining or repairing a public utility or responding to an emergency call.
- 4.20 No person shall fish or dive from a bridge that forms part of a highway or remain unnecessarily on such a bridge.
- 4.21 No person shall ride a bicycle on the roadway of a highway except in single file, with a secure hold on the handle bars and both feet on the pedals.

Temporarily Closed Highways

- 4.22 No person shall, without lawful authority, use a highway or portion of a highway that has been closed temporarily for a construction, repair or improvement project or for any other purpose.
- 4.23 No person shall, without the authorization of the Manager of Engineering, remove or deface any barricade, flashing light, warning device, detour sign or other device from a highway or portion of a highway that has been closed temporarily for a construction, repair or improvement project or for any other purpose.

Recreational Activities

- 4.24 No person shall ride rapidly down a slope or hill on a highway on a toboggan, sled, snowboard or other device.
- 4.25 No person shall skate or make or use any ice or snow slide on a highway.
- 4.26 Except pursuant to the Street Hockey Policy and Code of Conduct attached as Schedule "F", no person shall participate in races on foot or in vehicles, play any game or sport, fly a kite, or throw any ball, stone, snowball or other object on a highway, except where the activity has been expressly permitted.

(By-law No. 2004-190; 2008-144)

- 4.27 No person shall use roller skates or a skateboard on any portion of a highway other than on the sidewalk.

In-Line Skates

- 4.28 No person shall use in-line skates on a highway designated in Schedule B, except for the purpose of crossing such a highway at a designated crossing.
- 4.29 No person shall use in-line skates on the sidewalk of a highway.
- 4.30 Despite section 4.29, children ten years of age or less shall be permitted to use in-line skates on the sidewalk of a highway other than a highway designated in Schedule B.
- 4.31 No person shall use in-line skates while under the influence of alcohol.
- 4.32 No person using in-line skates shall operate any device at a sound level which impairs the person's ability to hear oncoming vehicles or other potential dangers.

- 4.33 Subject to section 4.28, every person using in-line skates shall:
- (1) come to a complete stop before entering a roadway;
 - (2) operate with due care and attention to his or her own safety and the safety of others;
 - (3) proceed in single file;
 - (4) operate as closely as possible to the right-hand edge of the roadway in order to avoid undue interference with vehicular traffic, except where reasonably necessary to avoid unsafe conditions; and
 - (5) cross a roadway at a right angle to the highway when making a left turn into an adjacent highway or property, in the same manner as a pedestrian.

Commercial Activities

- 4.34 No person shall give or hold an exhibition or performance of any type on a highway except in accordance with the provisions of By-Law No. 2002-255, "A By-Law to License, Regulate and Govern Certain Businesses" or a successor to that by-law.
- 4.35 No person shall sell food or other goods on a highway except in accordance with the provisions of the following by-laws or successors to those by-laws:
- (1) By-Law No. 2002-255, "A By-Law to License, Regulate and Govern Certain Businesses";
 - (2) By-Law No. 87-136, "A By-Law to Authorize the Adoption of Regulations Established for the Purpose of Dealing with Applications for the Extended Use of Sidewalks"; and
 - (3) By-Law No. 93-250, "A By-Law to Authorize the Lease of City Streets for the Purpose of Operating Motorized Refreshment Vehicles, and to Authorize the Adoption of Guidelines for Dealing with Applications, and to Authorize Motorized Refreshment Vehicle Regulations".

Boulevards and Medians

- 4.36 No person shall dig up, damage or destroy the sod or grass of a boulevard or median, or alter the surface of a boulevard or median in any way, except in compliance with By-Law No. 99-174, "A By-Law To Establish Provisions For Right-Of-Way Cuts Within Any City Road Allowance Or Public Place", or a successor to that by-law.

