

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 4001

A by-law to prohibit unauthorized parking of motor vehicles on private property.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to paragraph 108 of subsection 1 of section 379 of The Municipal Act, R.S.O. 1960, Chapter 249 and amendments thereto ENACTS as follows:

1. In this by-law “constable” means a member of the Police Department of the City of Sault Ste. Marie, a special constable appointed pursuant to Section 53 of the *Police Act*, R.S.O. 1990, chapter P.15, as amended, and a municipal law enforcement officer appointed pursuant to Section 15 of the *Police Act*, R.S.O. 1990, chapter P.15, as amended. **[amended by By-law 2020-41]**
2. No person shall park or leave any motor vehicle:
 - a) on private property without the consent of the owner or occupant of such property;
 - b) on municipal property without the consent of the Supervisor of Building Services or his/her designate, or the Chief Administrative Officer or his/her designate of any local board of the City, as the case may be; or
 - c) in a private or municipal parking lot or facility without complying with the terms and conditions for such parking, including but not limited to the payment of the appropriate fee for the privilege of parking or the

display of a valid permit authorizing such parking. **[Amended by By-law 2018-110]**

3. The Corporation or the **[Amended by By-law 4506]** owner or any adult occupant or resident of the private property may complain to a Constable that a motor vehicle has been left or parked contrary to the provisions of this by-law, and the Constable, upon discovery of any vehicle so 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 cost and charges for removing, care and storage thereof, if any, shall be a lien upon the vehicle, which lien may be enforced in the manner provided by section 48 of The Mechanics' Lien Act.

4. 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 owner/occupant or any adult resident of the property.
[amended by By-law 2018-110]

5. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990 Chapter P.33, as amended.
[amended by By-law 2020-41]

6. Upon presentation of a tag issued by the City of Sault Ste. Marie Police Department or the Parking Authority of the City of Sault Ste. Marie alleging commission of a contravention of this by-law, any person may pay out of court within seven (7) days **[amended by By-law 2020-41]** (exclusive of Sundays, Saturdays, and public holidays) from the date of issue of the said tag, the minimum penalty provided for such offence of this by-law at the office of the Parking Authority of the City of Sault Ste. Marie, Civic Centre, 99 Foster Drive, **[amended by By-law 76-356]** Sault Ste. Marie, Ontario and upon such payment no further proceedings shall be taken under this by-law in respect of the said offence alleged in the tag. The receipt for payment if signed by the person assigned to the duty of receiving payments shall be evidence of payment and such receipt shall not operate as a waiver of a lien created by section 4 of this by-law in the event that a motor vehicle has been removed from private property.
7. The owner of a motor vehicle is liable to the penalties provided for any contravention of this by-law unless at the time of the contravention the motor vehicle was in the possession of some person other than the owner or his chauffeur without the owners consent, and the driver of a motor vehicle, not being the owner, is also liable to the penalties provided for any such contravention.
8. By-law 2680 of the former Corporation of the City of Sault Ste. Marie is hereby repealed.

9. This by-law takes effect on the day it is finally passed.

READ the first, second, and third times and FINALLY PASSED in open council this 12th day of September, 1966.

"A. Harry"
MAYOR

"C. H. Tolley "
CLERK