

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 29-91

A BY-LAW TO REGULATE ON AND OFF-STREET PARKING FOR DISABLED PERSONS AND TO REPEAL BY-LAW NO. 28-85 AND BY-LAW NO. 13-91.

WHEREAS Council may authorize the creation and designation of parking spaces on highways and/or on 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 regulation made thereunder and this by-law;

AND WHEREAS the Council may create special parking exemptions for the drivers and the 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.

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

1. In this By-law:

- (1) "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 made thereunder and this by-law;
- (2) "Municipal or 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;

- (3) "Permit" means a disabled person parking permit issued under the Highway Traffic Act.
  - (4) "Parking Infraction Notice" means a notice indicating the set fine for an infraction under this by-law, issued by a provincial offences officer.
2. (1) A designated parking space shall be distinctly indicated in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder.
    - (2) A designated parking space on municipal or private property shall have a width of not less than 3.7 metres.
    - (3) Designated parking spaces shall be provided
      - (a) on streets and highways as described in Schedule I by The Corporation of the City of North Bay; and
      - (b) on municipal or private property, as described in Schedule II by the owner of the said property.
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 II.
4. (1) No person or organization shall
    - (a) park a vehicle in a designated parking space, or
    - (b) be entitled to the benefit of an exemption under this bylaw, unless
      - (i) a currently valid permit has been issued to that person, organization or to a passenger being picked up or transported in the vehicle, and

- (ii) 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.
- (2) No person with a permit shall park a vehicle for more than two (2) hours in a designated parking space.
- 5. Notwithstanding any other provisions of the North Bay Parking or Traffic By-law By-law No. 57-89, any person operating a vehicle on which or in which a permit is displayed in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder and is exempt from:
  - (i) compliance with signed or unsigned time limited parking in permitted zones for up to a maximum of 2 hours, and from
  - (ii) payment of fees associated with metered parking for up to a maximum of 2 hours.
- 6. Notwithstanding any other provision 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 the street, highway or parking facility;
  - (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 regulations 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 parking facilities to which the public has access.

8. (1) Any person who contravenes any provision of this by-law is guilty of an offence and shall be liable on conviction therefore to a fine of not more than \$500.00 exclusive of costs pursuant to the Provincial Offences Act.
  - (2) Voluntary payment of \$50.00 within 10 days of a parking infraction notice being issued shall be in lieu of any penalty otherwise provided by law.
  - (3) The owner of a vehicle may be charged with 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 owner's consent and on conviction the owner is liable to the penalty prescribed or provided for the offence.
9. (1) A police officer, police cadet, municipal law enforcement officer or an officer 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 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, are a lien upon the vehicle which may be enforced in the manner provided by Part III of the Repair and Storage Liens Act, 1989.
  - (2) A constable or officer receiving the written complaint may place a parking infraction notice on the motor vehicle.
10. (a) Subject to paragraph (b), this by-law shall come into force as of November 1, 1990.
  - (b) Section 3 shall come into force as of November 1, 1991.

11. (a) Section 32 of Traffic By-law 57-89 is hereby repealed.

(b) By-law 28-85 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 18TH DAY OF FEBRUARY 1991.

READ A SECOND TIME IN OPEN COUNCIL THE 4TH DAY OF MARCH 1991.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 4TH DAY OF MARCH, 1991.

  
MAYOR

  
CITY CLERK

THIS IS SCHEDULE I OF BY-LAW NO.  
 THE CITY OF NORTH BAY

OF THE CORPORATION OF

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<u>ROAD</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Algonquin Avenue	West	28 metres north of Foren Street	Northerly 8 metres
Foren Street	East	Main Street	25 metres south of Main Street and Foren Street
McIntyre Street	North	A point 64 metres west of Ferguson Street	Easterly a distance of 11 metres
Worthington Street	South	A point 45 metres west of Ferguson Street	A point 70 metres west of Ferguson Street
McIntyre St. West	North	A point 31 metres west of Fraser Street	A point 37 metres west of Fraser Street
Cassells Street	East	A point 30 metres North of Worthington Street	A point 36 metres North of Worthington Street
Main St. East	South	A point 6 metres East of Sherbrooke Street	A point 12 metres east of Sherbrooke Street
Main St. East	South	A point 13 metres East of Fisher Street	A point 19 metres East of Fisher Street

THIS IS SCHEDULE II OF BY-LAW NO.  
THE CITY OF NORTH BAY

OF THE CORPORATION OF

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NO. OF AUTOMOBILE  
PARKING SPACES

NO OF DESIGNATED  
PARKING SPACES

1-19  
20-99  
100-400

nil  
1 minimum  
2 minimum

for each additional 400  
or part thereof

1 minimum to a maximum of 20

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

1-30  
31-60  
61-100

1 minimum  
2 minimum  
3 minimum

for each additional 30 or  
part thereof

1 minimum to a maximum of 12