- 4.37 Despite section 4.36, every adjoining owner of a commercial property may construct a private sidewalk between a building on the property and a public sidewalk, provided that the private sidewalk is constructed so as not to obstruct or pose a danger to the safety of persons using the public sidewalk or other parts of the highway, or to interfere with the activities or adversely affect the condition or operation of the equipment or facilities of the City, its agents or Utilities Kingston.
- 4.38 Despite section 4.36, every adjoining owner may improve and maintain the boulevard by planting grass, keeping the grass trimmed, removing noxious weeds, and keeping it in a safe condition, provided that the activities on the boulevard do not obstruct or pose a danger to the safety of persons using the boulevard or other parts of the highway, or interfere with the activities or adversely affect the condition or operation of the equipment or facilities of the City, its agents or Utilities Kingston.
- 4.39 No person other than the City or an agent of the City shall plant any tree, shrub or sapling on a boulevard or median.
- 4.40 No person shall, without legal authority, damage or destroy any tree, shrub or sapling that is located on a boulevard or median.
- 4.41 No person shall operate any motor vehicle, bicycle or other vehicle on a boulevard, except for the purpose of crossing a boulevard while using a private entrance.
- 4.42 Section 4.41 does not apply to a public utility service vehicle that is supplying, maintaining or repairing a public utility or responding to an emergency call.

Sidewalks

- 4.43 No person shall dig up, damage or destroy a sidewalk, or alter the surface of a sidewalk in any way, except in compliance with By-Law No. 99-174, "A By-Law To Establish Provisions For Right-Of-Way Cuts Within Any City Road Allowance Or Public Place", or a successor to that by-law.
- 4.44 No person or group of persons shall obstruct a sidewalk in such a manner as to impede the free movement of pedestrians on that sidewalk or to pose a danger to the safety of other persons using the sidewalk or other parts of the highway.
- 4.45 No person shall operate any motor vehicle, bicycle or other vehicle on a sidewalk, except for the purpose of crossing a sidewalk while using a private entrance.

- 4.46 Section 4.45 does not apply to a person who is using a child's stroller, to a person with a disability who is using a wheelchair or other remedial appliance or device, or to a public utility service vehicle that is supplying, maintaining or repairing a public utility or responding to an emergency call.
- 4.47 No person shall lead, drive or ride a horse on a sidewalk.
- 4.48 No person shall print, draw or otherwise make any mark on a sidewalk.

Walkways

- 4.49 Sections 4.43 to 4.48 are applicable to the designated walkways described in Schedule C.
- 4.50 The regulations set out in sections 4.43 to 4.48 are not applicable to the designated walkways unless signs are in place in appropriate locations on these walkways to advise the public that the use of bicycles and other vehicles is prohibited.

Snow and Ice

- 4.51 No person shall deposit snow or ice on a roadway, regardless of whether it has been removed from an adjoining property, private entrance or sidewalk.
- 4.52 The owner or occupant of every building shall remove the snow and ice from the roof of that building:
- (1) whenever the snow and ice on the roof pose an immediate danger to the health or safety of any person using an adjoining highway; or
 - (2) whenever the owner or occupant is requested to remove the snow and ice from the roof of the building by the City or the Kingston Police.
- 4.53 The owner or occupant of every commercial property in the designated Downtown Business Improvement Area (B.I.A.) which adjoins a sidewalk shall remove the snow and ice from that sidewalk as soon as is practicable but, in any event, not later than 12 hours after the end of the precipitation that caused the snow and ice.
- 4.54 The owner or occupant of every commercial property referred to in section 4.53 shall take such action as is necessary to prevent the adjoining sidewalk from becoming slippery or from remaining in a slippery condition.

Obstructions, Refuse and Debris

4.55 The owner, occupant or person in charge of every:

- (1) commercial property within the designated Downtown Business Improvement Area (B.I.A.) which adjoins a sidewalk;
- (2) building to which the public has access; and
- (3) place of worship,

shall keep the adjoining sidewalk free of all obstructions, refuse and debris, except in accordance with the applicable by-law or by-laws regulating the collection, removal and disposal of waste.

