

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 173-88

BEING A BY-LAW TO REGULATE PARKING
ON MUNICIPAL PARKING LOTS AND
REPEAL BY-LAW NO. 44-88

WHEREAS Section 210(125) of The Municipal Act, R.S.O. 1980 Chapter 302 as amended, authorizes the Council to pass by-laws for prohibiting the parking of motor vehicles on property owned or occupied by a municipality or any local Board thereof without the consent of the municipality or local Board, as the case may be.

AND WHEREAS Section 208(55) of the Municipal Act provides that by-laws may be passed for regulating, supervising and governing the parking of vehicles on land owned or occupied by the municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. In this By-law:

- (a) "City" means The Corporation of the City of North Bay.
- (b) "Motor vehicle" includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in this by-law and any other vehicle propelled or driven otherwise than by muscular power.
- (c) "Park" means the standing of a motor vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
- (d) "Parking Lot" means the property owned **or** occupied by the City which parking is regulated by the posting of signs **or** by the use of parking meters, and which lots are more particularly described on Schedule "A" hereto and which may be described in this by-law by reference to the lot number shown on Schedule "A".
- (e) "Parking Manager" means the person appointed by the City Clerk to be the Parking Manager.
- (f) "Parking Meter" means a device which indicates the length of time during which a vehicle may be parked, which has a part thereof a receptacle for receiving and storing coins, a slot or place in which such coins may be deposited, a timing mechanism to indicate the passage **of** the interval of time during which the parking is permissible and which displays a signal when said interval of time has elapsed.

- Parking
Garage
- 2. No person shall park a motor vehicle in the Parking Garage, being Parking Lot No. 4 between 8 o'clock in the morning and 6 o'clock in the evening on any day except Sunday:
 - (i) unless the fee set by Schedule "B" hereto is paid by the driver of the motor vehicle; and
 - (ii) in no case longer than the maximum authorized time for that parking lot as stipulated by Schedule "B" hereto.

Meter
Lots

3. No person shall park a motor vehicle on Parking Lots number 1, 2, 3, 6 or 7 between the hours of 8 o'clock in the morning and 6 o'clock in the evening on any day except Sunday:

- (i) unless and until there is deposited in the appropriate parking meter for the motor vehicle parking space one ten cent coin or one twenty-five cent coin for the period of authorized parking described in Schedule "B" hereto;
- (ii) the parking meter is activated; and
- (iii) in no case longer than the maximum authorized time at that parking meter as stipulated in schedule "B" hereto.

City
Hall
Lot

4. (a) No person shall park a motor vehicle on Parking Lot No. 8 between the hours of 8 o'clock in the morning and 5 o'clock in the evening unless such person is:

- (i) visiting the City Hall, The Nipissing Board of Education, or the North Bay Public Library:
and
- (ii) the motor vehicle of such person is parked for a period of no longer than one hour per day.

(b) Where authorized signs are on display, no person shall park a motor vehicle other than one used for the transportation of the physically disabled, within a parking space designated for the physically disabled on Parking Lot No.8

5. Every motor vehicle parked in a Parking Lot (except the Parking Garage) shall make use of a parking meter immediately adjacent to the parking space within which such vehicle is parked and the fee set by Schedule "B" hereto shall be paid by the driver of the vehicle for the use of the parking space for the time permitted by Schedule "B" hereto.

6. No person shall park a motor vehicle in any Parking Lot at any designated parking space so that; any part of the vehicle occupies more than one space or protrudes beyond the markings designating such space; except that a vehicle which is of a size too large to be parked within a single designated parking space may occupy two adjoining parking meter spaces when coins have been deposited in the parking meter for each space so occupied as is required in this by-law for the parking of other vehicles in such places.

