

The Corporation of the City Of Kenora

By-Law Number 82 - 2018

A By-Law to Establish and Regulate Parking Lots and Structures Within The City Of Kenora

Whereas Section 11(8) of the Municipal Act, 2001, as amended authorizes the Councils of municipalities to pass by-laws with respect parking, except on highways, and included municipal parking lots and structures; and

Whereas it is deemed necessary and expedient to adopt a by-law under Section 11(8) for the purpose of establishing, laying out and improving land, buildings, and structures where vehicles may be parked, and for erecting buildings or structures for or in connection with the parking of vehicles in, on or under any land vested for any purpose in a municipality, and for leasing such land, buildings or structures, and for regulating, supervising and governing the parking of vehicles therein or thereon; and

Whereas it is advisable and expedient to designate and establish the lands hereinafter described as municipal parking lots of the City of Kenora and that provision be made for regulating, supervising and governing the parking of vehicles therein; and

Whereas it is deemed necessary and expedient for the installation of meters or other mechanical devices for controlling the parking of vehicles, for charging fees for parking and for prohibiting and limiting the right or parking; and

Whereas due to the municipality establishing a parking lot or lots, buildings or structures at the expense of all the ratepayers of the municipality, the City of Kenora has established a Parking Lot Reserve for the purpose of depositing therein the net revenue derived from the operation of all parking facilities operated by or on behalf of the municipality or leased by or on behalf of the municipality for parking purposes, including parking meters on highways; and

Whereas the lands referred to herein have been vested in the Corporation of the City of Kenora;

Now Therefore the Council of the Corporation of the City of Kenora hereby enacts as follows:

Definitions

1.0 In this By-law,

- (a) "Authorized Sign" means any sign or any other device placed or erected on a parking lot under the authority of municipal by-law and authorized by the City of Kenora for the purpose of regulating traffic;
- (b) "Automated Pay Station" means an electronically controlled device together with its support, erected to control and regulate the parking of a vehicle in an individual parking space;
- (c) "By-Law Enforcement Officer" means Police Officer, By-Law Enforcement Officer or Municipal Law Enforcement Officer empowered to enforce this By-Law;

- (d) "City" means the Corporation of the City of Kenora, or when referring to geographic area, the City of Kenora;
- (e) "Improper Parking" means parking a vehicle outside of the stall that has been designated by lines marked on the pavement in a parking lot or structure;
- (f) "Obstruct Traffic" means to park or stop a vehicle in such a manner that it interferes with the normal flow of traffic;
- (g) "Prohibited Parking" means a location where parking is forbidden by the use of approved signs;
- (h) "Vehicle" means a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, the cars of electric or steam railways running only upon rails.
- (i) Veteran's License Plate means a provincial license plate issued to a vehicle owned by, and registered to a Canadian Veteran, and in which, at the time of parking, the Veteran was an occupant therein.

Designation of Lots/Structures

2.0 The lands shown as parking lots on the maps attached hereto and forming part of this by-law are hereby established and designated as municipal parking lots of the City of Kenora:

Lot "A"	Anicinabe Park Boat Launch Parking Lot
Lot "B"	Chipman Street Parking Lot
Lot "C"	Front Street - Keewatin Arena Parking Lot
Lot "D"	Bernier Drive - Harbourfront North Lot
Lot "E"	Kenora Harbourfront South Lot
Lot "F"	Lakeview Drive Parking Lot
Lot "G"	Matheson Street South - Kenora Parkade
Lot "H"	Water Street - Court House Parking Lot
Lot "I"	McLeod Park
Lot "J"	City Hall
Lot "K"	Kenora Recreation Centre Front & Rear Parking Lot - Boat Launch
Lot "L"	Kenora Recreation Centre Long Term Parking
Lot "M"	Millenium Park (A & W Ball Field)
Lot "N"	Jaffray Melick Ball Field
Lot "O"	Portage Bay Recreation Area
Lot "P"	Garrow Park

Lot “Q”	Keewatin Beach
Lot “R”	Norman Park
Lot “S”	Keewatin Boat Launch Parking Lots
Lot “T”	McClellan Avenue Parking Lot
Lot “U”	Kenora Public Library
Lot “V”	Discovery Centre
Lot “W”	Park Street Parking Lot
Lot “X”	First Avenue South-Coney Island Resident Parking Lot

Regulation

- 3.0 The municipal parking lots shall be subject to the user fees and other regulations set out in Schedule “A” attached hereto.

