

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 2009-20

**Being a By-law to Regulate the Parking of
Vehicles within the Township of Tay**

WHEREAS the Municipality is authorized pursuant to Section 428 of the Municipal Act, R.S.O. 2001, Chapter 25, as amended, to pass by-laws prohibiting the parking, standing or stopping of motor vehicles within the Municipality.

NOW THEREFORE the Council of the Corporation of the Township of Tay enacts as follows:

SECTION 1: DEFINITIONS

- 1.1 **"ACCESSIBLE PARKING PERMITS"** shall mean a marker or permit consisting of the international symbol for a person with a disability, issued in connection with a parking permit by the Ministry of Transportation (Ontario);
- 1.2 **"ACCESSIBLE PARKING SIGN"** is a sign consisting of the international symbol for persons with disabilities to be used for the purpose of designating parking spaces for the sole use of vehicles operated by or conveying persons with a disability;
- 1.3 **"BOULEVARD"** shall mean the grassed area between the sidewalk and the curb or the curb to the nearest street line thereto;
- 1.4 **"CORNER"** is hereby defined as the intersecting angle point of the curbs, except where there is no curb, the corner is defined as the intersecting angle point of the edge of the pavement or traveled portion of gravel surface, as the case may be;
- 1.5 **"CROSS WALK"** shall mean:
 - (a) that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or, in the absence of curbs, from the edges of the roadway; or
 - (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface.
 - (c) but excludes pedestrian crossovers.
- 1.6 **"CURB"** shall mean the raised concrete edging which separates the paved street from the boulevard;
- 1.7 **"EMERGENCY VEHICLE"** shall mean:
 - a) A fire department vehicle while responding to a fire alarm or other emergency call.
 - b) A vehicle while used by a person in the lawful performance of his duties – a police officer or by-law enforcement officer.
 - c) An ambulance or cardiac arrest emergency vehicle while responding to an injured person in an emergency situation.

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- 1.8 **"FIRE CHIEF"** shall mean the Fire Chief of the Township of Tay or such person as he may designate to carry out his duties under this by-law;
- 1.9 **"FIRE ROUTE"** shall mean any private roadway designated by the Fire Chief;
- 1.10 **"HIGHWAY"** includes a common and public highway, any part of which is intended for or used by the general public for the passage of vehicles and pedestrians and includes the area between the lateral property lines thereof;
- 1.11 **"INTERSECTION"** shall mean the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two (2) or more highways that join one another at an angle, whether or not one highway crosses the other;
- 1.12 **"LARGE VEHICLE"** shall mean any vehicle which is in excess of 7 metres in length;
- 1.13 **"MUNICIPALITY"** shall mean the Municipal Corporation of the Township of Tay;
- 1.14 **"OBSTRUCT SIDEWALK"** shall mean the parking or stopping of a motor vehicle in such a position that obstructs any portion of the sidewalk;
- 1.15 **"PARK OR PARKING"** when prohibited means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;
- 1.16 **"PERMIT"** shall mean an identifying marker issued by the Ministry of Transportation (Ontario);
- 1.17 **"PERSON WITH A DISABILITY"** shall mean any person who falls under the definition of having a disability as set out in the *Accessibility for Ontarians with Disabilities Act, 2005, R.S.O. 2005, c. 11* as amended and the *Ontario Human Rights Code*.
- 1.18 **"SCHOOL BUS"** shall mean a bus used for the transportation of children to and from school that;
- (a) bears on the rear thereof the words "Do not pass when signals flashing";
 - (b) is equipped with two (2) red signal lights on the rear thereof and two (2) red signal lights on the front thereof;
 - (c) is painted chrome yellow with black lettering and trim.
- 1.19 **"SIDEWALK"** shall mean an improved portion of a highway between the curb line and the adjacent property line, intended for the use of pedestrians;
- 1.20 **"STREET"** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle designed and intended for, or based by, the general public for the passage of vehicles;
- 1.21 **"TOW AWAY ZONE"** shall mean any road area within 30 metres in any direction from the sign designating the tow away zone.

