

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by 

SUBMITTED BY:

Jacques Dubé, Chief Administrative Officer

DATE: August 1, 2018

SUBJECT: By-Law P-1200 – Respecting On-Street Parking Permits

ORIGIN

At its meeting of June 16, 2015, Halifax Regional Council approved a motion to:

1. Request staff to initiate amendments to By-law P-1000 Respecting On-Street Parking Exemptions and Permits as identified in Table 1 in the Discussion section of the report dated March 3, 2015, to provide improved resident parking options to accommodate caregivers, service providers, guests, borrowed vehicles and to accommodate residents who cannot access their private driveways during Municipal capital works.
2. Request staff to initiate changes to By-laws P-500 and P-1000 to exempt municipal vehicles from on-street parking and parking meter regulations.

At its meeting of November 14, 2017, Halifax Regional Council approved a motion to direct the Chief Administrative Officer to include provision in amendments to By-law P-1000 to:

1. Create designated parking spaces and associated permits for operators of non-station based carshare vehicles;
2. Include all carshare vehicles as being eligible for residential parking exemptions; and
3. Allow station-based carshare vehicles to have the home-based parking designated on-street.

LEGISLATIVE AUTHORITY

Motor Vehicle Act, R.S.N.S. 1989, c. 293, s. 153, allowing Council to make by-laws prohibiting or restricting “the parking or leaving standing of vehicles except in accordance with a sign or device on a parking meter”.

Motor Vehicle Act, R.S.N.S. 1989, c. 293, S. 154, allowing Council to make a by-law “exempting person or vehicles from parking restrictions within the city, town or municipality and providing for permits to be issued to those who are exempted”.

Halifax Regional Municipality Charter, 2008, c. 39, Part VII, including subsection 188(2) "...the Council may, in any by-law (e) provide for a system of licenses, permits or approvals....and (f) where decision making is delegated by by-law to a person or committee other than the Council, provide for an appeal of the decision, the body that is to decide the appeal and related matters".

Halifax Regional Municipality Charter, 2008, c. 39, Part XII, subsection 321(8), Traffic Authority.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Move First Reading of proposed *By-law P-1200, Respecting On-Street Parking Permits*, repealing and replacing *By-law P-1000, Respecting On-Street Parking Exemptions and Permits* as set out in Attachment 1;
2. Move First Reading of proposed *By-law P-506, Amending By-law P-500, Respecting Parking Meters for the Regulation of Parking of Vehicles Left Standing in the Halifax Regional Municipality* as set out in Attachment 4; and
3. Adopt amendments to Administrative Order 15 Respecting License Permit and Processing Fees as set out in Attachment 2.

BACKGROUND

The proposed new By-law P-1200 Respecting On-Street Parking Permits would replace P-1000 On-Street Parking Exemptions and Permits which came into effect in March 2003. The types of streets to which P-1000 and this proposed new by-law apply are primarily residential streets that have parking restrictions such as a time limit (e.g. one hour or two hours), that restrict parking during particular times of the day (typically for one hour in the middle of the morning and/or the middle of the afternoon), or Permit Parking Only. Almost all such streets are in the Regional Centre and are in, or adjacent to, commercial, recreational or institutional areas that have non-residential parking demands for customers and employees. The lack of private driveways for residences on some of these streets further impacts the management of on-street parking.

The proposed by-law reflects the Residential On-Street Parking Policy (2002). The objectives of the Residential On-Street Parking Policy are to:

1. Improve the ability of local residents to obtain required parking on their street.
2. Reduce the incidence of blocked driveways by all day parkers on local streets.
3. Provide non-local residents with valid parking in high demand areas without having a negative effect on residential neighbourhoods.
4. To optimize the balance of parking between local and non-local residents.

