

# *The City of* **BARRIE**

By-law 87-290  
(Consolidated – as amended)

This By-law printed under and by  
the authority of the Council of the  
City of Barrie

A By-law of The Corporation of the City of Barrie to prohibit unauthorized parking of vehicles on private 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 Highway Traffic Act provides for special parking exemptions for drivers and operators of vehicles which are displaying a disabled person parking permit in accordance with the Highway Traffic Act and the regulations made thereunder and this by-law.

**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 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 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 bylaw 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-law.
4. "DELETED"
5. (i) In this Section,

'Designated Parking Space' means a parking space designated under this by-law for the exclusive use of a vehicle displaying a disabled person parking permit in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder.

'Permit' means a disabled person parking permit issued in accordance with the Highway Traffic Act.

- (ii) No person or organization shall,
  - a) park a vehicle in a designated parking space, or
  - b) be entitled to the benefit of an exemption under this by-law unless a currently valid permit has been issued to that person or organization or to a passenger being transported in the vehicle and such permit is displayed on or in the vehicle in accordance with the requirements of the Highway Traffic Act, and the regulations made thereunder.
- (iii) A designated parking space shall be distinctly signed in accordance with the Highway Traffic Act and the regulations made thereunder.
- (iv) The erection and all maintenance of signs indicating the designated parking space shall be the responsibility of the owner of the property.
- (v) The sign to identify designated parking spaces shall be as included in the regulations associated with the amendments to the Highway Traffic Act and as laid out in Schedule "A" to this by-law, and shall be recognized as the official signage for all spaces to be used exclusively by permit holders. All signs shall be placed upright on a post so as to be clearly visible to the motoring public.

**"PENALTY"**

- 6. Any person who contravenes any provision of this by-law shall be guilty of an offence and upon conviction shall be liable to a fine of not more than \$5,000.00, exclusive of costs, and the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, shall apply.
  - a) "DELETED"
  - b) "DELETED"
  - c) "DELETED"
  - d) "DELETED"
  - e) "DELETED"
- 7. Where a vehicle is parked or found parked or left in contravention of any provision of this by-law, a Law Enforcement Officer so finding the vehicle may issue a Parking Infraction Notice in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.
- 7.1 Notwithstanding the provisions of Section 6, any person may, upon presentation of a parking Infraction Notice indicating the commission of an offence under any provision of this by-law, make voluntary payment to the City of Barrie in the amount as set out in Schedule B to this by-law.
- 7.2 Notwithstanding any other penalty imposed by this by-law, a Law Enforcement Officer may cause any vehicle found parked or left in contravention of the provisions of this by-law to be moved or taken to and placed or stored in a suitable place. Removal of the vehicle shall be at the owner's risk and expense and all such costs and charges for the removal, care and storage, if any, shall be collectable pursuant to the provisions of the Repair and Storage Liens Act, R.S.O. 1990, c. R.25.
- 7.3 For the purpose of this by-law:  
  
'Voluntary Payment' shall mean payment to the City of Barrie within seven (7) days, exclusive of Saturdays, Sundays and holidays, after the day the Parking Infraction Notice was issued."

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 and second time this 26th day of October, A.D. 1987.

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

**THE CORPORATION OF THE CITY OF BARRIE**

**“ORIGINAL SIGNED”**

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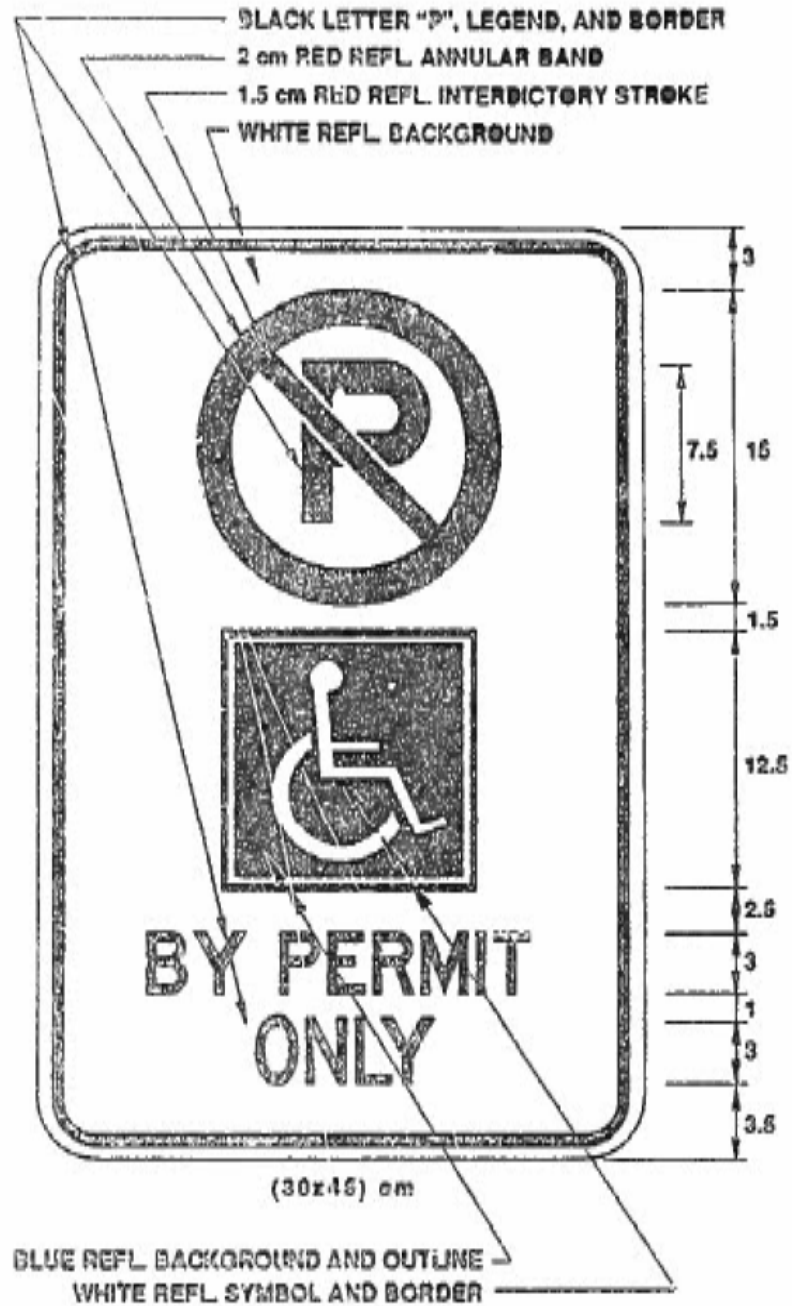
**MAYOR**

**“ORIGINAL SIGNED”**

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**CLERK**

SCHEDULE "A" TO BY-LAW 87-290



**SCHEDULE "B TO BY-LAW 87-290**

**SCHEDULE OF VOLUNTARY PAYMENTS**

<b>OFFENCE</b>	<b>SECTION #</b>	<b>VOLUNTARY PAYMENT</b>
Park on private property without permission	1	\$20.00
Park on municipal property without permission	1	\$20.00
Park on board property without permission	1	\$20.00
Park in physically disabled space/zone	5(ii)	\$50.00

**AMENDMENTS TO BY-LAW 87-290**

By-law 90-170	May 14, 1990
By-law 96-51	March 4, 1996
By-law 96-55	March 4, 1996
By-law 96-68	March 18, 1996