1.22 **"UNLICENSED MOTOR VEHICLE"** is a vehicle that does not have affixed to a number plate displayed on the vehicle, evidence of current validation of the permit;

1.23 **"UTILITY VEHICLE"** shall mean a vehicle owned or operated by the municipality or a public utility, while being used by a person in the lawful performance of his duties in the installation, inspection or repair of the utility, including sewer and water mains, storm drains, roads, sidewalks and trail networks, telephone, hydro, natural gas, and television cable;

1.24 **"VEHICLE"** includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind or power, including muscular power, and including a motorized snow vehicle.

SECTION 2: BLOCKING TRAFFIC

- (a) No person shall park any vehicle on a street so as to blockade or obstruct the traffic of vehicles;
- (b) No person shall park any vehicle so as to obstruct a sidewalk or on any boulevard;
- (c) No person shall park a vehicle which is in excess of 7 metres (23.3 feet) in length or detached trailer on any street within the Municipality ;
- (d) No person shall park so as to obstruct the entrance to any land or driveway into private or public property or into any garage or other building.

SECTION 3: PARKING NEAR FIRE HYDRANTS

No person shall park or leave a vehicle within three metres (3 m) of a point on the curb or edge of the roadway opposite any fire hydrants (3 metres = 9.8 Ft.).

SECTION 4: PARKING NEAR INTERSECTIONS

No person shall park a vehicle near the corners of street intersections within a distance of fifteen metres (15 m) back from the corner on each intersecting street or such distance as may be designated by sign. (15 metres = 49.2 Ft.).

SECTION 5: PARKING NEAR BRIDGES

No person shall park a vehicle on any bridge or within 100 metres of a bridge over, under or across which the highway passes (100 metres = 328 Ft.).

SECTION 6: PARKING ON LAND OWNED BY MUNICIPALITY

No person shall park or leave a vehicle on property owned or occupied by the Municipality or any local board thereof without the consent of the Municipality or local board, as the case may be.

SECTION 7: LOADING AND UNLOADING

- (a) Where possible, vehicles shall be loaded or unloaded from the side and shall be parked as close as possible to the curb or to the edge of the traveled portion of the street. No person shall leave a vehicle backed up to the edge of a street except during the actual loading or unloading and in any case no longer than is reasonably required for the loading or unloading operation;
- (b) In loading or unloading a vehicle, the driver of such vehicle shall ensure that the vehicle is parked no farther than thirty centimetres (30 cm.) from the curb (30 centimetres = 11.8 inches).

SECTION 8: MANNER OF PARKING

- (a) **Angle Parking:** where parking is permitted and markings on the surface of the street or signs are provided to direct the manner in which parking shall occur, no person shall park a vehicle except in accordance with such signs or surface markings;
- (b) **Parking Parallel to curb:** No person shall stand or park a vehicle on any street where there is a curb unless he ensures that such vehicle is parallel to and the right wheels and runners thereof are not more than thirty centimetres (30 cm.) from such curb, or in the winter, as near this as the conditions of the streets permit (30 centimetres = 11.8 inches).
- (c) **Parking parallel where no curb exists:** No person shall stand or park a vehicle on uncurbed streets, unless he ensures that such vehicle is parallel to and the right wheels and runners of the vehicle are as close as circumstances and weather conditions permit to the edge of the boulevards or sidewalks as the case may be.
- (d) **Parking with vehicle facing wrong direction (Two-way Street Parking):**
No person shall park or stop a vehicle on any street unless on the right side of the street, having regard to the direction in which the vehicle had been proceeding, with the right front and right rear wheels and runners not more than thirty centimetres (30 cm) from such curb, or in the winter, as near this as the conditions of the streets permit (30 centimetres = 11.8 inches).