Remedial Action by the City of Kingston

4.56 Every person who fails to comply with the requirements set out in sections 4.51 to 4.55 shall, by the date specified in the notice given by the City, take all necessary steps to comply.

4.57 If, in the case of sidewalk, a person who is given notice by the City under section 4.56 fails to do the necessary work by the date specified in the notice, the City may do the work at the expense of the adjoining owner by adding the costs incurred by the City in doing the work to the tax roll for that property and collecting them in the same manner as taxes.

4.58 If, in the case of an unoccupied building, a person who is given notice by the City under section 4.56 fails to remove the snow and ice from the roof of the building by the date specified in the notice, the City may do the work at the expense of the owner by adding the costs incurred by the City to the tax roll for that property and collecting them in the same manner as taxes.

Public Notice Boards

4.59 No unauthorized person shall paint or mark any utility pole, light standard, hydrant, tree or other object or structure that is located on a highway.

4.60 No person shall attach a poster, bill, advertisement, notice or other document to any utility pole, light standard, hydrant, tree or other object or structure that is located on a highway, except in accordance with section 4.61 and with the provisions of By-Law No. 2002-255, "A By-Law to License, Regulate and Govern Certain Businesses", or a successor to that by-law.

- 4.61 Any person may attach a poster, bill, advertisement, notice, or other document to designated public notice board described in Schedule D.
- 4.62 Two-thirds of the space on these public notice boards shall be reserved for posters, bills, advertisements, notices and other documents dealing with community issues, and not more than one copy shall be attached to the same public notice board.
- 4.63 Every person who attaches a poster, bill, advertisement, notice or other document to a public notice board shall remove it no later than 48 hours after the completion of the event to which the poster, bill, advertisement, notice or other document refers.
- 4.64 If it becomes necessary, the City may restrict the permitted maximum size of any poster, bill, advertisement, notice or other document attached to a public notice board to letter size.

Moving Structures and Oversize or Overweight Loads

- 4.65 No person shall use a highway to move a vehicle, load, object, building or structure that is in excess of the dimensional limits set out in section 109 of the *Highway Traffic Act* or the weight limits set out in Part VIII of the same statute unless a permit has been obtained from the Manager of Engineering in accordance with the provisions of section 110 of the *Highway Traffic Act*.
- 4.66 Every application for a permit shall be submitted to the Manager of Engineering in the specified form, and the applicant shall be responsible for paying the application fee to the City and all other applicable amounts, as set out in Schedule A.
- 4.67 The purpose of the application fee is to cover the costs incurred by the City in reviewing the application, making site inspections, if necessary, and issuing the permit. In the case of an annual permit the fee will also cover occasional visits to the route to ensure no alterations to the route will impact the ability to undertake the move.
(By-law No. 2005-203)
- 4.68 If the particular circumstances make it necessary for additional time to be spent on the review of an application, the applicant may be required to pay additional hourly fees, as set out in Schedule A.
- 4.69 If the particular circumstances make it necessary for the City to escort the vehicle, load, object, building or structure while it is being driven, operated or moved, the applicant may be required to pay additional hourly fees, as set out in Schedule A. An annual fee will not be permitted for any move that requires an escort.
(By-law No. 2005-203)