The "Regional Parking Strategy Functional Plan" was approved by Regional Council in 2008. This Plan makes a number of recommendations related to residential on-street parking management which were considered in the development of the new by-law. These include:

- Implementation of a zone-based permit system;
- Continuation of the Permit Parking Only program to price commuter parking and better manage residential streets with high demands;
- More options for visitor parking; and,
- Maintain existing price structure for permits.

The “Integrated Mobility Plan”, approved by Regional Council in 2017 includes Action 129 which states “re-write By-law P-1000 to reflect the Curbside Priority Chart. The Curbside Priority Chart (Figure 25 in the Integrated Mobility Plan) gives high priority to accommodating carshare vehicles and puts the parking needs of residents above the parking demands of commuters and the tenants of high density residential units.

DISCUSSION

This new by-law aims to better accommodate issues that have been raised related to the management of on-street parking in residential areas including:

- Increased flexibility for residents to park in their neighbourhood (zone) as opposed to limited permit only spaces on the street on which they reside;
- Accommodation of residents who live on streets with no parking at any time or bike lanes. Since there is no parking on their street block or adjacent blocks, they are not eligible for residential parking exemptions under the current by-law;
- More convenient options (e.g. on-line) to purchase parking permits;
- Resident parking requirements when Municipal capital projects in the right-of-way inhibit access to private driveways;
- Residential visitor parking requirements such as service vehicles, contractors as well as resident use of car share vehicles and rental cars;
- Exemptions for carshare vehicle organizations, as approved by Council as an action in the Integrated Mobility Plan;
- Municipal vehicles performing a variety of services including by-law enforcement, inspections, and repairs; and,
- Facilitating parking for personal nursing care or other types of in home support providers.

The primary issues that have been raised by residents with respect to caregivers include access to on-street parking in Permit Parking Only areas and on streets with very high occupancy, as well as challenges performing services within the parking time limit as posted on residential streets and at parking meters.

The Victorian Order of Nurses (VON) was consulted in the development of the new by-law. Their nurses experience on-street parking challenges where the client has no private driveway or available off-street parking. While most of their clients live on residential streets, some live in buildings located on more commercial streets where parking meters are located. The proposed by-law changes improve the flexibility for residents to accommodate visitors and service providers; however, the changes do not propose an exemption from payment at parking meters for home care service providers.

The key new provisions in By-law P-1200 Respecting On-Street Parking Permits and their rationale include:

- 1) Implementation of a zone-based permit system for resident and visitor permits. Under the current By-law P-1000, holders of residential parking exemptions and visitor parking exemptions must park on their street-block. The rationale for moving to a zone system is that it was a recommendation of the Regional Parking Strategy Functional Plan and because it offers greater flexibility for residents and their visitors. Also, under the current by-law residents who live on streets with no parking on their block or adjacent blocks (e.g. parts of North Street) or a bike lane (e.g. Windsor Street) are not eligible for residential parking exemptions. Under this new by-law, the zone system will enable them to park on-street within their zone;