SECTION 9: RESTRICTED PARKING

- (a) **Three Hour Limit:** Except as provided otherwise by this by-law, no person shall park on any street within the Municipality for a period longer than 3 (three) hours at any one time, with or without a driver or operator. Where a person parks a vehicle and moves the same from time to time the cumulative time that the vehicle is left parked during any 24 (twenty-four) hour period shall not exceed (3) (three) hours;
- (b) **Restricted 15 minute parking;** No person shall park any vehicle, with or without a driver or operator, for a period in excess of 15 (fifteen) consecutive minutes as set out in Schedule "C" attached hereto and forming part of this By-law.;
- (c) **Restricted 1 hour parking:** No person shall park any vehicle, with or without a driver or operator, for a period in excess of (1) one hour as set out in Schedule "C" attached hereto and forming part of this By-law;

SECTION 10: WINTER PARKING CONTROL

- (a) From the 15th day of November in any year until the 1st day of April in the following year between the hours of 3:00 A.M. to 12:00 NOON, no person shall park a vehicle on any street/road or within 3.05 metres of the edge of any gravel, surface treatment or asphalt roadway (3.05 metres = 10 Ft.).
- (b) Notwithstanding any other provision of this by-law which permits the parking of vehicles on highways or on any municipal parking lots, no person shall park or stand a vehicle in such a manner as to interfere with the clearing of snow from the highway.

SECTION 11: EMERGENCY VEHICLES & UTILITY VEHICLES

All emergency vehicles or utility vehicles are exempt from this by-law.

SECTION 12: SCHOOL BUS LOADING AND DROP OFF ZONE

No person shall park, stand, or stop any vehicle in any school bus loading, or drop off zone where signs have been erected indicating the designation of a school bus loading or drop off zone.

SECTION 13: CROSSWALK/PEDESTRIAN CROSSOVER

No person shall park, stand, or stop on any portion of a crosswalk or pedestrian crossover.

SECTION 14: FIRE ROUTES

Following designation of fire routes by the Fire Chief and notice under the Fire Prevention and Protection Act, S.O. 1997, as amended.

- (1) the owner of a property shall erect signs marking private roadways thereon as fire routes;
- (2) before erecting signs as required, the owner of a property shall obtain direction from and the approval of the Fire Chief or the persons designated by him to give such direction and approval, for all such signs, the wording thereon and the location thereof;
- (3) each private roadway which is located on a property of which the municipal address or location is listed in Schedule "D" hereto and beside or near which there are signs marking it as a fire route is hereby designated as a fire route;
- (4) the owner of a property upon which there is a private roadway that has been designated as a fire route:
 - (a) shall maintain the signs marking it as a fire route; and
 - (b) shall keep such private roadway:
 - (i) in good repair;
 - (ii) clear of snow and ice;
 - (iii) free of all obstructions.
- (5) no person shall park or leave a vehicle at any time on or along any part of a private roadway designated as a fire route;

SECTION 15: ACCESSIBLE PARKING REGULATIONS
(1) Provision of Parking Spaces for Use by Persons with Disabilities

Every owner or operator of a public parking area shall provide accessible parking spaces in conformity with the provisions of this By-law for the exclusive use of vehicles operated or conveying persons with a disability and where an accessible parking permit as defined in this By-law is visible or properly displayed. The minimum number of designated parking spaces which must be provided shall be calculated in accordance with the following table:

Capacity of Public Parking Area (# of parking spaces)	Number of Designated Parking Spaces to be Provided
1 -10	0
11 -99	1
100 -199	2
200 -299	3
300 -399	4
400 -499	5
500 or more	6

(2) Every owner or operator shall ensure that the designated parking spaces shall be:

- (a) 3.7 metres (12 feet) in width;
- (b) 5.79 metres (19 feet) in length;
- (c) hard surfaced;
- (d) level;
- (e) located so as to be readily accessible to persons with disabilities, whether via ramps, depressed curbs or other means and, where the public parking area is intended to serve a particular building or complex, located within easy access of said building or complex;
- (f) kept free from obstructions, kept clear of snow, ice and slush, and be otherwise maintained to the same standards as all other parking spaces in the same public parking area;