Permits

7. (a) The Parking Manager or his authorized delegate is hereby authorized to issue permits and to reserve parking spaces for the purposes of permitting parking in the Parking Lots described in this by-law and to charge therefore the following sums:

Parking Lot Nos. 1, 2 and 3	-	\$35 per month
Parking Lot No. 4 (Garage)		
- Top two levels	-	\$35 per month
- Inside levels	-	\$50 per month
Parking Lot Nos. 6 and 7	-	\$25 per month

(b) No person who does not hold an authorized permit for a reserved parking space shall park a motor vehicle in such reserved parking space.

8. The Parking Manager shall designate individual parking spaces in the Parking Lots and shall erect and maintain parking meters for each parking space in Parking Lots No. 1, 2, 3, 6, and 7.
9. Collection of fees paid to park in the Parking Lots shall be under the control of the Parking Manager who shall keep a proper record of same and deposit same to the credit of the City.
10. The city Engineer is directed to post signs stating the conditions on which a motor vehicle may be parked in Parking Lot 8 and the Parking Manager is directed to post signs stating the conditions on which a motor vehicle may be parked in Parking Lot No. 4.
11. No person shall park a motor vehicle in any Parking Lot overnight from 12 o'clock midnight to 8 o'clock in the morning from November 1 to March 31 inclusive.
12. No person shall park a motor vehicle on any Parking Lot for more than 24 consecutive hours.
13. (a) Every person who leaves a motor vehicle in Parking Lot no.4 after 6 o'clock p.m. shall produce the ticket indicating the time and date of entry for such day the next time that such vehicle is parked in Parking Lot No. 4 and pay the amount required thereby on the next day of entry according to the terms of such ticket., or if such ticket is unavailable, then the maximum daily fee shall be paid.

(b) No person shall park a motor vehicle in the Parking Garage, Parking Lot no. 4 if there is an unpaid daily ticket for a previous day for such motor vehicle.
14. No person shall park a motor vehicle in any aisle, entrance or exit of a parking lot.
15. Where a motor vehicle is found parked overnight in contravention of Section 11 or in such a manner as to interfere with traffic flow, on any Parking Lot, then such vehicle may be removed at the sole risk and expense of the owner by any Provincial Offences Officer, Peace Officer, the Parking Manager or his authorized delegate.
16. Every owner of a vehicle left: parked in contravention of this by-law, notwithstanding that he was not the driver of the vehicle at the time of the contravention of the by-law, is guilty of an offence and is liable to the fine prescribed for the offence, unless at the time of the offence, the vehicle was in possession of some person other than the owner without the owner's consent.
17. Any person who contravenes any provision of this by-law is guilty of an offence and is liable to a penalty of not more than \$50.00, exclusive of costs, and such penalty shall be recovered under The Summary Convictions Act or The Provincial Offences Act, whichever is applicable.

Penalty
18. (a) When a vehicle is found parked in contravention of Section 3 of this by-law, any officer, servant or agent of the City so finding the vehicle, may issue a summons, a parking infraction notice or attach to the vehicle a parking ticket in the form of a serial numbered notice stating:

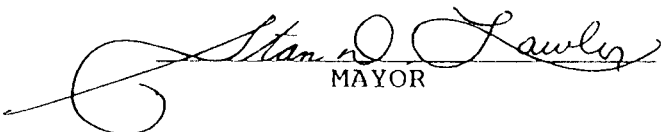
(i) The licence number or permit; of the vehicle;

