

CITY OF HALIFAX

ORDINANCE NUMBER 173

RESPECTING GRANVILLE MALL

BE IT ENACTED by the City Council of the City of Halifax under the authority of Section 583 of the Halifax City Charter, 1963, as follows:

Number and Short Title 1. This Ordinance shall be known as Ordinance Number 173 and may be cited as the "Granville Mall Ordinance".

Definition 2. In this Ordinance "vehicle" includes automobile, truck, bus, motorcycle, tractor engine, firm tractor, road building machine and any conveyance drawn, propelled or driven by any kind of power, including muscular power but not including a baby carriage or wheel chair.

3. All that part of Granville Street lying between the northern boundaries of Duke Street and Buckingham Street, is hereby established as a pedestrian mall, herein referred to as "the Mall".

4. (1) Except as provided in this section, no person shall draw, proper, drive, park or stop any vehicle on or along the Mall at any time.

 (2) The provisions of this section shall not apply to a vehicle operated on the mall for the construction or maintenance purposes of the City of Halifax, the Nova Scotia Power Corporation, the Public Service Commission or Maritime Telephone and Telegraph Company.

 (3) Vehicles engaged in the construction, repair or maintenance of buildings abutting the Mall at such times as may be permitted in writing by the City Manager.

 (4) A vehicle except taxis licensed under Ordinance 116, may enter upon the Mall at any time between 7:30 a.m. and 10:30 a.m. and between 6:00 p.m. and 7:00 p.m. for the purpose of loading or unloading goods at any premises abutting on the Mall or where such vehicle is required for the

purpose of building repair.

(5) Bicycles may be walked but not driven, on the Mall for the purpose of reaching designated bicycle storage areas. Bicycles shall be parked only at designated parking areas.

5. The Mall may be used by all pedestrians for all purposes for which a sidewalk may be used.

6. (1) The City Manager may issue a license or licenses for the following uses of the Mall,

Class A - Licenses of this class may be granted only for a use of the Mall of seven (7) days to five (5) months continuous duration where the licensee requires the occupation of a specific area of the Mall.

Class B - Licenses of this class may be granted only for a commercial use of the Mall of less than seven (7) days duration. No more than three such licenses shall be granted to any one applicant during any one calendar year.

Class C - Licenses for this class may be granted only for shows, exhibitions, bazaars or other performances for the entertainment of pedestrians on the Mall.

(2) The fee for each license to be paid by the applicant shall be,

(a) For Class A licenses, \$2.50 per square foot of space occupied per season.

(b) For Class B licenses, \$0.06 per square foot of space occupied per day or \$5.00 minimum.

(c) For Class C licenses, \$6.00 per day.

(3) The City Manager shall refuse to grant a license or may suspend or revoke a license, where the use put to the Mall may or does,

- (a) hinder the passage of emergency vehicles through the Mall.
- (b) interfere with the use of other licensees by reason of the nature of the use, the conduct of the licensee, its employees or patrons or the number of licenses granted.
- (c) cause unreasonable wear and tear or damage to the Mall, whether by the licensee or its patrons.
- (d) cause litter or dirt of any kind to be placed on the Mall, whether by the licensee or its patrons.
- (e) failure of the licensee to comply with any condition under which the license is issued.

(4) The City Manager may designate the times during which any activity may be carried on and its location, and the manner of conducting same.

7. (1) Where any offence is committed against this Ordinance through the improper use or parking of a motor vehicle, the owner as defined in the Motor Vehicle Act, of the vehicle shall incur any penalty imposed as a result of such violation.

(2) Any vehicle found on the Mall in violation of this Ordinance, may be seized by a peace officer and detained until the expenses of removal and detention have been paid.

Penalties

8. A person who violates or fails to comply with any provision of this Ordinance shall be guilty of an offence, and, upon summary conviction, shall be liable to a fine of not more than Five Hundred Dollars (\$500.00) or in default of payment to imprisonment for a period not exceeding sixty (60)

days.

WE HEREBY CERTIFY THAT ORDINANCE NUMBER 173 "RESPECTING GRANVILLE MALL" WAS READ AND PASSED A FIRST AND SECOND TIME AT REGULAR MEETINGS OF THE HALIFAX CITY COUNCIL HELD ON AUGUST 14 AND OCTOBER 16, 1980, RESPECTIVELY.

(Signed) Ronald J. Hanson
MAYOR

(Signed) G.I. Blennerhassett
CITY CLERK

Notice of Motion to Introduce: June 26, 1980
First Reading: August 14, 1980
Committee of the Whole Council: October 8, 1980
Second Reading: October 16, 1980
Approval of M.M.A.: November 17, 1980

AMENDMENTS:

No. 1 Amendments: Section 4(2), 4(3), 4(5), Sec. 6, Sec. 7,
 new Sec. 8
 Notice of Motion to Introduce: April 28, 1983
 First Reading: May 12, 1983
 Committee of the Whole Council: May 18, 1983
 Second Reading: May 26, 1983
 Approval of M.M.A. (with amendments) July 12, 1983
 Ratified by Council: July 14, 1983

No. 2 Amendment: Section 6, subsection (2), clause (a)
 Notice of Motion to Introduce: October 1, 1992
 First Reading: October 15, 1992
 Committee of the Whole Council: October 21, 1992
 Second Reading: October 29, 1992
 Approval of M.M.A. is not required (Chapter 41, Acts
 of 1992)

No. 3 Amendment: Section 6, subsection (2), clause (a)
 (b) and (c)
 Notice of Motion to Introduce: November 17, 1994
 First Reading: December 1, 1994
 Committee of the Whole: December 7, 1994
 Second Reading: December 15, 1994
 Approval of M.M.A. is not required (Chapter 41, Acts
 of 1992)

No. 4 Amendment: Section 6, subsection (2), clause (a)
Notice of Motion: May 27, 1997
First Reading: June 17, 1997
Second Reading: July 8, 1997
Third Reading: July 8, 1997
App. of Minister of Housing & Municipal Affairs: N/A
Effective Date: July 12, 1997