

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

**BY-LAW NO. 2011- 234**

**BEING A BY-LAW TO REGULATE PARKING IN MUNICIPAL PARKING  
LOTS (AND TO REPEAL BY-LAW NO. 2007-90)**

**WHEREAS** the *Municipal Act* R.S.O. 2001 as amended, Section 11 (3) 8 permits a Council of a local municipality to pass by-laws respecting parking, except on highways for the purpose of regulating, supervising and governing the parking of vehicles on land owned or occupied by the municipality.

**AND WHEREAS** the Council passed Community Services Committee Report No. 2011-24 at its Regular Meeting held Monday, November 28, 2011 to authorize a by-law to regulate parking in Municipal Parking Lots;

**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 stopping or standing of a motor vehicle, whether occupied or not, with or without the engine activated.
- (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, parking lot attendants or pay and display equipment, 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 Supervisor" means the person appointed by the Council to be the Parking Supervisor.
- (f) "Parking Meter" means a device which indicates the length of time during which a vehicle may be parked, which has as 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.
- (g) "Pay and Display Machine" means an automatic or other electronic, electromechanical or mechanical device, for the purpose of controlling and regulating the parking of any vehicle in a parking space and which, when a coin or credit card has been inserted into the pay and display machine and the machine activated, issues a receipt indicating the date and time of that activating and the duration of the parking in or on the parking space permitted.
- (h) "Permitted Period" means the duration of parking in or on a parking space as indicated on a receipt from a pay and display machine.

**2. Attendant Lots**

No person shall park a motor vehicle in McIntyre 4 (Parking Garage) and Oak 2 between 8 o'clock in the morning and 6 o'clock in the evening on any day except Saturday and Sunday:

- (a) unless the fee set by Schedule "B" or Schedule "C" hereto is paid by the driver of the motor vehicle; and
- (b) every person who leaves a motor vehicle in McIntyre 4 (Parking Garage) and Oak 2 after 6 o'clock p.m. shall produce the ticket indicating the time and date of entry for such day the next time such vehicle is parked in McIntyre 4 (Parking Garage) or Oak 2 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 daily maximum fee shall be paid; and
- (c) no person shall park a motor vehicle in McIntyre 4 (Parking Garage) or Oak 2 if there is an unpaid daily ticket for a previous day for such motor vehicle; and
- (d) if upon exiting McIntyre 4 (Parking Garage) or Oak 2 the person is unable to present the ticket showing the date and time of entry then the daily maximum as stipulated in Schedule "B" hereto shall be payable.

3. **Pay and Display Lots**

No person shall park a motor vehicle on Parking Lots McIntyre 3, Main 5, Worthington 6, Worthington 7, Wyld 8, and McIntyre 11 between 8 o'clock in the morning and 6 o'clock in the evening on any day except Saturday and Sunday:

- (a) unless a receipt issued by the machine is clearly displayed on the driver side dashboard of the motor vehicle;
- (b) in no case longer than the expiry time stipulated on the receipt; and
- (c) in no case longer than the maximum authorized time for that parking lot as stipulated by Schedule "B" hereto.

4. **Monthly Parking Lots**

- (a) The Parking Supervisor or his/her authorized delegate is hereby authorized to issue permits for the purpose of permitting monthly parking and to charge therefore the fee as stipulated in Schedule "C" hereto;
- (b) No person shall park a motor vehicle for the purpose of monthly parking in areas stipulated in Schedule "C" hereto without displaying an authorized permit.

5. Collection of the fees paid in the parking lots shall be under the control of the Parking Supervisor who shall keep proper record of same and deposit same to the credit of the City.

6. The Parking Supervisor is directed to post signs stating the conditions on which a motor vehicle may be parked in all parking lots stipulated in Schedule "A".

7. No person shall park a motor vehicle in any parking lot overnight from 2 o'clock in the morning to 8 o'clock in the morning from November 1 to March 31 inclusive with the exception of Levels 1 thru 4 of Lot McIntyre 4 (Parking Garage) or in areas designated by the Parking Supervisor.

