

BY-LAW NO. 2144

BEING A BY-LAW of the Corporation of the City of North Bay to prohibit unauthorized parking on private property.

WHEREAS it is deemed necessary, for the safety of the inhabitants of this Municipality and others, and for the protection of public and privately owned vehicles and property from damage, and to provide free and adequate ingress and egress to and from private lands and premises within the City of North Bay, to pass a by-law prohibiting unauthorized parking on private property;

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

1. No person shall park or leave any motor vehicle on private property without authority from the owner or occupant of such property.
 - (a) "Private property" means property that has been clearly marked as such by fences or on which a legible sign or signs have been erected by the owner, the occupant or an agent for either, forbidding trespassing or parking, or a private road or driveway.
2. The driver of a motor vehicle, not being the owner, is liable to any penalty provided under this by-law, and the owner of the motor vehicle is also liable to such a penalty unless at the time of the offence was committed the motor vehicle was in the possession of a person other than the owner or his chauffeur without the owner's consent, and where a tag similar to a parking tag is placed on a motor vehicle for an offence against the provisions of this by-law, the owner or the driver may make voluntary payment of the penalty out of Court, and if the payment is not made in accordance with this procedure, the provisions of subsection 2 of section 482 of The Municipal Act for recovery of penalties shall apply.
3. The occupant or any adult resident of the property may complain to a constable or police officer that a motor vehicle has been left or parked contrary to the provisions of this by-law, and the constable or any police officer appointed for the enforcement of by-laws in the City of North Bay, upon discovery of any vehicle parked or left 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, shall be a lien upon the vehicle, which may be enforced in the manner provided by section 48 of the Mechanics' Lien Act.
4. Any person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay at the discretion of the convicting magistrate a penalty not exceeding (exclusive of costs) the sum of \$50.00 for each offence.
5. The driver or owner of a motor vehicle parked or left on private property shall not be liable to a penalty or to have the motor vehicle removed from such property or impounded under this by-law except upon the written complaint of the occupant or any adult resident of the property.

READ A FIRST TIME IN OPEN COUNCIL THIS 2ND DAY OF MARCH 1964.
READ A SECOND TIME IN OPEN COUNCIL THIS 2ND DAY OF MARCH 1964.
RULES OF ORDER WERE SUSPENDED AND BY-LAW READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED THIS 2ND DAY OF MARCH 1964.

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MAYOR

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CITY CLERK