- 2) Changing the names of the Permits. Under By-law P-1000, the terms used were: “Residential Parking Exemption” and “Visitor Parking Exemption”. Under P-1200, these would be identified as “Annual Residential Parking Permit” and “Temporary Visitor Parking Permit” to better communicate their purpose in plain language;
- 3) Changing the term of Residential Parking Permits. Under P-1000 the term of a Residential Parking Exemption was fixed from June 1st to May 31st. Under the P-1200 the term would be for 12 months, regardless of when it was purchased. This is beneficial for residents who are guaranteed a full year for their fee and, it is expected that this will result in a reduced administrative burden associated with renewing all residential permits at one point during the year;
- 4) New and more flexible accommodation for visitors and for residents who do not own vehicles. Currently, visitor parking exemptions are sold in one day and fourteen day increments and they are not transferable;
To address these issues, P-1200 proposes the following:
 - a) An “Annual Visitor Parking Permit” that would only be available for residents without private driveways. This would be transferable to any vehicle, so long as they are connected to accommodating legitimate visitor parking requirements (e.g caregiving, service calls, other visits). Such permits could also be used on rental or car share vehicles being used by residents;
 - b) All other Temporary Visitor Parking Permits (one day, 14 days and one month) would be transferable. This is to provide greater flexibility for residents, particularly if the permit is related to construction projects where the vehicles being used may change from day to day. In addition, the one month option for a visitor permit was added for temporary parking requirements that may extend for a longer duration (e.g. for a major construction project).
- 5) Creation of a new Municipal Parking Permit to facilitate the ability of specifically designated Municipal vehicles to park when performing Municipal duties;
- 6) Creation of a Temporary Resident Parking Permit. This permit would be offered to residents on streets experiencing a municipal capital works project that restricted access to private driveways. This Permit would be free and would allow affected residents to park within their zone. It would be made available to residents as part of the standard communications that are issued to residents as part of the construction process;
- 7) Creation of an Annual Shared Vehicle Permit that allows for the designation of parking spaces specifically for the use of both station-based and non-station-based carshare vehicles as proposed in the Integrated Mobility Plan;
- 8) An increase to the cost of Monthly Parking Permits in Permit Cost Area “A” (downtown Halifax and the immediate surrounding area) from \$40 to \$45. These permits, available to residents who do not live on the street for which the permit is issued, routinely sell out in Area “A”. A small increase to the monthly rate will help to moderate demand and provide a more equitable fee to those charged by off-street parking providers within that area. No change to the cost of permits in other areas is proposed.

It should be noted that implementation of the Parking Technology Upgrade recommended in the Parking Roadmap, approved by Regional Council in 2013, will result in the need for additional modifications to this by-law. Those changes will be brought before Regional Council once the business processes associated with issuing and enforcing permits is determined. These processes are expected to provide even greater simplicity and flexibility to residents.

In addition to the substantive changes proposed by By-law P-1200, the addition of one clause to By-law P-500 is proposed to support the addition of a Municipal Parking Permit. That change is reflected in Attachment 3 of this report.

FINANCIAL IMPLICATIONS

There are no significant financial implications to this new by-law. Minimal changes to administrative and enforcement burden are anticipated. The proposed minor increase to the cost of some monthly permits is expected to generate a revenue increase of approximately \$2000 annually.

COMMUNITY ENGAGEMENT

Many of the new permit types proposed in this by-law are based on feedback from residents, often as part of formal resident engagement process associated with the implementation of Permit Parking Only. Staff spoke with a representative of the VON to better understand the parking issues faced by homecare nurses. Public engagement associated with the Integrated Mobility Plan generated a number of comments related to the management of on-street parking in residential areas that are addressed in these proposed by-law changes.

ENVIRONMENTAL IMPLICATIONS

There are no implications.

ALTERNATIVES

Regional Council may direct staff to consider additional exemptions to be included in this By-law. Council may choose to, (a) adopt the By-law as proposed and direct staff return to Council with amendments, or (b) direct staff to make amendments prior to adopting the By-law.

ATTACHMENTS

- Attachment 1: Proposed By-Law P-1200 – Respecting On-Street Parking Permits
- Attachment 2: Proposed Amendments to Administrative Order 15 License, Permit and Processing Fees
- Attachment 3: Showing Proposed Changes to By-Law P-500 Respecting Parking Meters
- Attachment 4: By-law P-506, amending By-law P-500

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Victoria Horne, Parking Services Program Manager, 902.292.8434

Attachment 1
(Proposed *On-Street Parking Permits By-law*)

HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER P-1200
RESPECTING ON-STREET PARKING PERMITS

BE IT ENACTED by the Council of the Halifax Regional Municipality under the authority of section 154 of the *Motor Vehicle Act*, R.S.N.S., 1989, c. 293, as amended, as follows:

Short Title

1. This By-law may be cited as the “*On-Street Parking Permits By-law*”.

Interpretation

2. In this By-law,

(a) “Annual Resident Parking Permit” means an annual permit that is issued to a resident for use only in the zone in which the resident resides, as set out in sections 10-15;