8. No person shall park a motor vehicle in any parking lot for more than 24 consecutive hours without prior authorization of the Parking Supervisor or his/her designate.

9. No person shall park a motor vehicle in any aisle, entrance or exit of a parking lot.

10. No person shall park a motor vehicle so as to obstruct the passage of a vehicle previously parked.

11. No person shall park a motor vehicle so that any part of the vehicle extends beyond the pavement marking of the space.
12. Where authorized signs are on display, no person shall park a motor vehicle within a designated accessible parking space without displaying an authorized permit.
13. Where authorized signs are on display, no person with an authorized permit shall park a motor vehicle within a designated accessible parking space for a period longer than two hours:
  - (a) unless issued permits for the purpose of permitting monthly parking; or
  - (b) unless payment is made pursuant to Section 3 of this By-law for any time beyond the two hour free period, (By-law 2007-89, Section 5). The two hour free period begins at the expiry time stipulated on the receipt.
14. No person shall park a motor vehicle upon any sidewalk.

**Penalty**

15. Any vehicle left parked contrary to any provisions of this by-law may be subject to removal and impounding or restraining and immobilizing at the owners expense, as provided by subsection 170 (15) of the *Highway Traffic Act*.
16. Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction to a fine as provided under the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, or any successor thereto.
17. 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 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 license number or serial number of the vehicle; and
  - (ii) the date, time, place and nature of the alleged offence.
18. In the event of failure to make payment, exclusive of costs, process will be issued pursuant to the *Provincial Offences Act*.
19. Any Peace Officer, Police Officer, Municipal By-Law Enforcement Officer, employee of the City of North Bay whose duties include the enforcement of this by-law or agent of the city who is appointed to enforce this by-law is hereby authorized to enforce this by-law pursuant to the provisions hereof and of the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended and any successor thereto and pursuant to the provisions of the *Municipal Act*, 2001 and the *Highway Traffic Act*.
20. This by-law comes into force and effect upon approval of the set fines by the Regional Senior Justice and the installation of the sign or signs, if any, applicable to such provision have been erected and are on display.
21. When this by-law comes into force, By-Law No. 2007-90, as amended, is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 12<sup>th</sup> DAY OF DECEMBER, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 12<sup>th</sup> DAY OF DECEMBER, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 12<sup>th</sup> DAY OF DECEMBER, 2011.