- 4.70 Before sections 4.68 and 4.69 become applicable, the applicant will be given advance written notice of the amount of these additional fees.
- 4.71 The fees and other amounts set out in Schedule A are in effect for the duration of 2004 only and, on the first day of January of 2005 and of each subsequent year, the fees and amounts that were in effect during the previous year will be increased by the rate of inflation.
- 4.72 The Manager of Engineering may require an applicant to provide a deposit, bond or other security sufficient to cover the cost of repairing possible damage to a highway.
- 4.73 The Manager of Engineering may impose conditions as a requirement of obtaining a permit, including requiring an applicant to enter into an agreement with the City.
- 4.74 A permit will not be issued unless the applicant agrees that the owner, operator or mover of the vehicle, load, object, building or structure is responsible for all damages that may be caused to the highway by reason of the driving, operating or moving of the vehicle, load, object, building or structure.
- 4.75 A permit will not be issued unless the applicant agrees that the owner, operator or mover of the vehicle, load, object, building or structure is responsible for all damages that may be caused to the properties of adjoining owners by reason of the driving, operating or moving of the vehicle, load, object, building or structure.
- 4.76 A permit will not be issued unless the applicant provides and maintains, at the applicant's expense, liability and property damage insurance, in an amount satisfactory to the City, naming the City as an additional insured in order to protect the City against all liability, and the applicant shall submit proof of such insurance when applying for a permit.
5. **EXEMPTIONS:**
- 5.1 Every authorized and other lawful encroachment on a highway is exempt from the provisions of this by-law.
- 5.2 The activities of the City and the Kingston Police are exempt from the provisions of this by-law.
- 5.3 The activities upon highways of persons who are carrying out maintenance work or installing infrastructure on a highway in accordance with the terms and conditions of a subdivision, site plan or other agreement with the City are exempt from the provisions of this by-law.

- 5.4 Every private entrance upon a highway that complies with the requirements of the applicable by-law regulating private entrances or that is constructed in accordance with the terms and conditions of a subdivision or site plan agreement with the City is exempt from the provisions of this by-law.
- 5.5 Over-dimensional farm vehicles are exempt from the requirement to obtain a permit under section 4.65.
- 5.6 The boulevards at the locations set out in column 1 of Schedule E that have been altered for the purpose described in column 2 of Schedule E are deemed to be authorized, provided that no further alterations are made to these boulevards.

6. SCHEDULES:

The following schedules are attached to and form part of this by-law:

- Schedule A Fees
Schedule B Highways on which In-Line Skates are Prohibited
Schedule C Designated Walkways
Schedule D Public Notice Boards
Schedule E Authorized Alterations and Uses of Boulevards

7. OFFENCE AND PENALTY PROVISIONS:

- 7.1 Any person who contravenes the provisions of this by-law is guilty of an offence and, upon conviction, is subject to a fine as provided in the *Provincial Offences Act* and to any other applicable penalties.
- 7.2 If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

8. VALIDITY:

If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

9. COMMENCEMENT:

- 9.1 This by-law comes into force on the day it is given third reading and is passed.

SCHEDULE A:**FEEES (including taxes)**

| | |
|--|---|
| Application Fee | \$84.00 |
| Additional Fees [as per section 4.68] | |
| Management Staff | \$102.00 per hour |
| Other Staff | \$56.00 per hour |
| Escort Fees [as per section 4.69] | \$56.00 per hour |
| Annual Permit Application Fee | \$300.00 (By-law No 2005-203) |

Note: These fees are in effect for the duration of 2004 only, and will be increased in every subsequent year in accordance with section 4.71.

**SCHEDULE C:
DESIGNATED WALKWAYS**

1. Walkways in Polson Park shown as Blocks "D", "E", "F" and "G" on Registered Plan No. 754;
2. A lane of 3.0 metres (10 feet) in width between Kingscourt Avenue and Hillcrest Avenue, registered by Instrument No. 74985 as Parcel 11;
3. A walkway between Hillcrest Avenue and Alfred Crescent as shown on Registered Plan No. 420, registered by Instrument No. 101780; and
4. All walkways in the Calvin Park and Pember Place subdivisions.

SCHEDULE D:

PUBLIC NOTICE BOARDS

1. Princess and Wellington Streets (northwest corner);
2. Alfred and Union Streets;
3. Market Street at the Kingston Public Market;
4. Ontario Street outside the Tourist Information Office;
5. Ontario Street outside the Confederation Basin Office;
6. Portsmouth Olympic Harbour (two boards); and
7. Princess and Tower Streets.