Signs

- (3) (a) The accessible parking permit signs referred to in this by-law shall conform to the Ontario Regulation made under the Highway Traffic Act, as amended.
- (b) An accessible parking permit sign be mounted on a permanent post, or affixed to a wall or structure located within three (3) metres and adjacent to the designated parking space at the point marking the midpoint in width of the parking space and shall not be located so as to block vehicular access to the designated parking space.
- (c) Where such parking space is parallel, an accessible permit sign shall be mounted on a permanent post, or affixed to a wall or structure located within three (3) metres and adjacent to the designated parking space at the point marking the midpoint in length of the parking space and shall not be located so as to block vehicular access to the designated parking space.
- (d) Every owner or operator of each public parking area in which signs are located pursuant to this by-law shall be responsible for the procurement, installation and maintenance of said signs, and for ensuring that said signs conform to the Ontario Regulations made under the Highway Traffic Act, as amended.

Use of Parking Spaces

- (4) (a) No person shall park a vehicle in a designated parking space in a public area or on a highway or portion of a highway, unless a valid accessible parking permit is properly displayed upon the vehicle and is accompanied by or picking up a person with a disability.
- (b) No public parking area owner or operator shall authorize any person to park a vehicle which does not properly display a valid accessible parking permit in a designated parking space.

SECTION 16: TOWING AND REMOVAL OF VEHICLES

- (a) A Municipal Law Enforcement Officer or any person appointed by the Municipality upon discovery of any vehicle parked or standing in contravention of this By-Law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are lien upon the vehicle which may be enforced in the manner provided by Chapter R.25, Sec. 4(1) of the Repair and Storage Liens Act, R.S.O. 1990, as amended.
- (b) All costs and charges for removal, care and storage of the vehicle shall be in addition to any other penalties provided in this By-Law.

SECTION 17: TOW AWAY ZONE

No person shall park a vehicle at any time where appropriate signs regarding "Tow Away Zones" have been erected and on display as set out in Schedule "B" attached hereto and forming part of this By-law.

SECTION 18: WHERE SIGNS ARE ON DISPLAY

Where proper prohibitive parking signs have been erected and are on display, no person shall park a vehicle on any portion of any street.

SECTION 19: PARKING OF UNLICENSED MOTOR VEHICLES

No person shall park an unlicensed motor vehicle on a highway.

SECTION 20: PENALTIES

Where a vehicle is found parked in contravention of the provisions of this by-law, the enforcing official so finding the vehicle shall attach to the vehicle a ticket in the form of a numbered notice stating;

- i) the license number and concise description of the vehicle;
- ii) that the vehicle has violated the provisions of this by-law;
- iii) the date, time, place and nature of the alleged offence;
- iv) that the owner or operator thereof can report to the Municipal Office of the Township of Tay within seven days, exclusive of Saturdays, Sundays and Holidays, after the date when the ticket is attached to make the early payment;
- v) after seven days the penalty becomes the set fine;
- vi) payment not received within fifteen days excluding Saturdays excluding Saturdays, Sundays and Holidays after the ticket was issued the fine is subject to the provisions of the Provincial Offences Act.

- (a) The ticket shall be prepared in triplicate and the enforcing official shall attach one copy to the vehicle and deliver the other copies to the Municipal Office.
- (b)(1) The owner or operator of the vehicle may within seven days exclusive of Saturdays, Sundays, and Holidays, after the day when the ticket is issued, report to the municipal office, or to any person designated by the municipality to receive such penalties, the sum of the early payment for the offence in full satisfaction in respect of the alleged offence and receipt therefore shall be given to the person making the payment.
- (b)(2) The owner or operator of the vehicle may after seven days and within fifteen days excluding Saturdays, Sundays and Holidays, after the day when the ticket is issued, report to the municipal office and pay at the municipal office or to any persons designated by the municipality to receive such penalties, pay the set fine for the offence in full satisfaction in respect of the alleged offence and receipt therefore shall be given to the person making the payment.
- (c) The owner or operator of a vehicle that is parked, stopped or left standing in contravention of this by-law is guilty of an offence and on convictions is liable to a fine of not more than One Thousand (\$1,000.00) Dollars for every offence exclusive of costs.
- (d) Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, c.P.33.