(b) “Annual Carshare Vehicle Permit” means an annual permit that is issued to a carshare vehicle organization for use in zones designated as set out in sections 45-49;

(c) “Annual Visitor Parking Permit” means an annual permit that is issued to a resident for use only in the zone in which the resident resides, as set out in sections 24-28;

(d) “building owner” means the owner or owners of a building containing not more than four (4) dwelling units;

(e) “CAO” means the Chief Administrative Officer of the Municipality;

(f) “carshare vehicle” means a four-wheeled automobile, van, or pick-up truck owned and operated by a carshare vehicle organization;

(g) “carshare vehicle organization” means a legal entity whose principal business is to provide its members, for a fee, with a vehicle-sharing service by which such members have access to a fleet of shared vehicles, numbering no fewer than ten, which they may reserve for use on an hourly basis and which the Parking Administrator has approved;

(h) “commercial motor vehicle” means a motor vehicle having attached thereto a truck or delivery body and includes an ambulance, hearse, casket wagon, fire apparatus, police patrol, motor bus, and other motor vehicles used for the transportation of goods;

- (i) “day” means a calendar day;
- (j) “dwelling unit” means living quarters that
 - (i) are accessible from a private entrance, either outside the building or in a common area within the building,
 - (ii) are occupied or, if unoccupied, are reasonably fit for occupancy,
 - (iii) contain kitchen facilities within the unit, and
 - (iv) have toilet facilities that are not shared with the occupants of other dwelling units;
- (k) “employee” means an employee of the Municipality;
- (l) “exemptible traffic sign” means a sign erected by the Traffic Authority:
 - (i) permitting one hour parking,
 - (ii) permitting two hour parking,
 - (iii) prohibiting parking for an hour in the morning or the afternoon,
 - (iv) prohibiting parking for an hour in both morning and afternoon, or
 - (v) prohibiting parking except by permit;
- (m) “inspector” means a construction inspector of the Municipality, or such other persons as designated by the CAO;
- (n) “Monthly Parking Permit” means a monthly permit issued to any individual for use only on a street or street block approved by the Parking Administrator, as set out in sections 34-39;
- (o) “Municipal Parking Permit” means a permit issued to the Municipality or an employee of the Municipality, as set out in sections 40-44;
- (p) “Municipality” means the Halifax Regional Municipality;
- (q) “Parking Administrator” means the person appointed by the CAO to be the Parking Administrator and includes a designate of the Parking Administrator;
- (r) “parking meter” means a mechanical or electronic device that indicates that a period of time shall be purchased by payment during which parking is permitted in the parking space to which such meter relates;

(s) “pay station” means a mechanical or electronic device that indicates a period of time shall be purchased by payment during which parking is permitted in the pay parking zone to which such station relates, excluding a parking meter;

(t) “recreational vehicle” means a motor vehicle designed, constructed or reconstructed, equipped and used or intended to be used primarily for sleeping, eating and living quarters, and includes a motorized home or a bus converted for such purposes;

(u) “Temporary Resident Parking Permit” means a temporary permit that is issued to a resident for use only in the zone in which the resident resides, as set out in sections 16-23;

(v) “Temporary Visitor Parking Permit” means a temporary permit that is issued to a resident or building owner for use by visitors, as set out in sections 29-33;

(w) “Traffic Authority” means the Traffic Authority of the Municipality appointed pursuant to section 321 of the *Halifax Regional Municipality Charter* and section 86 of the *Motor Vehicle Act*;

(x) “vehicle owner” means the person issued the vehicle’s license plates, as indicated on the Vehicle Permit for the vehicle, and includes any other person who holds the legal title of the vehicle; and,

(y) “zone” means a geographical area set out in Schedule A of this By-law in respect of which a permit may be issued.