**SCHEDULE E:
AUTHORIZED ALTERATIONS AND USES OF BOULEVARDS**

| Location | Purpose |
|---|---|
| Alfred and York and Streets (west side of Alfred Street from 50 feet (15.2m) north of York Street to northerly limit of paved boulevard south of Concession Street) | Parking Spaces (right angle only) |
| Bagot and Charles Streets (at corner between sidewalk and property line along the frontage of the church and along Charles Street) (Calvary United Church) | Asphalt paving (No Parking) |
| 454 Bagot Street (8.9 feet (2.7m) by 20 feet (6m)) | Parking space (1) of interlocking stone or flagstone |
| 50 Baiden Street (8 feet (2.4m) by 43 feet (13.1m)) | Asphalt Paving |
| Barrie Street (west of the Cathedral School, as shown on site plan) (Separate School Board) | Asphalt Paving for circular pick up and discharge area connecting to Barrie Street |
| 181 Barrie Street (5 foot (1.5m) in width approximately 8 feet (2.4m) to 10 feet (3m) from curb) | Asphalt Sidewalk |
| Connaught Street and First Avenue (at the northwest corner along the frontage of the First Avenue eight-plex) | Asphalt Paving for Parking Spaces (8), provided that vehicles are parked within 2 feet of the building. |
| 577 Division Street (between property line and sidewalk) | Asphalt Paving (No Parking) |
| 580 Division Street | Asphalt Paving (No Parking) |
| 613 Division Street (between property line and sidewalk) | Asphalt Paving (No Parking) |
| 893 Division Street (approximately 3 feet (0.9m) by 25 feet (7.6m) between curb and sidewalk) | Asphalt Paving (No Parking) |
| 82 Earl Street (10 feet (3m) in width) | Concrete Sidewalk (No Parking) |
| 84 Earl Street (8.8 feet (2.7m) by 21.2 feet (6.5m)) | Concrete Paving (No Parking) |
| 185 Earl Street | Parking Spaces (2) |
| Garrett and Division Streets (as shown on Schedule "A" to By-Law No. 6724) | Asphalt Paving (No Parking), provided that owner constructs curbing on Garrett Street to restrict width of driveway to 25 feet (7.6m) |
| George and Stuart Streets (4 feet (1.2m) by 170 feet (51.8m) along west curb of George Street south of Stuart Street) (Kingston General Hospital) | Asphalt Walkway, provided that Kingston General Hospital maintains the walkway at its own expense. |

| Location | Purpose |
|---|---|
| 28 Grange Street (4 feet (1.2m) by 8 feet (2.4m)) | Asphalt Paving |
| 47 James Street (10 feet (3m) by 60 feet (18.3m), at rear of property) | Asphalt Paving (No Parking) |
| Johnson Street (north side between Ontario and King Streets, adjacent to the rear of 172 Ontario Street) | Asphalt Paving as part of a truck loading zone from Monday to Friday between the hours of 8:00 a.m. and 5:00 p.m. |
| Johnson Street (4 feet (1.2m) by 15 feet (4.6m) along south curb immediately east of Landmark Condominium entrance) | Asphalt Paving, provided that it is maintained by the owner of the property. |
| 314 Johnson Street (adjacent to parking lot and extending to the sidewalk) (Bethel Church) | Asphalt Paving (No Parking) |
| 662 King Street (between sidewalk and street line on Grange and King Streets) | Asphalt Paving |
| 44 Linton Street (110 feet (33.5m) along Linton Street, east from Chatham Street) | Asphalt Paving (No Parking) |
| 281 Macdonnell Street (on Mack Street between street line and roadway) | Asphalt Paving of gravelled area for Parking Spaces |
| 338 Montreal Street (between sidewalk and building to a depth of 18 inches (0.46m) along James Street for approximately 45 feet (13.7m) and along Montreal Street for approximately 30 feet (9.1m)) | Asphalt Paving (No Parking) |
| 321 Napier Street (56 feet (17m)) | Asphalt Paving (No Parking), provided that the grade does not interfere with drainage |
| Norman Rogers Drive (between curb and sidewalk on west side between lines extending from the 2 entrance walkways) (Cokes Portsmouth United Church) | Asphalt Paving |
| 55 Oak Street (4 feet (1.2m) in width between sidewalk on Brant Avenue and driveway to the end of the driveway) | Asphalt Paving (No Parking) |
| Patrick Street (west side of Patrick Street from 50 feet (15.2m) south of Railway Street to 9.8 feet (3m) north of Duff Street) | To accommodate the existing parking configuration at 100 Railway Street and 398, 402 and 408 Patrick Street. |