- (ii) the date, time and place and nature of the alleged offence;
 - (iii) the procedure for making a voluntary payment of the penalty, which voluntary payment shall be \$3.00 providing payment is made within 96 hours or \$5.00 providing payment is made within three weeks of the offence;
 - (iv) in the event of failure to make payment of \$3.00 within 96 hours or \$5.00 within three weeks, exclusive of costs, process will be issued pursuant to The Summary Convictions Act or under The Provincial Offences Act, whichever is applicable.
18. (b) When a vehicle is found parked in contravention of any provision of this by-law, save and except section 3 of this by-law, any officer, servant or agent of the City so finding the vehicle, may issue a summons or a parking infraction notice or attach to the vehicle a parking ticket in the form of a serial numbered notice stating:
- (i) the licence number or permit of the vehicle;
 - (ii) the date, time and place and nature of the alleged offence;
 - (iii) the procedure for making a voluntary payment of \$10.00 within 3 weeks of the offence, failing which process will be issued pursuant to the Summary Convictions Act or the Provincial Offences Act, whichever applies.
19. Any peace officers, police officers, servants, employees or agents, employed or appointed by the City are hereby appointed to enforce the provisions of this by-law.
20. This by-law comes into force and effect upon being finally passed, provided that; no provisions of this by-law shall be effective until the sign or signs, if any, applicable to such provision have been erected and are on display.
21. By-Law no. 44-88 of The Corporation of the City of North Bay is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 31ST DAY OF OCTOBER, 1988.

READ A SECOND TIME IN OPEN COUNCIL THE 7TH DAY OF NOVEMBER, 1988.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 7TH DAY OF NOVEMBER, 1988.


MAYOR


CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW 173-88 OF THE CORPORATION OF THE CITY OF NORTH BAY

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ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of North Bay in the District of Nipissing and Province of Ontario and being composed of:

PARKING LOT NO. 1 (OAK STREET EAST) - Part of Lot 20, Concession D, in the City of North Bay, designated as Part 1, Plan 36R-5206, and Part 1, Plan 36R-7499.

PARKING LOT NO. 2 (OAK STREET WEST) - Part of Lot 20, Concession D, in the City of North Bay, designated as Parts 5 and 6, Plan 36R-5206, and Parts of Lots 174, 175, 176, 177, 178 and 179, Plan 38, in the City of North Bay, designated as Part 2, Plan 36R-5206, and Part of Toronto Street, Plan 38 in the City of North Bay, designated as Parts 3, 4 and 7, Plan 36R-5206.

PARKING LOT NO. 3 - (MCINTYRE STREET) - On the South side of McIntyre Street East, and including Lots 137, 138, 139, the east one half of Lot 92, Lot 140, and the north one half of Lot 141, all according to registered Plan No. 10 in the City of North Bay.

PARKING LOT NO. 4 - (PARKING GARAGE) - On the south side of McIntyre Street West and including Lots 129, 128, the east half of Lot 127, and that part of Lot 127 leased from Walker's Division for 99 years, all according to registered Plan No. 10, in the City of North Bay.

PARKING LOT NO. 5 - (RESERVED)

PARKING LOT NO. 6 - (OLD PARKING AUTHORITY LOT) - On the North side of Worthington Street West including Lots 377, 378, the south one half of Lot 429 and the south one half of Lot 430, all according to registered Plan No. 21 for the City of North Bay having an approximate area of one hundred and thirty-two (132) feet by one hundred and fifty (150) feet.

PARKING LOT NO. 7 - (OLD SCHOOL BOARD LOT) - On the East side of Worthington Street East and composed of the West one half of Lot 368, Lots 369, 370, 419, 420, 421 and 422 all according to registered Plan No. 21 for the City of North Bay.

PARKING LOT NO. 8 - (CITY HALL) - On the South side of Wyld Street and including all of Lots 277 and 278 according to registered Plan No. 10 for the City of North Bay.

THIS IS SCHEDULE "B" TO BY-LAW NO. 173-88 OF THE CORPORATION OF THE CITY OF NORTH BAY

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PARKING LOT NUMBER (AS DESCRIBED ON SCHEDULE "A")	PERMITTED TIME PER DAY	RATE
4	No maximum	\$0.60 per hour or any part thereof up to 5 hours; From 5 to 10 hours a fee of \$5.00
1, 2, 3, 6 and 7	5 hour maximum per meter	\$0.40 per hour
5	Reserved	
8	1 hour maximum	No, Charge