

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2007-90

**BEING A BY-LAW TO REGULATE PARKING IN
MUNICIPAL PARKING LOTS (AND TO REPEAL
BY-LAW NO. 173-88, AS AMENDED)**

WHEREAS the *Municipal Act* R.S.O. 2001 as amended, Section 11 (2) 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 Resolution No. 2007-216 at its Regular Meeting held Monday, April 2, 2007 to authorize the consolidation of the 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 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, 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 Manager" means the person appointed by the Council 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 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.

Attendant Lots

- 2. 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" hereto is paid by the driver of the motor vehicle; and
- (b) in no case longer than the maximum authorized time for that parking lot as stipulated by Schedule "B" hereto.

Pay and Display Lots

- 3. No person shall park a motor vehicle on Parking Lots Oak 1, McIntyre 3, McIntyre 11, Main 5, Worthington 6 and Worthington 7 between 8 o'clock in the morning and 6 o'clock in the evening on any day except Saturday and Sunday:
 - (a) unless and until there is deposited in the pay and display machine the minimum fee required as stipulated by Schedule "B" hereto;
 - (b) the receipt issued by the machine is clearly displayed on the driver side dashboard of the motor vehicle; and
 - (c) in no case longer than the expiry time stipulated on the receipt.

Monthly Parking Lots

- 4. (a) The Parking Manager 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 "B" hereto;
- (b) No person shall park a motor vehicle in any area requiring a monthly permit as stipulated in Schedule "B" hereto without displaying such authorized permit.

City Hall Lot

- 5. No person shall park a motor vehicle on Parking Lot No. 8 between the hours of 8:30 a.m. and 4:30 p.m. Monday to Friday unless such person is:
 - (a) visiting City Hall, The District of Nipissing Social Services Administration Board or the North Bay Public Library and;
 - (b) the motor vehicle of such person is parked for a period of no longer than one hour per day.
- 6. Collection of the fees paid in the parking lots shall be under the control of the Parking Manager who shall keep proper record of same and deposit same to the credit of the City.
- 7. The Parking Manager is directed to post signs stating the conditions on which a motor vehicle may be parked in Parking Lot No. 8, McIntyre 4 (Parking Garage) and Oak 2.
- 8. 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.
- 9. No person shall park a motor vehicle in any parking lot for more than 24 consecutive hours without prior authorization of the Parking Manager or his/her delegate.
- 10. (a) 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.

- (b) 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.
 - (c) 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.
11. No person shall park a motor vehicle in any aisle, entrance or exit of a parking lot.
 12. No person shall park a motor vehicle so as to obstruct the passage of a vehicle previously parked.
 13. No person shall park a motor vehicle so that any part of the vehicle extends beyond the pavement marking of the space.
 14. Where authorized signs are on display, no person shall park a motor vehicle within a designated disabled parking space without displaying an authorized permit.
 15. Where authorized signs are on display, no person with an authorized permit shall park a motor vehicle within a designated disabled parking space for a period longer than two hours.
 16. No person shall park a motor vehicle upon any sidewalk.

Penalty

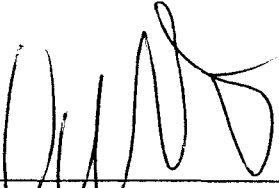
17. Any vehicle left parked contrary to any provisions of this by-law may be subject to removal and impounding or restraining and immobilizing at the owners expense, as provided by subsection 170 (15) of the *Highway Traffic Act*.
18. Any person who contravenes any provision of this by-law is guilty 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.
19. 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 licence number or serial number of the vehicle; and
 - (ii) the date, time, place and nature of the alleged offence.
20. In the event of failure to make payment, exclusive of costs, process will be issued pursuant to the *Provincial Offences Act*.
21. 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*.
22. 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.

23. By-Law No. 173-88, as amended, is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 30TH DAY OF APRIL 2007.

READ A SECOND TIME IN OPEN COUNCIL THE 30TH DAY OF APRIL 2007.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 30TH DAY OF APRIL 2007.



MAYOR VIC FEDELI



CITY CLERK CATHERINE CONRAD

THIS IS SCHEDULE "A" TO BY-LAW NO. 2007-90 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:

Lot Number	Legal Description	Municipal Address
Oak 1	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 Pin-49167-0224 Inst.-122300	100 Block Oak Street East
Oak 2	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 Pin-49167-0224 Inst.-120818	200 Block Oak Street West
McIntyre 3	All of Lots 138 and 139, North half Lot 142 and West 5.99' Part Lot 92 North West 60' Lot 137 and the South 6' Lot 137 & 140 All Plan 10 Pin-49165-0032 and 49165-0033 Insts.-69213,69364 and 93345	100 Block McIntyre St. 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 369 370 and 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, 421 and 422, Plan 21 West Half 420 Pin-49165-0053 Inst.-103156 and 166013	100 Block Worthington Street East
Worthington 7 A	Plan 21 Lot 419 E half 420	100 Block First Avenue East
Lot 8 (City Hall)	All Lots 277 and 278 Plan No. 10 Pin-49165-0245	200 Block Worthington Street East
Oak St. 10	Registered Plan 36R-10781, Part 3	100 Block Oak Street East
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	200 Block McIntyre Street East

THIS IS SCHEDULE "B" TO BY-LAW NO. 2007-90 OF THE CORPORATION OF THE CITY OF NORTH BAY

Lot No.	Rate Per Hour	Minimum	Maximum
Oak 1	\$1.00 per hour	\$0.25	N/A
Oak 2	\$1.50 per hour or fraction thereof	\$1.50	\$9.00
McIntyre 3	\$1.00 per hour	\$0.25	N/A
McIntyre 4 (Parking Garage)	\$1.50 per hour or fraction thereof	\$1.50	\$9.00
Main 5	\$1.00 per hour	\$0.25	N/A
Worthington 6	\$1.00 per hour	\$0.25	N/A
Worthington 7	\$1.00 per hour	\$0.25	N/A
Worthington 7A	N/A	N/A	N/A
Oak 10	N/A	N/A	N/A
McIntyre 11	\$1.00 per hour	\$0.25	N/A