



By-Law 87-290

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To prohibit unauthorized parking of vehicles on private property or on property of the municipality or any local board thereof where parking by the public is not authorized and to repeal By-laws 87-211 and 68-118

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BY-LAW NUMBER 87-290

A By-law of the Corporation of the City of Barrie to prohibit unauthorized parking of vehicles on private property or on property of the municipality or any local board thereof where parking by the public is not authorized and to repeal By-laws 87-211 and 68-118.

WHEREAS it is provided in paragraph 125 of Section 210 of the Municipal Act, being R.S. O. 1980, c. 302 that local municipalities may pass by-laws for prohibiting the parking or leaving of motor vehicles on private property without authority from the owner or occupant of such property or on property of the municipality or any local board thereof where parking by the public is not authorized and providing for the removal and impounding of any vehicles parking or left, at the expense of the owner thereof;

AND WHEREAS the Corporation of the City of Barrie deems it advisable to pass a by-law pursuant to the said provision.

NOW THEREFORE, the Council of the Corporation of the City of Barrie enacts as follows:

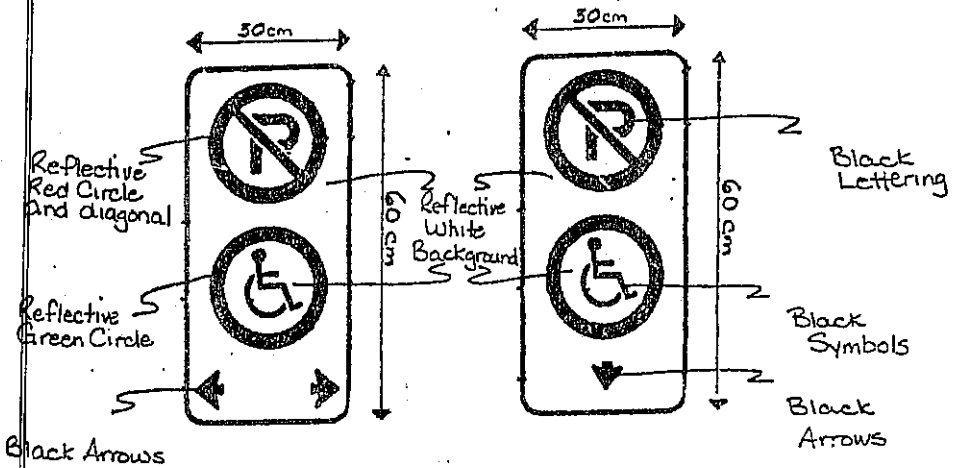
1. NO person shall park or leave any motor vehicle on private property without authority from the owner or occupant of such property or on property of the Corporation of the City of Barrie or any local board thereof where parking by the public is not authorized.
2. THE driver of a motor vehicle, not being the owner, parking contrary to the provisions of this by-law, is liable to a penalty provided hereunder and the owner of the motor vehicle is also liable to such a penalty unless at the time the offence is committed, the motor vehicle was in the possession of a person other than the owner or his chauffeur without the owner's consent and where a tag similar to a parking tag is placed upon a motor vehicle for an offence against the provisions of this by-law, the owner or the driver may make voluntary payment of the penalty out of court, and if payment is not made in accordance with this procedure, the provisions of Subsection 2, of Section 321a of the Municipal Act for the recovery of penalties shall apply.
3. The property owner or authorized agent may provide to the municipality, a letter authorizing the enforcement of this by-law on private property by law enforcement officers of the municipality. Where a letter of authorization has been filed with the municipality, a law enforcement officer shall be deemed to have the authority to enter onto the private property to enforce the provisions of this by-laws.
4. The occupant or any adult resident of private property upon which a motor vehicle is parking contrary to the provisions of this by-law, may make complaint to a law enforcement officer that a motor vehicle has been left or parked contrary to the provisions of this by-law, and where such law enforcement officer has the authority to enter onto such property and upon discovery of any vehicle parked or left in contravention of this by-law on private property of the City of Barrie or any local board thereof, may cause it to be removed or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, shall be a lien upon the vehicle which may be enforced in the manner provided by Section 52 of the Mechanics Lien Act.

5. i) No person, except a person operating a vehicle bearing a provincially issued special licence plate for the physically disabled, shall park or cause to be parked a vehicle along, in, or over any properly sign designated handicapped parking space."

ii) "The erection and all maintenance of signs shall be the responsibility of the owner of the property on which the handicapped parking space(s) have been designated and in accordance with the sign guidelines set out in this by-law.

iii) The signs shall be of a size not less than 30 centimetres in width and 60 centimetres in length.

iv) The signs shall bear the standard markings as follows:



v) Signs shall be posted on a post at a height of no less than 2 metres and no more than 3 metres above the level of the roadway.

6. "Where a vehicle is found parked or left in contravention of the provisions of this by-law, the law enforcement officer so finding the vehicle shall attach to the vehicle a parking ticket in the form of a serially numbered notice stating:

- the licence number and concise description of the vehicle;
- that the vehicle has violated the provisions of this by-law;
- the date, time, place and nature of the alleged offence;

d) that the owner or operator thereof, may report to the office of the City Treasurer in City Hall within 7 days, exclusive of Saturdays, Sundays and holidays, after the day the ticket is attached to make voluntary payment of the penalty in the amount of ten dollars (\$10.00);

e) in the event of failure to so report and make such payment, summons will be issued under the provisions of the Provincial Offences Act."

7. ANY person who contravenes any of the provisions of this by-law shall be guilty of an offence under the Provincial Offences Act, R. S. O. 1980, c. 400 and shall be liable upon conviction therefore to a fine not to exceed \$2,000.00 for each offence, and every such penalty shall be recoverable under the aforesaid Provincial Offences Act.

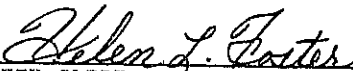
8. By-laws 87-211 and 68-118 be and the same are hereby repealed upon this by-law coming into effect.

9. THIS By-law shall come into force and take effect immediately upon the final passing thereof.

READ a first, second and third time and finally passed this 26th day of October A.D., 1987.

THE CORPORATION OF THE CITY OF BARRIE


MAYOR


DEPUTY CLERK