Application of By-law

3. The Municipality is divided into zones as set out in Schedule A.

4. A permit issued under this By-law shall be an exemption for the particular permit issued.

5. This By-law creates the following permits:

- (a) Annual Resident Parking Permit;
- (b) Temporary Resident Parking Permit;
- (c) Annual Visitor Parking Permit;
- (d) Temporary Visitor Parking Permit;
- (e) Monthly Parking Permit;

- (f) Municipal Parking Permit; and
- (g) Annual Carshare Vehicle Parking Permit

6. For the Annual Resident Parking Permit, the Temporary Resident Parking Permit, and the Carshare Vehicle Parking Permit this By-law shall apply only to the following eligible vehicles:

- (a) a private passenger vehicle other than recreational vehicle;
- (b) a motorcycle; and
- (c) trucks of less than one ton capacity.

7. For the Annual Visitor Parking Permit, the Temporary Visitor Parking Permit, the Monthly Parking Permit, and the Municipal Parking Permit, this By-law shall apply to all vehicles:

- (a) private passenger vehicles other than recreational vehicles;
- (b) motorcycles; and
- (c) commercial motor vehicles.

8. Any permit issued pursuant to this By-law is an exemption from certain parking restrictions within the Municipality as set out in this By-law.

Required Information for Parking Permits

9. An applicant for every permit other than the Temporary Resident Parking Permit shall provide the following information to the Parking Administrator:

- (a) the completed Application; and,
- (b) any fee prescribed by *Administrative Order 15*.

Annual Resident Parking Permit

10. The purpose of the Annual Resident Parking Permit is to increase access to on-street parking for residents that own or lease vehicles.

11. A person is eligible for an Annual Resident Parking Permit if:

- (a) the person resides in the zone in which the Annual Resident Parking Permit will apply;
- (b) a valid Annual Resident Parking Permit has not already been issued for the dwelling unit where the applicant resides; and,

(c) the person is a resident of a building containing not more than four (4) dwelling units.

12. The Parking Administrator may only issue one (1) Annual Resident Parking Permit per dwelling unit.

13. An Annual Resident Parking Permit:

(a) shall only be used in the zone for which it was issued;

(b) may be transferred between two vehicles;

(c) shall only be used on the vehicle or vehicles displaying the license plate number as shown on the copy of the valid Vehicle Permit or Vehicle Permits provided to the Parking Administrator pursuant to clause 13(b);

(d) shall be immediately void if a permit holder changes his or her place of residence, but the Parking Administrator may issue a new Annual Resident Parking Permit to the permit holder without an additional charge for the remainder of the term of the voided permit;

(e) shall allow the operator of a vehicle to which the Annual Resident Parking Permit is affixed to park at exemptible traffic signs; and,

(f) shall expire one (1) calendar year after the date of issue.

14. In addition to the information required pursuant to section 8, an applicant for an Annual Resident Parking Permit shall provide the Parking Administrator with the following information:

(a) written proof of the residential address of the applicant dated within thirty (30) days from the date of the application;

(b) a copy of the valid Vehicle Permit or Vehicle Permits to which the parking permit will apply; and,

(c) if the applicant is not the vehicle owner of one or both of the vehicles:

(i) a written authorization signed by the vehicle owner authorizing the applicant to use the vehicle; or,

(ii) a signed authorization by vehicle use contract.

15. If an Annual Resident Parking Permit is issued to a vehicle owner and that vehicle owner transfers his or her license plate to another vehicle:

(a) the Annual Resident Parking Permit shall not be used for the vehicle to which the license plate was transferred until the permit holder provides the Parking Administrator with a copy of the Vehicle Permit for the vehicle to which the plate was transferred; and,

(b) the Annual Resident Parking Permit shall not be used on the vehicle from which the plate was transferred.

Temporary Resident Parking Permit

16. The purpose of the Temporary Resident Parking Permit is to increase access to on-street parking for residents that have access to privately owned driveways substantially limited by municipal works.

