

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 69-80

PARKING AUTHORITY: (P. 1.2.6.) A by-law to regulate the parking of vehicles on lands or buildings operated by the Parking Division of the City of Sault Ste. Marie as parking lots on which no charge is made to the public for the parking of vehicles.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 11 of The Municipal Act, 2001, c. 25 and amendments thereto, ENACTS as follows:

1. DEFINITIONS

- (1) "Park" or "Parking" means the standing of a vehicle whether occupied or not;
- (2) "Parking Section" means the Parking Section of the Department of Public Works and Transportation of the City of Sault Ste. Marie;
- (3) "Parking Lot" means land or a building established as a parking lot by a by-law of the Corporation and listed by name in Schedule "A" to this by-law;
- (4) "Parking Space" means that part of the surface of a parking lot designated by painted lines or other signs or markings for the parking of one vehicle; and
- (5) "Vehicle" means an automobile, a motorcycle, a trailer, or any other vehicle propelled or driven otherwise than by muscular power that does not exceed 609 cm in length or 203 cm in width.

2. REGULATIONS

- (1) Speed Limit – No person shall drive a vehicle at a greater rate of speed than 25 km per hour on a parking lot.
- (2) Vehicle Within Parking Space – No person shall park a vehicle on a parking lot unless the whole of such vehicle is within a parking space.
- (3) Signed for Snow Removal – No person shall park a vehicle on a parking lot or a part thereof marked by signs prohibiting its use for parking during the times designated for snow removal.
- (4) Traffic Direction – Signs – No person shall drive, operate, or park a vehicle on a parking lot except in accordance with the directions of the Parking Section is evidenced by the erection and display of appropriately worded signs.
- (5) Two Hour Limit – No person shall park a vehicle on a parking lot for a daily period greater than two hours
 - (a) On any Monday, Tuesday, Wednesday, Thursday, or Saturday between the hours of 7 o'clock A.M. and 6 o'clock P.M., and

(b) On any Friday between the hours of 7 o'clock A. M. and 9 o'clock P. M.

- (6) Vehicles for Sale – No vehicle shall be parked on a parking lot to which there is visibly affixed any sign, notice or other marking advertising the fact that the vehicle is available for purchase.
- (7) Servicing or Repairing Vehicles – No vehicle shall be parked on a parking lot for the purpose of altering, cleaning, washing, greasing or repairing such vehicle or attaching accessories thereto except for such repairs as have been necessitated by an emergency.
- (8) Signs, Standards, Buildings, etc. – No person shall erect or maintain on any parking lot any building, booth, fence, post, sign, marking or other structure or advertising device of any kind whatsoever unless:
- (a) such person shall have first obtained permission in writing from the Parking Section authorizing him or her so to do, which permission may be granted, refused or made subject to conditions as the said Parking Section in its discretion shall determine; and
 - (b) such person so acts in accordance with all of the requirements of the said Parking Section.
- (9) Advertising, Articles for Sale, etc. – No person shall park a vehicle on a parking lot for the purpose of:
- (a) displaying articles for sale or give away;
 - (b) advertising any merchandise goods, services or event; or
 - (c) soliciting of any kind;
- unless such person has obtained permission in writing from the Parking Section authorizing the person so to do and such is on display in a prominent place on such vehicle.
- (10) Hand Bills – No person shall distribute hand bills or other advertising matter on a parking lot.
- (11) Excavations in Parking Lots – No person shall break, excavate, dig up, tear up, or remove the soil of any parking lot, or any planking, sidewalk, curbing, pavement, boulevard, or road structure of any sort, forming the surface or other part of any parking lot, for the purpose of building or otherwise, unless he or she has first obtained an excavation permit from the Parking Section authorizing him or her so to do.
- (12) Authority Approval to Excavation Permits - A permit shall be issued by the Manager in the name of the Parking Section under subsection 11 above when an application for the permit in a form approved by the Parking Section has been filed with the Parking Section and the application has been approved by the Parking Manager.
- (13) Liability – No person using a parking lot for any purpose in any manner whatsoever shall make any claim or bring any action against the Parking Section or the Corporation for any loss or costs and damages which that person may suffer, be at, or be put to, for, or by reason of, or on account of, the act of any other person on such parking lot.

3. PENALTY

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 2020-42]**

4. ~~OWNER LIABLE TO PENALTY~~

~~Subject to Section 3 hereof every person who contravenes any provision of this by-law is guilty of an offence pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended, and upon conviction, a person is liable to a fine of not less than \$30.00 and not more than \$5,000.00 exclusive of costs. **[Deleted by By-law 2020-42]**~~

5. VEHICLE SUBJECT TO REMOVAL

In addition to any other penalties provided by this by-law, upon discovery of any vehicle parked on a parking lot in contravention of the provisions of this by-law, a by-law enforcement officer or a police officer may cause such vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charges for the removal, storage and care thereof, if any, are a lien upon the vehicle and may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, c. R.25.

6. VOLUNTARY PAYMENT OF PENALTIES

Despite all other provisions of this by-law in respect of penalties for violations of any provision of this by-law, any person may, upon presentation of a tag issued alleging commission of any of the offences provided in the said by-law, pay out of court within provided in the said by-law, pay out of court within seven (7) days (exclusive of Sundays, Saturdays and public holidays) from the date of the issue of the said tag, the minimum penalty provided for such offence by this by-law at the Civic Center, 99 Foster Drive, Sault Ste. Marie, 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 signed by the person assigned to the duty of receiving payments shall be evidence of payment of the penalty provided for the violation. **[Amended by By-law 2020-42]**

7. PARKING SECTION TO ERECT SIGNS:

The Parking Section shall erect a sign or signs on each parking lot indicating the general nature of the restrictions imposed by this by-law on the use of such parking lot.

8. SCHEDULE "A"

The Parking Lots set out in Schedule "A" are established as parking lots under the authority of the Parking Section of the Department of Public Works and Transportation. Schedule "A" forms a part of this by-law.

9. SCHEDULE "A"

Schedule "A" forms a part of this by-law.

10. BY-LAWS REPEALED

By-law 4015 and 4505 are hereby repealed.

11. EFFECTIVE DATE

This by-law takes effect on the day of its final passing.

READ the first and second times this 9th day of June, 1969

"John R. Rhodes"

MAYOR

"C. Murray"

CLERK

READ the third time and FINALLY PASSED in open Council this 9th day of June, 1969.

"John R. Rhodes"

MAYOR – JOHN R. RHODES

"C. Murray"

CLERK

SCHEDULE “A”

PARKING LOTS GOVERNED BY THIS BY-LAW

Name of Parking Lot

1. Brock – Albert Parking Lot
2. Spring – March Parking Lot
3. Essar Centre Parking Lot
4. King – Albert Parking Lot
5. Bingham Street Parking Lot
6. Bruce Street Parking Lot
7. Bus Terminal (Dennis & Queen Streets)
8. Heritage Square Lot (807 Queen Street East)