

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 53-79

BEING A BY-LAW OF THE CORPORATION OF THE
CITY OF NORTH BAY TO PROHIBIT UNAUTHORIZED
PARKING ON PRIVATE OR MUNICIPAL PROPERTY.

WHEREAS Section 354 (1) (112) of The Municipal Act, R.S.O. 1970, c.284 as amended, provides that by-laws may be passed by the Council of a municipality for prohibiting the parking or leaving of motor vehicles on private or municipal property;

AND WHEREAS it is deemed advisable that a by-law should be passed in accordance with section 354 (1) (112) of The Municipal Act;

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

1. In this By-law,
 - (a) "City" means The Corporation of the City of North Bay.
 - (b) "local board" means a local board as defined by The Municipal Affairs Act.
 - (c) "occupant" means
 - (A) the tenant of the property or part thereof whose consent shall extend only to the control of the land of which he is tenant and any parking spaces allotted to him under his lease or tenancy agreement,
 - (B) the spouse of a tenant,
 - (C) a person or a municipality, or a local board thereof, having an interest in the property under an easement or right of way granted to or expropriated by the person, municipality or local board whose consent shall extend only to the part of the property that is subject to the easement or right of way,
 - (D) a person authorized in writing by an occupant as defined in sub-subclause A, B or C to act on the occupant's behalf for requesting the enforcement of a by-law passed under this paragraph.
 - (d) "owner" when used in relation to property means
 - (A) the registered owner of the property,
 - (B) the registered owner of a condominium unit, whose consent shall extend only to the control of the unit of which he is owner and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration or description of the property,
 - (C) the spouse of a person described in sub-subclause (A) or (B),
 - (D) where the property is included in a description registered under The Condominium Act, the board of directors of the condominium corporation,
 - (E) a person authorized in writing by the property owner as defined in sub-subclause A, B, C or D to act on the owner's behalf for requesting the enforcement of a by-law passed under this paragraph.

(e) "parking ticket" means the form of ticket set out in Schedule "A" of this by-law, with relevant information added.

No person shall park or leave a motor vehicle on private property without the consent of the owner or occupant of the property.

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

a) The owner or occupant of the property, upon a written complaint given to a constable or officer appointed for carrying out the provisions of this by-law, may require the constable or officer to have the motor vehicle, parked or left contrary to the by-law, removed or impounded at the expense of the owner of the vehicle.

(b) A constable or officer receiving the written complaint may cause the motor vehicle to be moved or taken to and placed or stored in a suitable place and all costs or charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by section 48 of The Mechanic's Lien Act.

(a) A constable or officer receiving the written complaint may place a parking ticket on the motor vehicle.

(b) Payment of the designated fine on the parking ticket of \$5.00, in strict compliance with the conditions set out on the parking ticket, shall be in lieu of the penalty otherwise provided by this By-law.

Where an owner or occupant of property has posted signs stating conditions on which a motor vehicle may be parked or left on the property or prohibiting the parking or leaving of a motor vehicle on the property, a motor vehicle parked or left on the property contrary to such conditions or prohibitions shall be deemed to have been parked or left without the consent of the owner or occupant of the property.

(a) A special constable appointed under The Police Act, in respect of a particular property, to enforce this by-law shall be deemed to have the written authority of the owner or occupant of the property to enforce this by-law and such special constable is not required to receive a written complaint before enforcing this by-law.

(b) Officers responsible for carrying out the provisions of this by-law are:

(i) employees of the Parking Authority of the City of North Bay

(ii) members of the Police Force of the City of North Bay

(iii) persons appointed as constables in accordance with The Railway Act, R.S.C. 1970, c.R-2, or The Ontario Northland Transportation Commission Act, R.S.O. 1970, c.226

(a) Any person who contravenes any provision of this by-law is subject to a fine, recoverable under The Summary Convictions Act, of not more than \$50.00 for each offence, exclusive of costs.

(b) The driver of a motor vehicle and the owner of the motor vehicle are liable to the penalty provided in this section unless at the time the offence was committed the motor vehicle was in the possession of a person other than the owner without the owner's consent.

9. By-law Numbers 2144, 45-69 and 37-77 are hereby repealed.
10. This by-law shall come into force and effect upon being finally passed.