17. An individual is eligible for a Temporary Resident Parking Permit if:

(a) the individual resides in the zone in which the Temporary Resident Parking Permit will apply;

(b) the individual is a resident of a building containing not more than four (4) dwelling units;

(c) the individual has access to a private driveway; and,

(d) in the inspector's opinion, access to that private driveway is, or will be, substantially limited by the Municipality or its contractors in the course of completing work for the Municipality.

18. The Parking Administrator may not issue more than two (2) Temporary Resident Parking Permits to each dwelling unit.

19. A Temporary Resident Parking Permit:

(a) shall only be used in the zone for which it was issued;

(b) shall be immediately void if a permit holder changes his or her place of residence;

(c) shall allow the operator of a vehicle to which the permit is affixed to park at exemptible traffic signs; and,

(d) shall expire on the date determined by the Parking Administrator as outlined in sections 20 or 21.

20. If an inspector determines that access to a private driveway is, or will be, substantially limited by the Municipality or its contractors in the course of completing work for the Municipality, the inspector shall request the Parking Administrator issue Temporary Resident Parking Permits and provide to the Parking Administrator the number of such permit required and how long the permits are needed.

21. Upon receiving the request from the Inspector, the Parking Administrator may:

(a) issue the Temporary Resident Parking Permits to the resident; and,

(b) set dates upon which the Temporary Resident Parking Permits will commence and expire, but the expiry date shall be no greater than ninety (90) days from the date of issue.

22. If the inspector determines that the work being conducted by the Municipality or its contractors will extend beyond the expiration date listed on the permit:

(a) the inspector shall inform the Parking Administrator of the need to extend the permit; and,

(b) the Parking Administrator may extend the expiration date of the permit to a date recommended by the inspector, but in no case shall any extension exceed ninety (90) days.

23. (1) For the purposes of the Temporary Resident Parking Permit, the Parking Administrator may appoint an inspector or inspectors to stand in the place and stead of the Parking Administrator.

(2) The Parking Administrator may set a period of time for which the appointment is valid and may rescind any appointment made pursuant to subsection 22(1).

(3) An inspector appointed pursuant to subsection 22(1) shall provide the Parking Administrator with any information the Parking Administrator requires.

Annual Visitor Parking Permit

24. The purpose of the Annual Visitor Parking Permit is to increase access to on-street parking for:

(a) residents that borrow or rent vehicles; and,

(b) individuals that visit or provide services to residents.

25. An individual is eligible for an Annual Visitor Parking Permit if:

(a) the individual resides in the zone in which the Annual Visitor Parking Permit will apply;

(b) a valid Annual Visitor Parking Permit has not already been issued for the dwelling unit where the applicant resides;

(c) the individual is a resident of a building containing not more than four (4) dwelling units; and,

(d) the applicant does not have access to a private driveway located on the property of the resident.

26. The Parking Administrator may only issue one (1) Annual Visitor Parking Permit per dwelling unit.

27. An Annual Visitor Parking Permit:

(a) is transferrable between vehicles;

(b) shall only be used in the zone for which it was issued;

(c) shall only be used:

(i) by an operator of a vehicle who:

(A) does not reside at the residence of the permit holder; and,

(B) is visiting the permit holder at their place of residence; or,

(ii) by a permit holder if the permit holder is not the vehicle owner of the vehicle to which the permit is affixed;

(d) shall only be used by a commercial vehicle when that vehicle is being used to support the provision of a service to the resident to whom the Annual Visitor Parking Permit was issued;

(e) shall be immediately void if a permit holder changes his or her place of residence, but the Parking Administrator may issue a new Annual Visitor Parking Permit to the permit holder without an additional charge for the remainder of the term of the voided permit;

(f) shall allow the operator of a vehicle to which the permit is affixed to park at exemptible traffic signs; and,

(g) shall expire one (1) calendar year after the date of issue.

28. In addition to the information required pursuant to section 8, an applicant for an Annual Visitor Parking Permit shall provide the Parking Administrator with written proof of

the residential address of the applicant dated within thirty (30) days from the date of the application.