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 MAYOR ALLAN MCDONALD

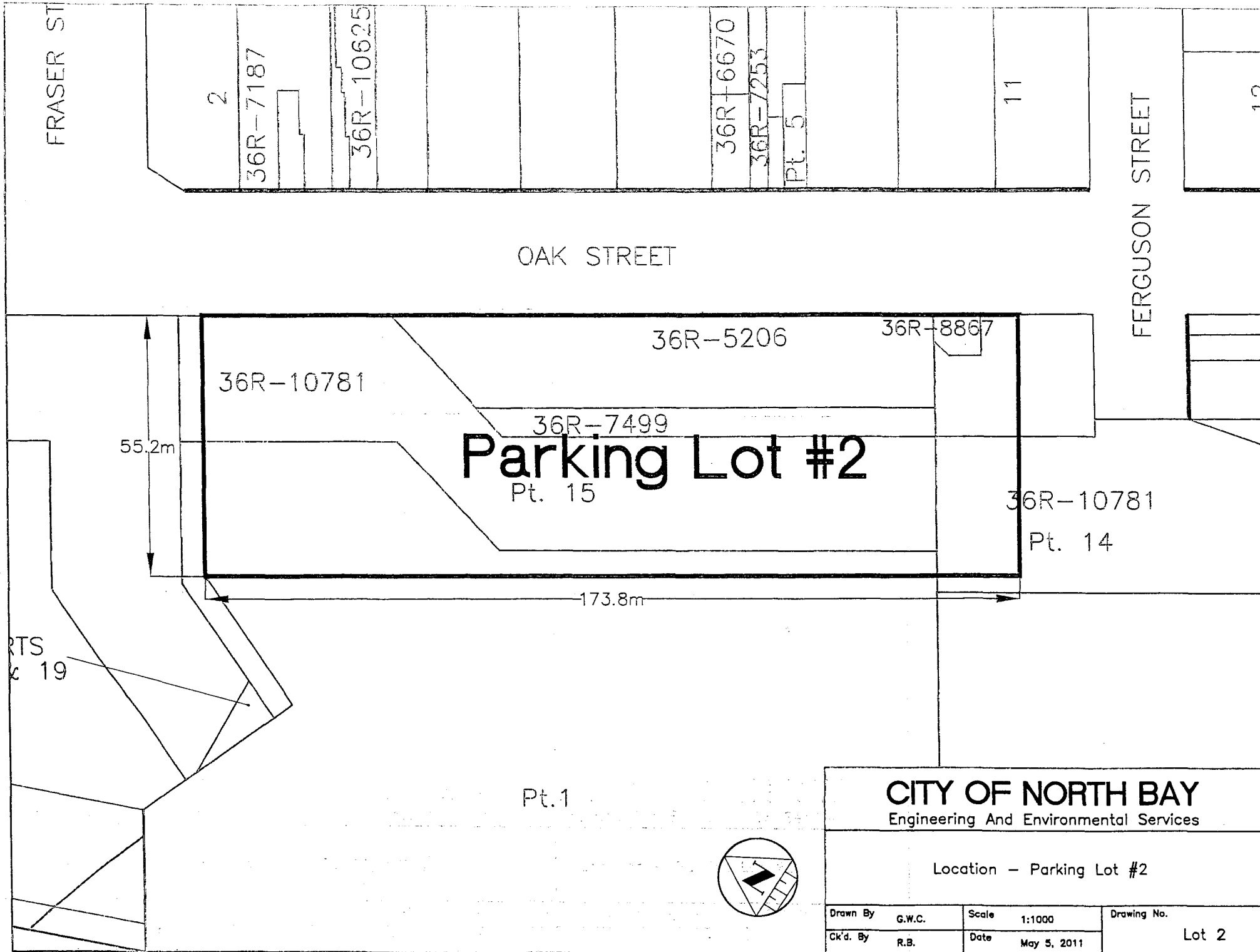
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 CITY CLERK CATHERINE CONRAD

**THIS IS SCHEDULE "A" TO BY-LAW NO. 2011-234 OF THE CORPORATION OF THE CITY OF NORTH BAY**

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 the Province of Ontario and being comprised of:

<b>Lot Number</b>	<b>Legal Description</b>	<b>Municipal Address</b>
Oak 2	See attached drawing 'Lot 2' for lot description	180 Oak Street West
McIntyre 3	LT 138 - 140, PL 10 Widdifield except NB154654; PT LT 137 PL 10 Widdifield as in NB62913; Pin-49165-0033	155 McIntyre Street East
McIntyre 4 (Parking Garage)	Plan 10 Lot 129 and E Part of Lot 128 & 127 (Lease 79256) Pin-49164-159 Inst.- 64076 and 66574	127 McIntyre Street West
Main 5	Part Lot 3, Plan 13 Pin-49167-0008 Inst.-15219 and 136962	507 Main Street West.
Worthington 6	W PT 368 Lot 369 370and Lot 421 & 422 West Half 420 Plan 21 Pin-49164-0025 Inst.-75297	168 Worthington Street West
Worthington 7	Part Lot 368 and all Lots 369 and 370, 400, 421and 422, Plan 21West Half 420 Pin-49165-0053 Inst.-103156 and 166013, Plan 21 Lot 419 E half 420	100 Worthington Street East
Wyld 8 (City Hall)	All Lots 277 and 278 Plan No. 10 Pin-49165-0245	200 McIntyre Street East
Wyld 10	See attached drawing 'Lot 10' for lot description	180 Wyld Street
McIntyre 11	Part of Lots 143, 144, 145 and 146 Plan 10 Parts 1, 2, 3 and 7 Plan 36R4266 Pin-49165-0261 Inst.-154655	265 McIntyre Street East
Wyld 13	See attached drawing 'Lot 13' for lot description	179 Wyld Street
Main 14	LT 80-81 PL 10 Widdifield; PT LT 82 PL 10 Widdifield as in NB153318 Pin-49165-0280 (LT)	330 Main Street East
McIntyre 15	LT 152 PL 10 Widdifield Pin-49165-0272 (LT)	347 McIntyre Street East