| Location | Purpose |
|---|---|
| 300 Patrick Street (5 feet (1.5m) of west side from 59 feet (18m) north of Fraser Street northerly for 108.3 feet (33m)) | To accommodate the existing tenant parking configuration |
| 27 Place d'Armes (along east side of King Street and north side of Place d'Armes) | Parking Spaces on King Street (6) and Place d'Armes (8), subject to a lease with the City |
| 847 Portsmouth Avenue (between owner's two driveways) | Asphalt Paving |
| Princess and Albert Streets (south side of Albert Street from 95 feet (29m) south of Princess Street southerly for 57 feet (17.4m)) | Asphalt Paving |
| Princess and Nelson Streets (on Nelson Street at the corner) (Hind Quarter) | Asphalt Paving for a Parking Space (1) at \$45.00 per month |
| Princess and Regent Streets (2 feet (0.6m) on south side of Princess Street) (Harvey's Food Limited) | Asphalt Paving |
| 223 Princess Street (on Queen Street at rear of Capitol Theatre) | Asphalt Paving (No Parking) |
| 264 Princess Street (between sidewalk and street line) | Asphalt Paving |
| 449 Princess Street (approximately 75 feet (23m) by 5 feet (1.5m) from driveway at east side to western limit) (Bell Canada) | Concrete Paving |
| 461 Princess Street (between sidewalk and curb) | Concrete Paving |
| 480 Princess Street (boulevard between sidewalk and street line along University Avenue) | Asphalt Paving for Parking |
| 531 Princess Street (between sidewalk and curb) | Asphalt Paving (No Parking) |
| 572 Princess Street (to within 2 feet (0.6m) of sidewalk along Frontenac Street) | Asphalt Paving |
| 579 Princess Street (approximately 5 feet (1.5m) in width between the sidewalk and curb for a distance of 70 feet (21.3m)) | Asphalt Paving (No Parking) |

| Location | Purpose |
|--|---|
| 681 Princess Street (between sidewalk and property line on Princess and Smith Streets, between the roadway of Macdonnell and the property line) (Tim Horton's) | Asphalt Paving (No Parking) |
| Queen and Barrie Streets (between sidewalk and property lines on north side of Queen Street west of Barrie Street and on west side of Barrie Street north of Queen Street) | Flagstone or Painted Paving (No Parking), provided that curbs are maintained to prevent parking on the boulevard. |
| 290 Queen Street (1 foot (0.3m) strip) | Asphalt Paving |
| Queen Mary Road (9.8 feet (3m) by 39.4 feet (12m) just north of Johnson Street across from golf course) (Bell Canada) | Asphalt Pad for purposes of servicing Bell Canada plant |
| 71 Rideau Street (portion of driveway which encroaches on City property by approximately 12 feet (3.7m)) | Asphalt Paving |
| 337 Rideau Street | Parking Spaces (2 or 3) |
| Russell and Cowdy Streets (south side of Russell Street from Cowdy Street to 325 feet (99m) west of Cowdy Street between the curb and street line) (Separate School Board) | Crushed rock surface level with street curb to act as a combination sidewalk and waiting area |
| Stuart and George Streets (approximately 1.3 feet (.41m) in width on south side of Stuart Street from 301.8 feet (92m) west of George Street westerly for 105 feet (32m)) (Queen's University) | Two courses of paving stones, provided that Queen's is responsible for the maintenance of and liability from these paving stones. |
| 34 Sydenham Street (7.9 feet (2.4m) by 16 feet (4.9m) on the east side) | Interlocking brick for Disabled Parking Space (1) |
| 195 Sydenham Street | Interlocking Stone and Trees, provided they are maintained by the owner of the property. |
| Thomas and Patrick Streets (13 feet (4m) by 37 feet (11.3m) at the corner) | Asphalt Paving (No Parking) |
| Union Street (Queen's University at Dunning Hall as shown in By-Law No. 6084, Drawing 5-112) | Concrete Sidewalk |
| Union Street (Queen's University at Sir John A. MacDonald Hall as shown in By-Law No. 6046, Drawing 17-149) | Replacement of patio slab entrance sidewalk with two course sidewalk |

