

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2007-89**

**BEING A BY-LAW TO REGULATE ON AND OFF STREET PARKING FOR DISABLED PERSONS (AND TO REPEAL BY-LAW NO. 29-91, AS AMENDED)**

**WHEREAS** Council may authorize the creation and designation of parking spaces on highways and/or municipal or private property for the exclusive use of vehicles which are displaying a permit in accordance with the requirements of the *Highway Traffic Act* and the regulations made thereunder, the *Municipal Act, 2001* and the regulations made thereunder and the *Ontarians With Disabilities Act* and the regulations made thereunder and this by-law;

**AND WHEREAS** the Council may create special parking exemptions for the drivers and operators of vehicles which are displaying a permit in accordance with the requirements of the *Highway Traffic Act* and the regulations made thereunder and this by-law;

**AND WHEREAS** it is deemed desirable to provide for the enforcement necessary to prevent the unauthorized use of such permits, designated parking spaces and exemptions;

**AND WHEREAS** the Council passed Resolution No. 2007-216 at its Regular Meeting held Monday, April 2, 2007 to authorize the consolidation of the by-law to regulate on and off street parking for disabled persons;

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

1. In this by-law:
  - (a) "Designated parking space" means a parking space designated under this by-law for the exclusive use of a vehicle displaying a permit in accordance with the requirements of the *Highway Traffic Act* and the regulations thereunder and this by-law;
  - (b) "Municipal and private property means" any open area or portion of a structure, other than a street or highway, intended for the temporary parking of vehicles and on which there are designated parking spaces, whether their use involves the payment of a fee or otherwise;
  - (c) "Permit" means a Disabled Person Parking Permit issued under the *Highway Traffic Act*;
  - (d) "Parking Infraction Notice" means a notice indicating the set fine for an infraction under this by-law, issued by any Police Officer, Municipal By-Law Enforcement Officer or agent of the City;
2.
  - (a) A designated parking space shall be distinctly indicated in accordance with the requirements of the *Highway Traffic Act* and the regulations made thereunder.
  - (b) A designated parking space on municipal or private property shall have a width of not less than 5 metres, however this section shall not apply to any parking space that was in compliance with the previous Disabled Persons Parking By-Law on the day of passing of this by-law.

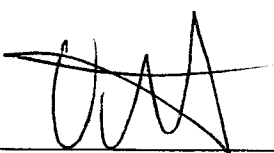
- (c) Designated parking spaces shall be provided:
  - (i) on municipal or private property, as described in Schedule "A" by The Corporation of the City of North; and
  - (ii) on streets and highways, as described in Schedules "A" and "B" The Corporation of the City of North Bay.
- 3. The owners and operators of parking lots or other parking facilities to which the public has access, whether on payment of a fee or otherwise, shall provide designated parking spaces in accordance with Schedule "A".
- 4. (a) No person or organization shall:
  - (i) park a vehicle in a designated parking space, or
  - (ii) be entitled to the benefit of an exemption under this by-law, unless
    - (a) a currently valid permit has been issued to that person, organization or to a passenger being picked up or transported in the vehicle, and
    - (b) such permit is displayed on or in the vehicle in accordance with the requirements of the *Highway Traffic Act*, the regulations made thereunder and this by-law.
- (b) No person with a permit shall park a vehicle for more than two (2) hours in a designated parking space as described in Schedules "B" and "C" attached hereto and forming part of this by-law.
- 5. Notwithstanding any other provisions of the Disabled Persons Parking By-law 2007-89 or the Traffic and Parking By-Law 2002-01, any person operating a vehicle on which or in which a permit is displayed in accordance with the *Highway Traffic Act* and the regulations made thereunder and is exempt from:
  - (a) payment of fees associated with parking for up to a maximum of two (2) hours.
- 6. Notwithstanding any other provisions of this by-law, no person shall park a vehicle on a street, highway or parking facility in such a manner:
  - (a) as to interfere with the clearing of snow from any street, highways or parking facility; and
  - (b) as to interfere with the movement of traffic.
- 7. The driver or operator of a vehicle which displays a permit in accordance with the requirements of the *Highway Traffic Act* and the regulation made thereunder and this by-law shall not be required to pay an amount in excess of the normal fee paid by other users of the same parking lots or other facilities to which the public is invited.
- 8. Any Police Officer, Provincial Offences Officer or employee of the City whose duties include the enforcement of this by-law, is authorized to enforce this by-law pursuant to the provisions hereof, the *municipal Act, 2001*, S.O. 2001 c.25, as amended or any successor thereof, and the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, or any successor thereof.

9. Any person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine, penalty or order as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended or any successor thereof, or in the *Municipal Act*, 2001, S.O. c.25, as amended or any successor thereof.
10. The owner of a vehicle may be charged and convicted of an offence under this by-law for which the driver of the vehicle is subject to be charged unless, at the time of the offence, the vehicle was in the possession of some person other than the owner without the owners' consent and on conviction the owner is liable to the penalty prescribed or provided for the offence.
11. (a) When a vehicle is found parked in contravention of any provisions of this by-law, any Police Officer, Municipal By-Law Enforcement Officer or agent of the City appointed for carrying out the provisions of this by-law or the *Highway Traffic Act*, so finding the vehicle, may issue a summons, or attach to the vehicle a Parking Infraction Notice in the form of a serial numbered notice.  
  
