

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

Whereas Section 9 of the *Municipal Act*, 2001 S.O. 2001, c.25 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 *Municipal Act*, 2001 S.O. 2001, c.25 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 *Municipal Act*, 2001 S.O. 2001, c.25 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;

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

Whereas Council of The Corporation of the City of Port Colborne is desirous of implementing permit parking for special events; and

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

That this by-law shall be comprised of five parts containing various sections, namely:

Part 1	Title and Definitions
Part 2	Application of the By-law
Part 3	General Provisions
Part 4	Enforcement
Part 5	Schedules

Part 1 – Title and Definitions

Short Title

1. This by-law shall be referred to as 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, or designate;

- 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 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 provisions of this By-law shall apply to the Administrative Penalty, which is the monetary penalty as set out in Schedule 'C' to this By-law.
- 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 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

- 13. The provisions of this By-law may be enforced by an Enforcement Officer.

Part 5 – Schedules

Schedules to this By-law

- 14. Schedules A through C inclusive attached hereto shall form part of this By-law.

Enacted and passed this 28 day of June, 2022.

William C. Steele
Mayor

DRAFT

Schedule ‘A”

Special Events

- 1. Canal Days - Civic Holiday weekend – Friday to Monday inclusive

DRAFT

Schedule 'B'

Locations

Streets

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
Charlotte St.	N & S	Steele St.	Elm St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Kent St.	N & S	Steele St.	Fielden Ave.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Kent St.	S	Fielden Ave.	Catharine St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Victoria St.	N	Elm St.	King St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Elm St.	W	Charlotte St.	Sugarloaf St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Catharine St.	E & W	Kent St.	Sugarloaf St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Adelaide St.	N & S	Elm St.	King St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Ash St.	N & S	Steele St.	Fielden Ave.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Alexandria St.	N & S	Steele St.	End	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Fielden Ave.	E & W	Kent St.	Sugarloaf St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Forest St.	E & W	Sugarloaf St.	Clarence St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Claire Ave.	E & W	Sugarloaf St.	Clarence St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Linwood Ave.	E & W	Sugarloaf St.	Clarence St.	3 p.m. to 11 p.m. July 29, 2022, to July 31

				2022
Stanley St.	N & S	Steele St.	Linwood St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
Ash St.	N & S	Steele St.	Linwood St.	3 p.m. to 11 p.m. July 29, 2022, to July 31 2022

Parking Lots

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>		<u>Column 4</u>
Highway	Side	From	To	Times/Days
H.H. Knoll Lakeview Park Boat Launch Parking Lot				3 p.m. to 11 p.m. July 29, 2022, to July 31 2022
11 King Street Parking Lot				3 p.m. to 11 p.m. July 29, 2022, to July 31 2022

Schedule 'C'
Fees and Administrative Penalties

Fees

Title	Fee per day per location
On-Street Special Events Permit	\$20
Parking Lot Special Events Permit	\$30

Administrative Penalties

- Column 1 in the following table lists the provisions in By-law No. [redacted] that are hereby designated for the purposes of 3.1 of the Regulation.
- Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provisions	Column 2 Short Form Wording	Column3 Administrative Penalty
1.	Section 11	Park without permit on-street	\$40
2.	Section 12	Park without permit – parking lot	\$60