READ A FIRST TIME IN OPEN COUNCIL THIS 12th DAY OF March , 1979.

READ A SECOND TIME IN OPEN COUNCIL THIS 26th DAY OF March , 19

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS
26th DAY OF March , 1979.



MAYOR



CITY CLERK

FRONT FACE OF PARKING TICKET

and REAR FACE OF PARKING TICKET

PARKING TICKET
CITY OF NORTH BAY, ONTARIO
 WORTHINGTON STREET WEST, NORTH BAY.
 P1B 3B2

PLATE NO. _____ PROV. _____
 MAKE OF VEHICLE _____
 DATE _____ 19__ TIME _____ M
 METER NO. _____
 LOCATION _____
 OFFENCE _____
 OFFICER _____

YOU ARE HEREBY NOTIFIED THAT YOU HAVE CONTRAVENED THE TRAFFIC BY-LAW OF THE CITY OF NORTH BAY, AS INDICATED ABOVE. FAILURE TO PRESENT THIS TICKET AND PAY THE SUM SET OUT BELOW, AT THE PARKING AUTHORITY OF NORTH BAY, 180 WORTHINGTON STREET WEST, NORTH BAY, ONTARIO, WITHIN 96 HOURS FROM THE DATE OF THIS TICKET, BETWEEN 9.00 A.M. AND 5.00 P.M. (EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS) WILL RESULT IN A SUMMONS BEING ISSUED. PAYMENT OF THE PRESCRIBED SUM MAY BE MADE BY MAIL IN ACCORDANCE WITH THE INSTRUCTIONS ON THE REVERSE SIDE HEREOF.

\$5.00 METER VIOLATION
 - PAY ONLY \$3.00 IF
 PAID WITHIN 96 HOURS

METER VIOLATION	\$5.00	<input type="checkbox"/>
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PARKING VIOLATION	\$5.00	<input checked="" type="checkbox"/>	RUSH HOUR VIOLATION \$19.00	<input type="checkbox"/>
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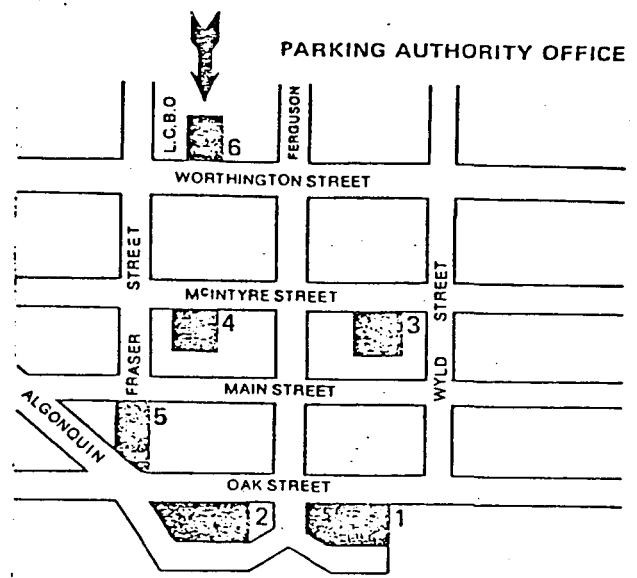
NO. PA 14102

MAILING INSTRUCTIONS

THIS TICKET, TOGETHER WITH A CHEQUE OR MONEY ORDER PAYABLE TO THE PARKING AUTHORITY OF NORTH BAY, MAY BE MAILED TO THE PARKING AUTHORITY OF NORTH BAY, 180 WORTHINGTON STREET WEST, NORTH BAY, ONTARIO P1B 3B2, WITHIN 96 HOURS FROM THE DATE OF THIS TICKET

DO NOT SEND PAYMENT IN CASH YOUR CANCELLED CHEQUE OR MONEY ORDER STUB WILL BE YOUR ONLY RECEIPT

THIS TICKET MUST ACCOMPANY PAYMENT



FOR YOUR CONVENIENCE MUNICIPAL PARKING IS AVAILABLE AT THE LOCATIONS INDICATED ABOVE BY DARK BLOCKS ABOVE