

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2292

Being a By-law establishing The Parking Authority of the City of North Bay.

WHEREAS The Municipal Act, R.S.O. 1960 Chapter 249 Section 277 Paragraph 68, as amended, authorizes the Council to pass a By-law for establishing a Parking Authority;

AND WHEREAS the Council of The Corporation of the City of North Bay deems it advisable to establish a Parking Authority as aforesaid;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. For the purposes of this By-law:
  - (a) "City" shall mean The Corporation of the City of North Bay.
  - (b) "Council" shall mean the Council of the Corporation of the City of North Bay.
2. A parking Authority to be known as The Parking Authority of the City of North Bay is hereby established and it is hereinafter referred to as The Parking Authority.
3. Upon the passing of this By-law all powers, rights, authorities and privileges conferred and duties imposed on The Corporation of the City of North Bay by any general or special Act with respect to the construction, maintenance, operation and management of municipal parking facilities shall be exercised by The Parking Authority aforesaid but subject to the limitations as set forth in this By-law.
4. (a) The Parking Authority hereby established is a body corporate and shall consist of three members, each of whom shall be a personsqualified to be elected as a member of City Council and shall be appointed by the Council of the affirmative vote of at least two-thirds of the members of the Council present and voting, and the members so appointed shall hold office for three years and until their successors are appointed.
  - (b) No member of the Council is eligible to be appointed a member of The Parking Authority.
  - (c) Where a vacancy in The Parking Authority occurs from any cause, the Council shall appoint immediately a person, qualified as set out in this section, to be a member, who shall hold office for the remainder of the term for which his predecessor was appointed.
  - (d) Any member is eligible for re-appointment on the expiration of his term of office.
  - (e) The Council may enact a By-law to provide that the Chairman of The Parking Authority shall be paid a salary at a rate no exceeding the sum of \$500.00 (five hundred dollars) per annum and to provide that each of the other two members of The Parking Authority shall be paid a salary at a rate not exceeding the sum of \$300.00 (three hundred dollars) per annum.

(f) The parking authority shall submit to the Council its estimates for the current year at the time and in the form prescribed by Council and make requisitions upon the Council for all sums of money required to carry out its powers and duties, but nothing herein divests the Council of its authority with reference to providing the money for the purposes of The Parking Authority, and when money is so provided by the Council, the treasurer of the municipality shall, upon the certificate of the parking authority, pay out such money.

(g) On or before the 1st day of March in each year, The Parking Authority shall submit its annual report for the preceding year to Council including a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.

(h) The City auditors shall be the auditors of The Parking Authority and all books, documents, transactions, minutes and accounts of The Parking Authority shall, at all times, be open to their inspection.

(i) The power, right, authority and privilege of the Council to raise money by the issue of debentures or otherwise for the acquisition of lands or construction of buildings shall not be transferred to the parking authority.

(j) Upon the repeal of this By-law establishing The Parking Authority, The Parking Authority shall cease to exist and its undertaking, documents, assets and liabilities shall be assumed by the City.

(k) The Treasurer of the City shall be the Treasurer of The Parking Authority.

(l) All banking transactions, including deposit of monies received by, for and on behalf of The Parking Authority and all disbursements on its behalf and other financial transactions and the accounting thereof shall be handled by the City through the Office of the City Treasurer.

(m) The Parking Authority shall fix rates and charges for the use of parking facilities under its control and management so that the revenue shall be sufficient to make such parking facilities self-sustaining.

(n) The Parking Authority shall have management and control of all off-street and on-street parking and shall receive all revenue therefrom.

(o) Subject to any statutory authority to the contrary, The Parking Authority shall receive the revenue from all fines paid out of Court for contravention of any City By-law or By-laws relating to parking.

(p) The revenue received by The Parking Authority shall be appropriated as follows:

- Firstly - in payment of operating expenses
- Secondly - in retiring debenture debt
- Thirdly - in acquisition of property and assets
- Fourthly - the remainder thereof shall be transferred to the general funds of the City.

(q) The Council shall enact the necessary By-law or By-laws for regulating and governing the parking of vehicles in the following places:

- (i) On City streets
- (ii) On land or in buildings owned or leased by the City
- (iii) On land or in buildings leased by The Parking Authority

and for imposing penalties for infractions of such By-law or By-laws.

(r) The Parking Authority shall have the right to obtain and pay for options for the purchase of lands and buildings in trust for the purposes of The Parking Authority and shall have the right to pay as consideration for the granting of any such option a sum not exceeding the sum of \$250.00. No option shall be exercised without first being approved by the Council.

(s) All lands and buildings acquired by The Parking Authority shall be acquired in the name of the City and shall be used by The Parking Authority for its purposes only, unless otherwise determined by resolution of the Council.

(t) The Parking Authority shall have the authority to enter into lease agreements in its own name for the purposes of The Parking Authority provided that the amount payable under any such lease agreement is provided for in the budget of The Parking Authority.

(u) The Parking Authority shall have no authority or power to borrow money.

(v) The Parking Authority shall be assessed and taxes upon the lands and buildings used by it, pursuant to the provisions of The Assessment Act and amendments thereto.

(w) The employees of The Parking Authority are hereby authorized and empowered (along with the members of the City Police Force) to enforce the provisions of all By-laws of the City relating to parking.

(x) The Parking Authority shall provide for its employees the same fringe benefits as City employees now receive. In the case of City employees being employed by The Parking Authority, the sick leave credits of such employees shall be transferred by the City to The Parking Authority and shall be credited to such employees.

READ A FIRST TIME IN OPEN COUNCIL THIS 13th DAY OF JUNE, 1966.

READ A SECOND TIME IN OPEN COUNCIL THIS 13th DAY OF JUNE, 1966.

READ A THIRD TIME IN OPEN COUNCIL THIS 13th DAY OF JUNE, 1966.

.....*R. J. Donnelly*.....  
DEPUTY MAYOR

.....*T. E. Armstrong*.....  
CITY CLERK