Temporary Visitor Parking Permit

29. The purpose of the Temporary Visitor Parking Permit is to increase access to on-street parking for residents and building owners that have short term parking needs.

30. An applicant is eligible for a Temporary Visitor Parking Permit if:

(a) the applicant:

(i) resides in the zone in which the Temporary Visitor Parking Permit will apply; and,

(ii) is a resident of a building containing not more than four (4) dwelling units;
or,

(b) the applicant is a building owner in the zone in which the Temporary Visitor Parking Permit will apply.

31. (1) There is no maximum number of Temporary Visitor Parking Permits that the Parking Administrator may issue per dwelling unit or per building owner, provided that there shall be no more than one permit issued at any given term.

(2) For greater certainty, the Parking Administrator shall not issue an additional Temporary Visitor Parking Permit to an applicant if the applicant applied for Temporary Visitor Parking Permit covers any portion of the term of any other Temporary Visitor Parking Permit already issued to the applicant.

(3) If a building is owned by more than one person, only one building owner may hold a valid Temporary Visitor Parking Permit for that building at any given time.

32. A Temporary Visitor Parking Permit:

(a) shall only be used in the zone for which it was issued;

(b) may be issued for a term of one (1) day, fourteen (14) days, or thirty (30) days;

(c) is transferrable between vehicles;

(d) shall only be used by a commercial motor vehicle when that vehicle is being used to support the provision of a service to the permit holder;

(e) shall allow the operator of a vehicle to which the Temporary Visitor Parking Permit is affixed to park at exemptible traffic signs;

(f) shall expire one (1) day, fourteen (14) days, or thirty (30) days after the date of issue, depending on the term for which the Temporary Visitor Parking Permit was issued; and,

(g) shall be immediately void if:

(i) for a permit holder that is a resident of a building containing not more than four (4) dwelling units, the permit holder changes his or her place of residence;

(ii) for a permit holder that is a building owner, the permit holder sells his or her interest in the building for which the permit was issued,

but the Parking Administrator may issue a new Temporary Visitor Parking permit to the permit holder without an additional charge for the remainder of the term of the voided permit.

33. In addition to the information required pursuant to section 8, an applicant for a Temporary Visitor Parking Permit shall provide the Parking Administrator with:

(a) for a resident of a building containing not more than four (4) dwelling units, written proof of the residential address of the applicant dated within thirty (30) days from the date of the application;

(b) for a building owner, written proof that the applicant owns an interest in the building for which the permit will be issued.

Monthly Parking Permits

34. The purpose of the Monthly Parking Permit is to increase access to on-street parking.

35. All individuals are eligible for a Monthly Parking Permit.

36. The Parking Administrator shall issue no more than one (1) Monthly Parking Permit to any individual.

37. A Monthly Parking Permit:

(a) shall set the street block;

(b) shall only be used on the street or street block for which it was issued;

(c) shall enable the permit holder to park only in an area designated by the Traffic Authority as parking by permit only;

(d) is transferrable between two vehicles;

(e) shall only be used on the vehicle or vehicles displaying the license plate number as shown on the copy of the valid Vehicle Permit or Vehicle Permits provided to the Parking Administrator pursuant to subsection 37(a); and,

(f) shall expire at 11:59 pm on the last day of the month for which the permit was issued.

38. In addition to the information required pursuant to section 8, an applicant for a Monthly Parking Permit shall provide the Parking Administrator with the following information:

(a) a copy of the valid Vehicle Permit or Vehicle Permits to which the parking permit will apply; and,

(b) if the applicant is not the vehicle owner of one or both of the vehicles:

(i) a written authorization signed by the vehicle owner authorizing the applicant to use the vehicle; or

(ii) a signed authorization by vehicle use contract.