Special Regulation – Veteran’s Plate Parking

- 3.1 A vehicle displaying a Canadian Veteran’s license plate in accordance with the definition contained in this by-law shall be exempt from the provisions of “municipal parking lot fees” as set out in Schedule “A”.

Payment of Fees

- 4.0 No person shall park a vehicle in a municipal parking lot unless the fee prescribed has been paid.
- 4.1 Where parking tickets are obtained from an automated pay station, the ticket will display the date of purchase and the time of expiry.
- 4.2 Parking tickets from an automated pay station shall be displayed on the dash of the vehicle so that it can be clearly seen by a By-Law Enforcement Officer.
- 4.3 Vehicles parking in a lot controlled by an automated pay station will be in contravention of this by-law if the vehicle remains parked beyond the time or date shown on the parking ticket.
- 4.4 In any lot or portion thereof where monthly rental arrangements are permitted, no person shall park any vehicle unless she/he has made the following arrangement with the City:
- (a) All persons having monthly parking privileges in any lot governed by this by-law shall display an approved and valid parking permit, issued by the City, prominently in the lower right front window of the vehicle;
 - (b) Monthly parking tickets must be purchased in advance.
- 4.5 Permits - Lost parking permits will result in a non-refundable \$2.00 replacement fee.

Collection of Parking Fees

- 5.0 Where parking meters are not provided for collecting the fee charged for parking on any parking lot or in any structure, the City may employ an attendant or provide such other means of controlling such parking lot as the Council may deem necessary and expedient including, but without restricting the generality of the foregoing, mechanical gates and mechanical ticket issuers.

Parking Spaces

- 6.0 The municipal parking lots, or portions thereof, may be divided by painted markings or otherwise into individual parking spaces.
- 6.1 Where parking spaces have been designated, no person shall park any vehicle except within such spaces, and only in such fashion so that the entire vehicle is parked within the allocated space.

General Regulations

- 7.0 No owner or driver of a vehicle shall allow such vehicle to remain unattended on any parking lot unless it is locked in such a manner as to prevent its operation by any person not authorized by the owner or driver in charge of such vehicle.
- 7.1 No person shall enter a municipal parking lot for any purpose with a vehicle or combination of vehicles or trailers with an overall length of more than 6.7 metres unless such overlengthed vehicles are permitted by the regulations.
- 7.2 No person shall operate a vehicle in any parking lot at a greater speed than 20 kilometres per hour.
- 7.3 No person shall stand or park a vehicle upon any municipal parking lot for the purpose of:
 - 1) displaying it for sale;
 - 2) washing, servicing or repairing such vehicle except repairs necessitated by an emergency.
- 7.4 No person shall park a vehicle in a parking space designated for disabled persons unless a currently valid Accessible Parking Permit has been issued to that person, organization or to a passenger being picked up or transported in the vehicle and such permit is displayed on or in the vehicle in accordance with the requirements of the *Highway Traffic Act*, the regulations made hereunder and this By-law.
- 7.5 A By-Law Enforcement Officer for the purposes of enforcing the provisions of this By-law, or of any other By-law or regulation of the City of Kenora respecting the parking of vehicles, may make or place a temporary mark upon a vehicle which is parked on a municipal parking lot.
- 7.6 The provisions of this By-law prohibiting or regulating parking shall not apply to:
 - 1) vehicles of any law enforcement agency having jurisdiction to act in the City of Kenora;
 - 2) vehicles of or employed by the City of Kenora;
 - 3) ambulance or other emergency vehicle.
 - 4) any vehicle where an emergency reasonably prevents removal of the vehicle.
- 7.7 No person shall deposit or cause to be deposited in any parking meter any slug, device, thing or metallic substitute of a coin.
- 7.8 No person shall park a vehicle or permit any vehicle registered in his name to be parked in any parking space in an area designated as a Parking Meter Zone when the parking meter governing the said parking space has been covered.

Snow Removal

- 8.0 When and so often as it shall become necessary to remove snow from the said parking lots, the City may cause to be placed upon such parking lots, signs indicating that parking thereon is prohibited and such signs shall remain on the said parking lots until such snow shall have been removed. It shall be an offence to park a vehicle upon the said parking lots while any such sign is in position therein or, where such sign indicates the time when such parking will be prohibited, during the time of such prohibition. The provisions of this Section shall not apply to any vehicle parked on such parking lots before the placing of such signs.