| Location | Purpose |
|---|---|
| 218 Wellington Street (at the southwest corner along both Queen and Wellington Streets) | Asphalt Paving |
| 222 Wellington Street (between building and the sidewalk) | Interlocking Paving Stones |
| William and Bagot Streets (on William Street at the corner) (Andrea's) | Parking Space (1) at the established rate subject to an agreement with the City |

SCHEDULE "F"

Street Hockey Policy and Code of Conduct City of Kingston

Purpose

The intent of this policy and code of conduct is to:

- set out when, where and how street hockey may take place
- avoid or minimize traffic congestion, excessive noise, inappropriate behaviour, and disrespect for neighbours and private property.
- identify the possibility of injury that accompanies street hockey
- clarify that participants in street hockey, and parents or guardians who allow their children to participate in street hockey, assume **all** risks related to the activity

Definitions

"Local Street" is a street in a residential neighbourhood with low traffic volumes and the posted speed limit is 50 km/h or less, where participants, or in the case of children their parent or guardian, consider it safe to play street hockey and assume the risk when they do, and where the city has not prohibited street hockey.

"Street hockey" is the playing of hockey on a Local Street by one or more participants.

Permitted activity

Street hockey may be played on a Local Street during daylight hours when there is good visibility. Street hockey may never be played before 9 a.m. or after 8 p.m.

Code of conduct

Street hockey participants must:

- keep an ongoing watch for motor vehicle and bicycle traffic and must clear the street immediately of participants and equipment so that vehicles may pass safely
- remove **all** equipment from the street, sidewalk, and boulevard as soon as the street hockey game is over and between 8 p.m. and 9 a.m.
- respect the rights of neighbours to the reasonable enjoyment of their property free from damage, inappropriate noise, or disrespectful conduct toward them or their property

(By-law No. 2004-190; 2008-144)

SCHEDULE "F" cont'd:

Failure to Comply with Code of Conduct

A person who breaches the Code of Conduct, as determined by municipal or law enforcement staff, shall lose the privilege of playing street hockey for a period of **90** days. In the event that **3** or more breaches of the Code of Conduct have occurred on a particular street within a **30** day period, the privilege of playing street hockey on that street shall be lost for a period of 90 days.

Assumption of risk

The possibility of injury exists when playing any sport, particularly when it involves unsupervised children. The playing of street hockey brings additional risks including a road surface that is not designed for hockey and interactions with motor vehicles and bicycles. Participants in street hockey, or in case of children their parents *or* guardians, are responsible for determining what locations are safe and for playing in a safe manner. People who choose to play street hockey or allow a child in their care to play street hockey agree that they are assuming any and all risks associated with that decision and are waiving any and **all** claims against the city.

If you are not prepared to assume the risk and free the city of any liability, do not play street hockey

(By-law No. 2004-190; 2008-144)