SECTION 21: SEVERABILITY

Every provision of this By-Law is declared to be severable from the remainder of the By-law and if any provision of the By-Law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder thereof

- (a) This By-Law No. 2009-20 shall come into force on the date the Chief Judge of the Ontario Court of Justice (Provincial Division) issues an order approving set fines for By-Law No. 2009-20.

SECTION 22: REPEAL BY-LAW

- (1) That By-law 1994-58 as amended is hereby repealed.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF APRIL, 2018

THE CORPORATION OF THE TOWNSHIP OF TAY

MAYOR, Scott Warnock

CLERK, Alison Gray

SCHEDULE "A"
TO BY-LAW 2009-20, as amended

NO PARKING

The following areas are designated as no parking zones:

COLUMN 1 Road	COLUMN 2 Side	COLUMN 3 Between
Albert Street	Southwest	Six (6) metres (20ft.) feet northwest of William Street
Albert Street	Northeast	Fifteen (15) metres (49ft.) southeast of William Street
Albert Street	Southwest	Fifteen (15) metres (49ft) southeast of William Street
Albert Street	Northeast	Sixty (60) metres (200ft.) northwest of Jephson Street
Albert Street	Southwest	Six (6) metres (20ft.) northwest of Waldie Ave
Albert Street	Northwest	Waldie Avenue to the boat launch
Albert Street	Northeast	Wycliffe Cove to boat launch
Ellen Street	Northeast	Fifteen (15) metres (49ft.) from Hoyt Ave
Fallowfield Lane	Northwest	From Pine Street to the opposite side of driveway to Bridgeview Park
Fallowfield Lane	Southeast	From Pine Street to the opposite side of driveway to Bridgeview Park
Grandview Road	North	Fifteen (15) metres (49ft.) east of Triple Bay Road
Hoyt Ave	Northwest	From 40 Ellen Street (Sewage Pump Station) to Juneau Road
Hoyt Ave	Southeast	Fifteen (15) metres (49ft.) from Ellen Street
Industrial Road	South	Park Street until lot line of 49 Industrial Road
Pine Street	East	Twelve (12) metres (40ft.) south of Tay Trail
Waldie Ave	North	Fifty eight (58) metres (190ft.) west of Albert Street
Waldie Ave	South	One hundred six (106) metres (350ft.) west of Albert Street
Talbot Street	North	From Ninth Ave to Triple Bay Road
Talbot Street	South	From Ninth Ave to Triple Bay Road
Talbot Street	North	Thirty (30) metres (100ft.) east of Fourth Ave
Talbot Street	South	Fifteen (15) metres (49ft.) east of Ney Ave

Triple Bay Road	East	Three hundred seventy five (375) metres from Hwy 12
Triple Bay Road	West	Three hundred seventy five (375) metres from Hwy 12
Winfield Drive	East	Thirty (30) metres (100ft.) from waters edge
William Street	Northwest	Fifteen (15) metres (49ft.) southwest of Albert Street
William Street	Southeast	Fifteen (15) metres (49ft.) northeast of Albert Street
Wycliffe Cove	Northeast	Albert St. & Ellen St.

SCHEDULE "B"
TO BY-LAW 2009-20, as amended

TOW AWAY

The following areas are designated as Tow Away zones:

COLUMN 1 Road	COLUMN 2 Side	COLUMN 3 Between
Alcove Drive	North	Thirty (30) metres, (100ft.) east of 100 Alcove Drive
Alcove Drive	South	Thirty (30) metres, (100ft.) east of 100 Alcove Drive
Duck Bay Road	East	From the driveway of 5 Duck Bay Road to a spot 200 meters north of the bridge
Duck Bay Road	West	From the driveway of 10 Duck Bay Road to a spot 200 meters north of the bridge