(b) A Police Officer, Municipal By-Law Enforcement Officer or agent of the City appointed for carrying out the provisions of this by-law or the *Highway Traffic Act*, upon discovery of any vehicle parked or left in contravention of this by-law, may cause it to be removed or taken or and placed or stored in a suitable place and all costs for removing, care and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by Part III of the *Repair and Storage Liens Act*, R.S.O., 1990, as amended.
12. This by-law comes into force and effect upon approval of the set fines.
13. By-law Number 29-91, as amended, be repealed at the same time this by-law takes effect.

READ A FIRST TIME IN OPEN COUNCIL THIS 30<sup>TH</sup> DAY OF APRIL 2007.

READ A SECOND TIME IN OPEN COUNCIL THIS 30<sup>TH</sup> DAY OF APRIL 2007.

READ A THRID TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 30<sup>TH</sup> DAY OF APRIL 2007.

  
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MAYOR VIC FEDELI

  
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CITY CLERK CATHERINE CONRAD

**THIS IS SCHEDULE "A" OF BY-LAW NO. 2007-89 OF THE CORPORATION OF THE CITY OF NORTH BAY**

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<u>NO. OF AUTOMOBILE PARKING SPACES</u>	<u>NO. OF DESIGNATED PARKING SPACES</u>
1 - 19	Nil
20 - 99	1 minimum
100 - 199	2 minimum
200 - 299	3 minimum
300 - 399	4 minimum
400 - 499	5 minimum
500 or more	6 minimum

**PARKING REQUIREMENTS TO SERVE DISABLED PERSONS AT HOSPITALS,  
MEDICAL CENTRES OR CLINICS**

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1 - 30	1 minimum
31 - 60	2 minimum
61 - 100	3 minimum
for each additional 30 or part thereof	1 minimum to a maximum of 12

**THIS IS SCHEDULE "B" OF BY-LAW NO. 2007-89 OF THE CORPORATION OF THE CITY OF NORTH BAY**

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<b><u>ROAD</u></b>	<b><u>SIDE</u></b>	<b><u>FROM</u></b>	<b><u>TO</u></b>
Algonquin Avenue	West	A point 28 metres north of Foran Street	A point 36 metres north of Foran Street
Cassells Street	East	A point 30 metres north of Worthington Street	A point 41 metres north of Worthington Street
Ferguson Street	East	A point 27 metres south of Worthington Street	A point 33 metres south of Worthington Street
First Avenue	East	A point 64 metres east of Fraser Street	A point 70 metres east of Fraser Street
Foran Street	East	A point 6 metres south of Main Street	A point 24 metres south of Main Street
Main Street East	North	A point 18 metres east of Ferguson Street	A point 25 metres east of Ferguson Street
Main Street East	South	A point 6 metres east of Sherbrooke Street	A point 12 metres east of Sherbrooke Street
Main Street East	South	A point 13 metres east of Fisher Street	A point 19 metres east of Fisher Street
Main Street East	South	A point 45 metres east of Wyld Street	A point 51 metres east of Wyld Street
Main Street East	North	A point 33 metres east of Wyld Street	A point 40 metres east of Wyld Street
Main Street West	North	A point 15 metres west of Fraser Street	A point 23 metres west of Fraser Street
Main Street East	South	A point 77 metres east of Ferguson Street	A point 83 metres east of Ferguson Street
Main Street West	South	A point 25 metres west of Cassells Street	A point 31 metres west of Cassells Street
McIntyre Street West	North	A point 16 metres east of Plouffe Street	A point 22 metres east of Plouffe Street
McIntyre Street West	North	A point 53 metres west of Ferguson Street	A point 64 metres west of Ferguson Street
McIntyre Street West	North	A point 31 metres west of Fraser Street	A point 37 metres west of Fraser Street
McIntyre Street West	North	A point 50 metres east of Fraser Street	A point 68 metres east of Fraser Street
Regina Street	East	A point 10 metres south of Main Street	A point 17 metres south of Main Street
Shirreff Avenue	South	A point 57 metres west of Stockdale Road	A point 45 metres west of Stockdale
Worthington Street East	South	A point 100 metres east of Wyld Street	A point 108 metres east of Wyld Street
Worthington Street West	South	A point 45 metres west of Ferguson Street	A point 57 metres west of Ferguson Street

**THIS IS SCHEDULE "C" OF BY-LAW NO. 2007-89 OF THE CORPORATION OF THE CITY OF NORTH BAY**

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**SUNDAY ONLY**

<b><u>ROAD</u></b>	<b><u>SIDE</u></b>	<b><u>FROM</u></b>	<b><u>TO</u></b>
Cassells Street	East	A point 4 metres north of Algonquin Avenue	A point 23 metres north of Algonquin Avenue