

The Corporation of the City of Port Colborne

By-law No.

Being a By-law to Establish a Permitting System for the Parking of Vehicles on Designated Highways and Parking Lots in the City of Port Colborne (Special Events)

Whereas Section 9 of the *Municipal Act, 2001* S.O. 2001, c.25 (the "Act") provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas Section 11 of the *Act* provides that municipalities may provide any service or thing that the municipality considers necessary or desirable for the public, including the passing of by-law within the respective sphere of jurisdiction; and

Whereas subsection 102.1(1) of the *Act* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person failed to comply with any by-laws respecting the parking, standing or stopping of vehicles; and

Whereas at its meeting of June 28, 2022, the Council of The Corporation of the City of Port Colborne approved the recommendations of the Corporate Services Department, Report No 2022-117, Canal Days Marine Heritage Festival - Paid Parking Model; and

Whereas the Council of The Corporation of the City of Port Colborne passed By-law No. 7006/44/22, as amended, to implement the said Paid Parking Model; and

Whereas the Council of The Corporation of the City of Port Colborne is desirous of consolidating By-law No. 7006/44/22, as amended, and implementing housekeeping amendments thereto;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

**Part 1 - Title and Definitions**

Short Title

1. This by-law shall be referred to as the Special Events Parking Permit By-law.

Definitions

2. For the purposes of this By-law, including in the Recitals and the Definitions,
  - a) "City" means the Corporation of the City of Port Colborne, Ontario and its geographical boundaries.
  - b) "Council" means the Council of The Corporation of the City of Port Colborne.
  - c) "Director" means the Director of Community Safety and Enforcement for The Corporation of The City of Port Colborne, designate, or holder of the office from time to time;
  - d) "Enforcement Officer" - means a Municipal Law Enforcement Officer of The City of Port Colborne, Chief Building Official or other person appointed or employed by The City of Port Colborne

for the enforcement of by-laws. and shall include members of the Niagara Regional Polices Service or the Ontario Provincial Police Service.

- e) "Event Parking Permit" means a parking pass that allows for parking in the "*Event Parking Permit*" Area as established in Schedule 'B';
- f) "Park" means the stopping or standing of a vehicle, whether occupied or not, and "Parking" or "Parked" shall bear a similar meaning as the tense allows;
- g) "Parking Lot" means a parking lot controlled by The City of Port Colborne for the purpose of parking vehicles as established in Schedule 'B';
- h) "PORTicipate Pass" means a free Event Parking Permit and pass provided to residents of Port Colborne;
- i) "Street" means any public highway or part of a public highway under the jurisdiction of The Corporation of The City of Port Colborne;

## **Part 2 - Application of the By-law**

### Interpretation

3. For the purposes of this by-law:

#### Word Usage

- a) words in singular shall be deemed to include plural and words in plural shall be deemed to include singular and this By-law shall be interpreted with all changes in gender or number as the context may require;
- b) unless otherwise defined herein, the words and phrases used in this By-law have their normal and ordinary meaning;
- c) headings are inserted for convenience and reference purposes only; they form no part of this By-law and shall not affect in any way the meaning or interpretation of the provisions of this By-law; and
- d) reference to any Act, Regulation, By-law, or Agreement is a reference to that Act, Regulation, By-law, or Agreement as it is amended or re-enacted from time to time.

### Application

- 4. Where a court of competent jurisdiction declares any provisions of this By-law invalid, the provisions shall be deemed conclusively to be severed from the By-law.
- 5. The provisions of this By-law shall apply to the Special Events set out in Schedule 'A' of this By-law.
- 6. The provisions of this By-law shall apply to the Streets and Parking Lots under the jurisdiction of the City listed in Schedule 'B' of this By-law.
- 7. The Fees related to the administration of this by-law are as set out in the Fees and Charges By-law, as amended or replaced from time to time.

8. Every person that parks in the areas listed in Schedule "A" must obtain an Event Permit Parking Pass, which is a virtual Honk Mobile Parking Pass.
9. Every person with a PORTicipate Pass must clearly display such pass to benefit from the free services offered in this By-law.
10. This By-law shall take precedence for the dates specified herein, over By-law No. 3475/56/97, A By-law to provide for establishing parking lots in the City of Port Colborne, and for regulating, supervising, and governing the parking of vehicles therein and thereon, and to prohibit the parking or leaving of motor vehicles on private property owned or occupied by The Corporation of the City of Port Colborne or any Local Board thereof.

### **Part 3 - General Provisions**

#### Prohibitions

11. No Person shall park in a designated on-Street event parking space without obtaining an Event Parking Permit, or clearly displaying their PORTicipate Pass.
12. No Person shall park in a designated event space Parking Lot without obtaining an Event Parking Permit, or clearly displaying their PORTicipate Pass.