4(a)

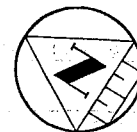


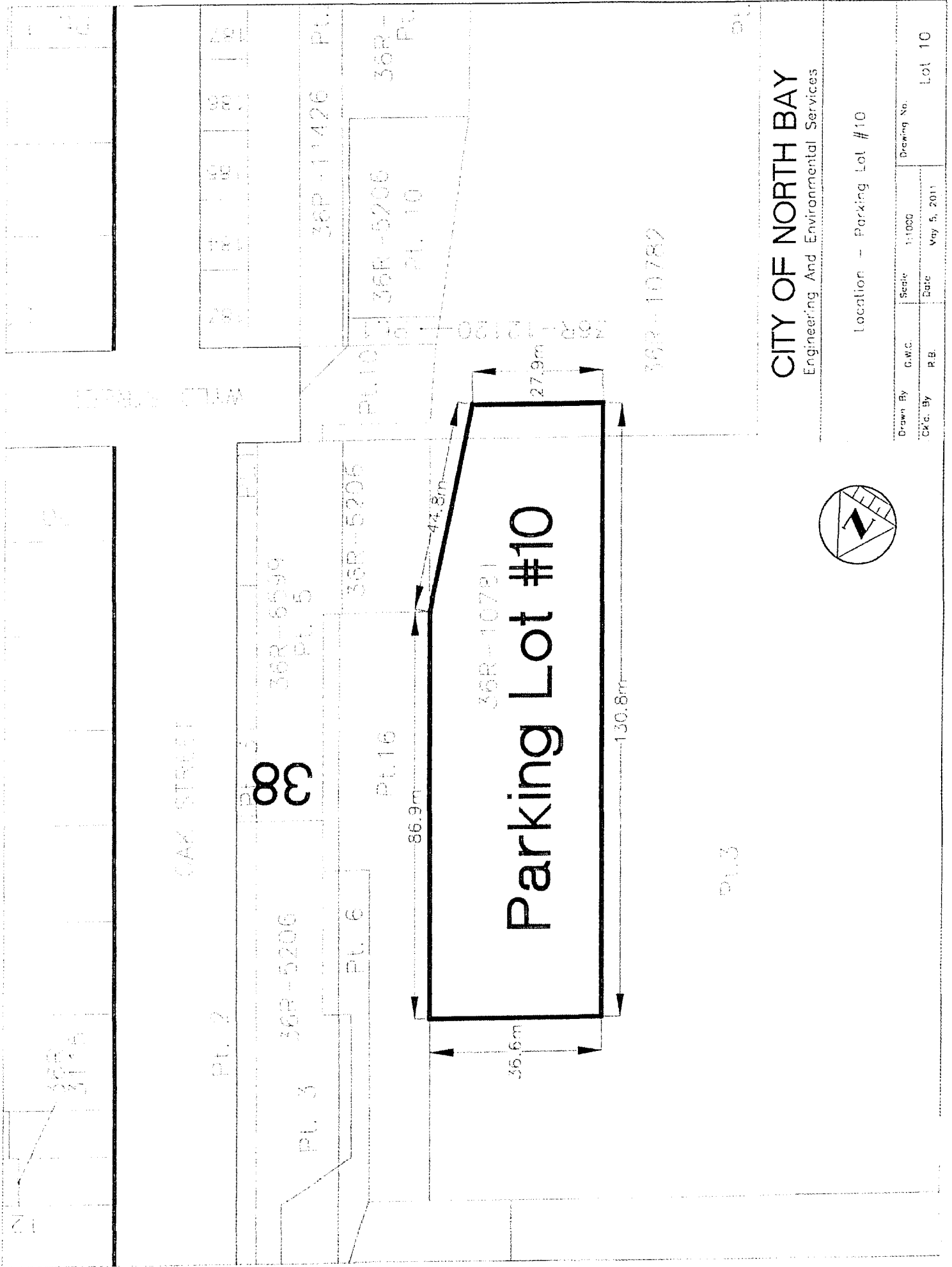
### CITY OF NORTH BAY

Engineering And Environmental Services

Location - Parking Lot #2

Drawn By	G.W.C.	Scale	1:1000	Drawing No.
Ch'd. By	R.B.	Date	May 5, 2011	
				Lot 2