SCHEDULE "C"
TO BY-LAW 2009-20, as amended

TIME LIMIT PARKING

COLUMN 1 Highway	COLUMN 2 Side	COLUMN 3 Between	COLUMN 4 Hours	COLUMN 5
Albert Street	Southwest Side	212 Albert Street and 230 Albert Street	Monday to Sunday, between 8:00 a.m. & 6:00 p.m.	15 Minutes
Jephson Street	Southeast Side	Albert Street and property line of 95 Jephson Street	Monday to Friday between 8:00am & 5:00pm from September 1 st -June 30 th excluding holidays	Anytime between 8:00am and 5:00pm

SCHEDULE "D"
TO BY-LAW 2009-20, as amended

FIRE ROUTE

The following areas are designated as Fire Route zones:

Location
445 Pine Street, Waubaushene Fire Hall
460 Park Street, St Antoine Daniel Catholic School
125 Jephson Street, Victoria Harbour Public School
15979 Highway 12 East, Ontario SPCA Midland & District Branch
16164 Highway 12, Saint Marie Among The Hurons
16160 Highway 12, Wye March Wildlife Centre
311 Talbot Street
2529 Reeves Road
16163 Highway 12, Martyrs' Shrine

THE CORPORATION OF THE TOWNSHIP OF TAY

PART II Provincial Offences Act

**By-law No. 2009-20, as amended
A by-law to regulate the parking of vehicles**

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Early Voluntary Payment Payable within 7 days	COLUMN 4 Set Fine
1	Parking Obstructing Traffic	2(a)	\$20.00	\$25.00
2	Park Vehicle (excess of 7 metres in length)	2(c)	\$20.00	\$25.00
3	Parking on a Sidewalk, Boulevard	2(b)	\$20.00	\$25.00
4	Parking Obstructing Entrance to Driveway	2(d)	\$20.00	\$25.00
5	Parking within 3 metres of Fire Hydrant	3	\$20.00	\$25.00
6	Parking within 15 metres of Intersection	4	\$20.00	\$25.00
7	Parking on (or within 100 metres of) bridge	5	\$20.00	\$25.00
8	Unauthorized Parking on Municipal Property	6	\$20.00	\$25.00
9	Improper Parking during Loading, Unloading	7(b)	\$20.00	\$25.00
10	Improper Angle Parking	8(a)	\$20.00	\$25.00
11	Improper Parallel Parking (to curb)	8(b)	\$20.00	\$25.00
12	Improper Parallel Parking (no curb)	8(c)	\$20.00	\$25.00
13	Parking with vehicle facing wrong direction	8(d)	\$20.00	\$25.00
14	Parking Beyond Three Hour Limit	9(a)	\$20.00	\$25.00
15	Parking Beyond 15 Minute Limit	9(b)	\$20.00	\$25.00
16	Parking Beyond One Hour Limit	9(c)	\$20.00	\$25.00
17	Parking within 3.05 metres of Roadway from Nov. 15 to April 01 between 3:00 a.m. to 12:00 noon	10(a)	\$25.00	\$30.00
18	Park as to interfere with snow removal	10(b)	\$25.00	\$30.00
19	Park in School Bus Loading, Drop-off zone	12	\$20.00	\$25.00
20	Parking on a Crosswalk	13	\$20.00	\$25.00

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Early Voluntary Payment Payable within 7 days	COLUMN 4 Set Fine
21	Parking in a Fire Route	14.5	\$50.00	\$60.00
22	Parking in a Disabled Parking Spot-No permit displayed	15.4(a)	\$300.00	\$300.00
23	Parking in a Tow away Zone	17	\$35.00	\$40.00
24	Parking in a Prohibited Area	18	\$20.00	\$25.00

Note: The general penalty provision for the offences listed above is Section 20(d) of Bylaw 2009-20, as amended, a certified copy of which has been filed.

THE CORPORATION OF THE TOWNSHIP OF TAY

PART II Provincial Offences Act

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6	Parking within 15 metres of Intersection	4	\$20.00	\$25.00
7	Parking on (or within 100 metres of) bridge	5	\$20.00	\$25.00
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