Events

- 9.0 When special events or displays occupy a parking lot, the City may cause to be placed upon such parking lots, signs or devices that parking thereon is prohibited or restricted and such signs shall remain on the said parking lots as required for the duration of the event. It shall be an offence to park a vehicle upon the said parking lots while any such sign is in position therein or, where such sign indicates the dates and time when such parking will be prohibited, during the time of such prohibition. A reasonable effort will be made to contact owners of vehicles parked during and after the placement of signs; failing which, the City will order removal of the vehicle from the parking lot.

Offences

- 10.0 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is subject to a penalty in accordance with the *Provincial Offences Act*.
- 10.1 The owner of a vehicle that is parked, in contravention of this by-law is guilty of an offence and on conviction is liable to a fine in the same amount as that to which the driver is liable for so parking such a vehicle unless the owner proves to the satisfaction of the Court that at the time of the event, the motor vehicle was in the possession of someone other than the owner without the owner's consent, express or implied.

Effective Date

- 11.0 This by-law shall come into force upon the final passing thereof.

Repeal

- 12.0 That By-Law Number 66-2006 and all amendments and consolidations of it shall be repealed on the date that this By-law comes into force and affect.

By-law read a First and Second Time this 19th day of June, 2018

By-law read a Third and Final Time this 19th day of June, 2018

The Corporation of the City of Kenora:-

David S. Canfield, Mayor

Heather L. Kasprick, City Clerk

Schedule “A”

By-Law Number 82 - 2018 City of Kenora

Parking Lot Fees & Regulations

Lot “A”

Anicinabe Park - Boat Launch Parking Lot

Control:

Park Operator
City Designated Towing Company (at owner’s expense)

Fees:

Free Daily Parking
Overnight: \$7.00 plus applicable taxes
Weekly: \$35.00 plus applicable taxes
Monthly: \$130.00 plus applicable taxes

Special Regulation:

Vehicles in excess of 6.7 metres are permitted
No Parking permitted between 11:00 p.m. and 6:00 a.m. without a Valid Permit
No refunds for unused parking

Lot “B”

Chipman Street Parking Lot

Control:

By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees:

Monthly \$49.60 plus applicable taxes

Special Regulation:

Leased spaces

Lot “C”

Front Street, Keewatin Arena Parking Lot

Control:

By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees:

Front Lot #1: See Below
Back Lot #2: See Below

November 1st to April 30th: Nil

May 1st to October 31st:

Overnight: \$7.00 plus applicable taxes
Weekly: \$35.00 plus applicable taxes
Monthly: \$130.00 plus applicable taxes
Seasonal: \$390.00 plus applicable taxes

Parking vouchers shall be available from the Recreation Centre, and shall be placed face up on the front dashboard.

Special Regulation: Vehicles in excess of 6.7 metres are permitted
No refunds for unused parking

Lot “D” **Bernier Drive, North Harbourfront Lot**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: Monthly \$68.00 plus applicable taxes

Special Regulation: Leased spaces

Lot “E” **Kenora Harbourfront South Parking Lot**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: \$1.00 per hour
Overnight Parking \$7.00 per day plus applicable taxes (8 spots only)
Monthly \$70.00 plus applicable taxes

Special Regulation: No overnight parking between 2:00 a.m. and 6:00 a.m. (except as noted above)

Lot “F” **Lakeview Drive Parking Lot**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: Monthly \$49.60 plus applicable taxes

Special Regulation: Leased spaces

Lot “G” **Matheson Street South, Kenora Parkade**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: Monthly \$49.60 plus applicable taxes

Lot “H” **Water Street, Court House**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: As per Agreement with Museum Board