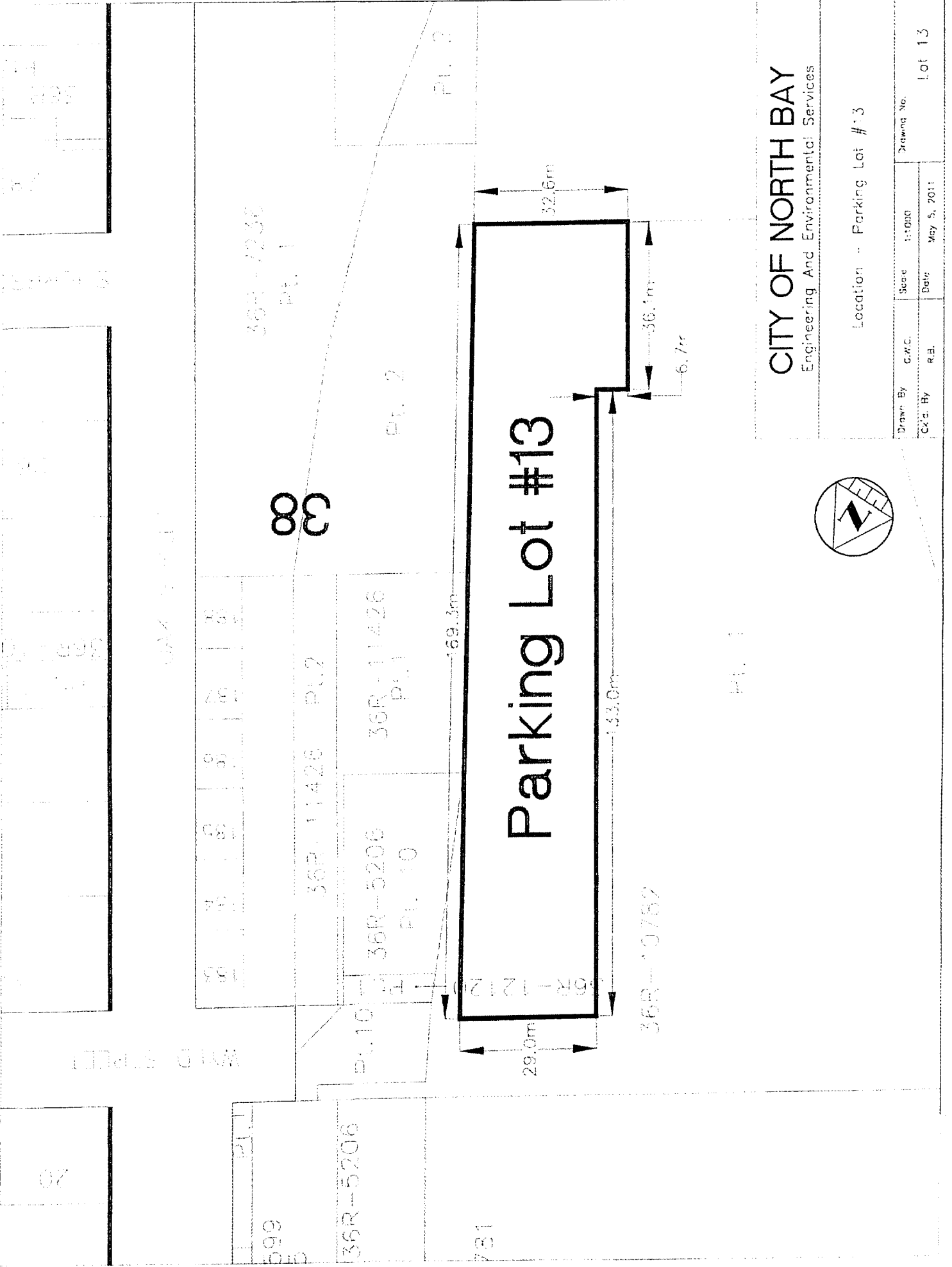


**CITY OF NORTH BAY**  
 Engineering And Environmental Services



Location - Parking Lot #10

Drawn By	G.W.C.	Scale	1:1000	Drawing No.	
Chk. By	R.B.	Date	May 5, 2011		Lot 10



**THIS IS SCHEDULE "B" TO BY-LAW NO. 2011-234 OF THE CORPORATION OF  
THE CITY OF NORTH BAY**

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<b>Lot No.</b>	<b>Rate Per Hour</b>	<b>Free Parking Allowance</b>	<b>Minimum Payment</b>	<b>Maximum Payment</b>	<b>Time Limit</b>
Oak 2	\$1.50 per hour or fraction thereof	2 hour free parking first entry only	N/A	\$9.00	N/A
McIntyre 3	\$1.00 per hour	N/A	\$0.25	N/A	N/A
McIntyre 4 (Parking Garage)	\$1.50 per hour or fraction thereof	2 hour free parking first entry only	N/A	\$9.00	N/A
Main 5	\$1.00 per hour	N/A	\$0.25	N/A	N/A
Worthington 6	\$1.00 per hour	N/A	\$0.25	N/A	N/A
Worthington 7	\$1.00 per hour	N/A	\$0.25	N/A	N/A
