

**THE CORPORATION OF THE
TOWN OF WASAGA BEACH**

BY-LAW NO. 2011-52

**A BY-LAW TO AMEND BY-LAW NO. 2005-17, BEING A BY-LAW TO
ESTABLISH RATES AND REGULATIONS FOR THE PARKING OF
VEHICLES WITHIN THE TOWN OF WASAGA BEACH**

WHEREAS Section 8 of the *Municipal Act, 2001*, as amended provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS under Section 11 of the *Municipal Act, 2001*, as amended, a lower tier municipality may pass by-laws respecting matters within the sphere of jurisdiction set out therein;

AND WHEREAS Council of The Corporation of the Town of Wasaga Beach passed By-Law No. 2005-17, to establish rates and regulations for the parking of vehicles within the Town of Wasaga Beach, deems it expedient to amend the said by-law regarding provisions for parking rates and voluntary payment amounts;

NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach HEREBY ENACTS as follows:

1. THAT By-Law No. 2005-17, Section B, Prohibited Parking, is hereby amended, as follows:

Section B.2(d): No person shall park any vehicle in any parking lot or highway or part thereof described in Section C.1 and C.1.1, between the hours of 2:00 a.m. and 8:00 a.m. daily where appropriate sign stating "No Parking 2:00 a.m. to 8:00 a.m." have been erected and are on display.

2. THAT By-Law No. 2005-17, Section C, Restrictive Parking, is hereby amended, as follows:

Section C.1: No person shall park a vehicle, on a highway or part of a highway as listed below, between the hours of 7:00 a.m. one day to 2:00 a.m. the next day, daily, unless the driver of such vehicle deposits on the Parking Meter provided for the parking space the sum of one twenty-five (25) cent coin for each (7:30) seven minutes and 30 seconds, for each parking space used.

- a) First Street east from Beach Drive to Mosley Street
- b) Second Street (east side) from Beach Drive to Mosley Street.

3. THAT By-Law No. 2005-17, Section C, Restrictive Parking, is hereby amended, by adding the following:

Section C.1.1: No person shall park a vehicle on a highway or part of a highway as listed below between the hours of 7:00 a.m. one day to 2:00 a.m. the next day, daily unless the driver of such vehicle deposits in the Parking Ticket Dispenser provided for the parking space, the sum of two dollars (\$2.00) for the first one (1) hour and each subsequent one (1) hour, for each parking space used.

- a) Beach Drive (south side) from Main Street to Third Street;
- b) First Street (west side) from Beach Drive to Mosley Street;
- c) Third Street (east side) from Beach Drive to Mosley Street.

Section C.3.3: Where a driver, pursuant to Section C.3 above, deposits the sum of ten dollars (\$10.00) immediately being the flat rate for each day into the Parking Ticket Dispenser, and a validation ticket will be issued by the Dispenser.

4. THAT By-Law No. 2005-17, Section C, Restrictive Parking, is hereby amended, as follows:

Section C.4 Notwithstanding Section C, Subsection 15 of this By-Law no person shall park any vehicle in the “**#130 Main Street Parking Lot**” or the “**175 Main Street Parking Lot**” between the hours of 8:00 a.m. one day to 2:00 a.m. the next day, daily, unless the driver of such vehicle deposits the sum of five dollars (\$5.00) for the first three (3) hours or seven dollars (\$7.00) being the alternative flat rate for each day, into the Parking Ticket Dispenser, and a validation ticket will be issued by the Dispenser.

Section C.5 Notwithstanding Section C, Subsection 15 of this By-Law no person shall park any vehicle in the “**Dunkerron Avenue Lot**” between the hours of 8:00 a.m. one day to 2:00 a.m. the next day, on Saturday or Sunday or Statutory Holiday, unless the driver of such vehicle deposits the sum of five dollars (\$5.00) being the alternative flat rate for each day, into the Parking Ticket Dispenser, and a validation ticket will be issued by the Dispenser.

Section C.7 No person shall park a vehicle on a highway described in Section C, Subsection 1 or 1.1, or in any municipal parking lot unless the driver of such vehicle places the Validation Ticket issued by the Parking Ticket Dispenser face up on the dash of the vehicle, on the driver’s side, so as to be visible from the outside of the vehicle to indicate that the parking is paid for.

Section C.8 No driver of a vehicle shall allow such vehicle to remain parked on a highway as described in Section C, Subsection 1 or 1.1 or in a municipal parking lot unless said vehicle is displaying an unexpired Validation Ticket issued by the Parking Ticket Dispenser.

Section C.15 Notwithstanding Section C, Subsection 3, 3.3, 4, 5 or 6 of this By-Law, any person may apply to the Municipal Law Enforcement Officer for a parking permit to allow him to park in any municipal parking lot designated by this By-Law and, if such parking permit is granted and the prescribed fee is paid, the vehicle displaying the parking permit may occupy any of the individual parking spaces within said municipal parking lot without using the Parking Ticket Dispenser, provided that said vehicle does not remain in said individual parking space are for a period longer than the maximum time permitted by the machine for that individual parking space;

5. THAT By-Law No. 2005-17, Section D, Penalties, is hereby amended, by adding the following:

Section D.5(e) Any person who contravenes any section of this By-Law, except Section B.2(c) and is charged by way of Part II of the Provincial Offences Act, may, within seven (7) days of the date of the ticket was issued, report to the Town of Wasaga Beach Municipal Office and make voluntary payment in the amount, as set out in Schedule “C” (Early Payment Amounts), attached hereto and forming part of this By-Law, for the indicated offence in full satisfaction of the alleged offence;

Where such approval by the Regional Senior Justice is withheld, the existing sections 5(b) and 5(c) shall remain in force and effect.

Section D.5.1 Amend Sections 5(b) and 5(c) on the date, yet to be determined, that the Regional Senior Justice approved a revised “set fine” schedule for this By-Law, where at such time the following shall be amended: Section 5(b) and Section 5(c) shall be repealed and replaced with 5(e).

6. THAT By-Law No. 2005-17, be amended by adding Schedule “C”, Voluntary Payment Amounts, attached hereto and forming part of this By-Law on the date of approval by the Regional Senior Justice.

7. THAT all previous By-Laws and resolutions and parts of by-laws and resolutions relating to the establish rates and regulations for the parking of vehicles within the Town of Wasaga Beach inconsistent with the provisions of this by-law, are hereby repealed.
8. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 24TH DAY OF MAY, 2011.

Cal Patterson, Mayor

Twyla Nicholson, Clerk