### **Part 4 – Enforcement, Offences and Penalties**

13. The provisions of this By-law may be enforced by an Enforcement Officer.
14. This By-law is designated as a by-law to which the Administrative Penalty By-law, as amended or replaced from time to time, applies.
15. Any Person who contravenes any of the provisions of this By-law, when given a Penalty Notice in accordance with the City's Administrative Penalty By-law, is liable to pay the City an administrative penalty in the amount specified in the City's Administrative Penalty By-law, as amended or replaced from time to time.

### **Part 5 - Schedules**

#### Schedules to this By-law

16. Schedules "A" and "B" inclusive attached hereto shall form part of this By-law.

### **Part 6 – Repeals**

17. By-law No. 7006/44/22, Being a By-law to establish a permitting system for the parking of vehicles on designated highways and parking lots in the City of Port Colborne and its amending By-law Nos. 7085/30/23, 7103/45/23 and 7247/69/2424 are repealed.

### **Part 7 – Corrections**

18. The Clerk is authorized to affect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical, or descriptive nature to this by-law or its schedules after the passage of this by-law.

**Part 8 – Enactment**

19. That this by-law shall come into force and take effect on the date of passing, subject to the display of official signs.

Enacted and passed this 23 day of July, 2024.

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William C. Steele, Mayor

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Carol Schofield,  
Acting City Clerk

## **Schedule "A" Special Events**

1. Canal Days Marine Heritage Festival

Civic Holiday Weekend - Friday to Monday inclusive

## Schedule "B"

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### Parking Lots

|  |     |   |   |  |
|--|-----|---|---|--|
| Market Square                                    | N/A | Entire Parking Lot                      | Entire Parking Lot                      | Civic Holiday Weekend Friday to Monday inclusive |
| H.H. Knoll Lakeview Park Boat Launch Parking Lot | N/A | Entire Parking Lot                      | Entire Parking Lot                      | Civic Holiday Weekend Friday to Monday inclusive |
| H.H. Knoll Lakeview Parking Lot                  | N/A | All parking spaces surrounding the park | All parking spaces surrounding the park | Civic Holiday Weekend Friday to Monday inclusive |

### Streets

| <u>Column 1</u> | <u>Column 2</u> | <u>Column 3</u> |               | <u>Column 4</u>                                  |
|-----------------|-----------------|-----------------|---------------|--|
| Highway         | Side            | From            | To            | Times/Days                                       |
| Clarence St.    | N & S           | Fielden Ave.    | Linwood Ave.  | Civic Holiday Weekend Friday to Monday inclusive |
| Linwood Ave.    | E & W           | Clarence St.    | Sugarloaf St. | Civic Holiday Weekend Friday to Monday inclusive |
| Clare Ave.      | E & W           | Clarence St.    | Sugarloaf St. | Civic Holiday Weekend Friday to Monday inclusive |
| Forest Ave.     | E & W           | Clarence St.    | Sugarloaf St. | Civic Holiday Weekend Friday to Monday inclusive |
| Steele St       | W               | Division St.    | Sugarloaf St. | Civic Holiday Weekend Friday to Monday inclusive |
| Division St.    | N & S           | Steele St.      | Linwood Ave.  | Civic Holiday Weekend Friday to Monday inclusive |
| Stanley St.     | N & S           | Steele St.      | Linwood Ave.  | Civic Holiday Weekend Friday to Monday inclusive |
| Ash St.         | N & S           | Elm St.         | Linwood Ave.  | Civic Holiday Weekend Friday to Monday inclusive |

|                |       |                   |               |  |
|----------------|-------|-------------------|---------------|--|
| Sugarloaf St.  | N & S | Steele St.        | Linwood Ave.  | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Sugarloaf St.  | N     | King St.          | David St.     | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Fielden Ave.   | E & W | Sugarloaf St.     | Park St.      | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Elm St.        | E & W | Charlotte St.     | Kent St.      | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Elm St         | W     | Kent St.          | Sugarloaf St. | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Catharine St.  | E & W | Charlotte St.     | Sugarloaf St. | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| King St.       | E     | Kent St.          | Victoria St.  | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Alexandria St. | N & S | Steele St.        | End           | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Kent St.       | S     | King St.          | Fielden Ave.  | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Kent St.       | N & S | Fielden Ave.      | Steele St.    | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Charlotte St.  | N & S | Steele St.        | Elm St.       | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Victoria St.   | N & S | King St.          | Elm St.       | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Adelaide St.   | N & S | King St.          | Elm St.       | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Fraser St.     | S     | Canal Bank<br>Rd. | Davis St.     | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |
| Durham St.     | N     | Welland St.       | Mitchell St.  | Civic Holiday<br>Weekend<br>Friday to<br>Monday<br>inclusive |