Wyld 8	\$1.00 per hour	15 minutes free parking first entry only	N/A	\$0.75	1 hour
McIntyre 11	\$1.00 per hour	N/A	\$0.25	N/A	N/A



**THIS IS SCHEDULE "C" TO BY-LAW NO. 2011-234 OF THE CORPORATION OF THE CITY OF NORTH BAY**

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<b>2012 Rental Rates Per Quarter</b>			
<b>Lot No.</b>	<b>2011 Rates</b>	<b>January 1, 2012 - June 30, 2012</b>	<b>July 1, 2012 - December 31, 2012</b>
Oak 2	\$182.63	\$141.56	\$188.11
McIntyre 3	\$182.63	\$188.11	\$188.11
McIntyre 4 (Lower Garage)	\$243.46	\$250.76	\$250.76
McIntyre 4 (Upper Garage)	\$182.63	\$188.11	\$188.11
Main 5	\$125.79	\$129.56	\$129.56
Worthington 6	\$142.05	\$146.31	\$146.31
Worthington 7	\$142.05	\$146.31	\$146.31
Wyld 10	\$92.24	\$120.66	\$146.31
McIntyre 11	\$162.35	\$167.22	\$167.22
Oak 12	\$92.24	N/A	N/A
Wyld 13	N/A	\$95.01	\$95.01
Main 14	\$142.05	\$146.31	\$146.31
McIntyre 15	\$125.79	\$129.56	\$129.56