Lot “I”	<u>McLeod Park</u>
Control:	By-Law Enforcement Officer City Designated Towing Company (at owner’s expense)
Fees:	No Fee
Special Regulation:	3 hour maximum No overnight parking between 2:00 a.m. and 6:00 a.m.
Lot “J”	<u>City Hall</u>
Control:	By-Law Enforcement Officer City Designated Towing Company (at owner’s expense)
Fees:	No Fee – Maximum 15 minute customer parking
Special Regulation:	No overnight parking between 2:00 a.m. and 6:00 a.m.
Lot “K”	<u>Kenora Recreation Centre Front & Rear Parking Lot – Boat Launch</u>
Control:	By-Law Enforcement Officer City Designated Towing Company (at owner’s expense)
Fees:	Lot 1, 2, 3, 4: Free four (4) hour parking Lot 5 & 7: \$1.00 per hour Monthly \$75.00 plus applicable taxes
Special Regulation:	Vehicles in excess of 6.7 metres are permitted No overnight parking between 2:00 a.m. and 6:00 a.m.
Lot “L”	<u>Kenora Recreation Centre Long Term Parking (Lot 6)</u>
Control:	By-Law Enforcement Officer City Designated Towing Company (at owner’s expense)
Fees:	Overnight: \$7.00 plus applicable taxes Weekly: \$35.00 plus applicable taxes Monthly: \$130.00 plus applicable taxes Seasonal: \$390.00 plus applicable taxes Parking vouchers shall be available from the Recreation Centre, and shall be placed face up on the front dashboard
Special Regulation:	Vehicles in excess of 6.7 metres are permitted No refunds for unused parking

Lot “M” **Millenium Park (A & W Ball Field)**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: Free Daily Parking

Special Regulation No overnight parking between 2:00 a.m. and 6:00 a.m.

Lot “N” **Jaffray Melick Ball Field**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: Free Daily Parking

Special Regulation No overnight parking between 2:00 a.m. and 6:00 a.m.

Lot “O” **Portage Bay Recreation Area**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: Free Daily Parking

Special Regulation No overnight parking between 2:00 a.m. and 6:00 a.m.

Lot “P” **Garrow Park**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: Free Daily Parking

Special Regulation No overnight parking between 2:00 a.m. and 6:00 a.m.

Lot “Q” **Keewatin Beach**

Control: By-Law Enforcement Officer
City Designated Towing Company (at owner’s expense)

Fees: Free Daily Parking

Special Regulation No overnight parking between 2:00 a.m. and 6:00 a.m.

Lot “R”	<u>Norman Park</u>
Control:	By-Law Enforcement Officer City Designated Towing Company (at owner’s expense)
Fees:	Free Daily Parking
Special Regulation	No overnight parking between 2:00 a.m. and 6:00 a.m.

Lot “S”	<u>Keewatin Boat Launch Parking Lots</u>
Control:	By-Law Enforcement Officer City Designated Towing Company (at owner’s expense)
Fees:	Free Daily Parking
Special Regulation	No overnight parking between 2:00 a.m. and 6:00 a.m.

Lot “T”	<u>McClellan Avenue Parking Lot</u>
Control:	By-Law Enforcement Officer City Designated Towing Company (at owner’s expense)
Fees:	As per coin parking permit system \$1.00 per hour
Special Regulation:	No fees payable between 6:00 p.m. and 9:00 a.m. No fees payable Sundays or Public Holidays

Lot “U”	<u>Kenora Public Library Parking Lot</u>
Control:	By-Law Enforcement Officer City Designated Towing Company (at owner’s expense)
Fees:	As per meter parking system \$1.00 per hour
Special Regulation:	3 hour maximum No overnight parking between 2:00 a.m. and 6:00 a.m.

Lot “V”	<u>Discovery Centre Parking Lot</u>
Control:	By-Law Enforcement Officer City Designated Towing Company (at owner’s expense)
Fees:	No Fee
Special Regulation:	4 hour maximum

Lot "W"**Park Street Parking Lot****Control:**

By-Law Enforcement Officer
City Designated Towing Company (at owner's expense)

Fees:

As per coin parking permit system \$1.00 per hour

Paid valid ticket must be displayed face up on dash displaying fees paid

Overnight Parking \$7.00 per evening (between 6:00 p.m. and 9:00 a.m. the following day) plus applicable taxes

Monthly \$50.00 plus applicable taxes

Special Regulation:

No fees payable Sundays or Public Holidays

Lot "X"**First Avenue South-Coney Island Resident Parking Lot****Control:**

By-Law Enforcement Officer
City Designated Towing Company (at owner's expense)

Fees:

Monthly leased parking only
Monthly \$50.00 plus applicable taxes

Special Regulation:

Coney Island Residents Only