39. If a Monthly Parking Permit is issued to a vehicle owner and the vehicle owner transfers his or her license plate to another vehicle:

(a) the Monthly Parking Permit shall not be used for the vehicle to which the license plate was transferred until the permit holder provides the Parking Administrator with a copy of the Vehicle Permit for the vehicle to which the plate was transferred; and,

(b) the Monthly Parking Permit shall not be used on the vehicle from which the plate was transferred.

Municipal Parking Permit

40. The purpose of the Municipal Parking Permit is to increase access to on-street parking for the Municipality and for municipal employees in order to promote the efficient operation of the Municipality.

41. A Municipal Parking permit may be issued by the Parking Administrator:

(a) to an applicant only if he or she is an employee; or,

(b) to the Municipality for use on a vehicle owned by the Municipality.

42. The Parking Administrator shall issue no more than one (1) Municipal Parking Permit per eligible vehicle.

43. A Municipal Parking Permit:

(a) shall, if issued to an employee, only be used in the course of employment with the Municipality;

(b) shall allow the operator of a vehicle to which the permit is affixed to park at exemptible traffic signs;

(c) shall exempt the operator of a vehicle to which the permit is affixed from payment at parking meters or pay stations;

(d) may be used in any zone;

(e) shall, if issued to an employee, expire on the earlier of:

(i) one (1) calendar year after the date of issue; or

(ii) at 11:59 pm on the day the employee ceases employment with the Municipality.

(f) shall, if issued to the Municipality, expire one (1) calendar year after the date of issue; and,

(g) shall only be used on the vehicle displaying the license plate number as shown on the copy of the valid Vehicle Permit provided to the Parking Administrator pursuant to section 43.

44. In addition to the information required pursuant to section 8, an applicant who applies for a Municipal Parking Permit shall provide the Parking Administrator with the following information:

(a) if the applicant is the Municipality, a copy of the valid Vehicle Permit for the vehicle to which the Municipal Parking Permit will apply; or

(b) if the applicant is an employee:

(i) a copy of the valid Vehicle Permit for the vehicle to which the Municipal Parking Permit will apply; and,

(ii) confirmation from the CAO or a designate of the CAO:

(A) that the applicant is an employee of the Municipality; and,

(B) that the employee requires the Municipal Parking Permit for the purposes of their employment.

Annual Carshare Vehicle Parking Permit

45. The purpose of the Annual Carshare Vehicle Parking Permit is to increase access to on-street parking for carshare vehicles.

46. An Annual Carshare Vehicle Parking Permit may be issued by the Parking Administrator to an approved carshare vehicle organization.

47. The Parking Administrator shall issue no more than one (1) Annual Carshare Vehicle Parking Permit per eligible carshare vehicle.

48. The applicant must provide the Parking Administrator the license plate number and valid Vehicle Permit for which the Annual Carshare Vehicle Parking Permit is to be issued.

49. An Annual Carshare Vehicle Parking Permit shall:

(a) allow the driver or operator of a vehicle to which the permit is affixed to park in areas marked as “No Parking Except with Carshare Permit”;

(b) allow the operator of a vehicle to which the permit is affixed to park at exemptible traffic signs in any zone;

(c) expire one (1) calendar year after the date of issue; and,

(d) only be used on the vehicle displaying the license plate number as shown on the copy of the valid Vehicle Permit provided to the Parking Administrator.

GENERAL CONDITIONS

Issuance of Parking Permit

50. (1) The Parking Administrator may only issue a permit under this By-law if:

(a) all the information required to be provided to the Parking Administrator has been so provided;

(b) the prescribed fee, if any, has been paid; and,

(c) the requirements for the particular permit as outlined in this By-law have been met.

(2) Notwithstanding subsection (1), the Parking Administrator may refuse to grant a permit to an applicant if, in the Parking Administrator’s opinion, there is insufficient availability of on-street parking on any street, street block, or in any zone, as the case may be.

Affixing Permits

51. Any permit issued pursuant to this By-law shall be affixed:

(a) for all vehicles other than motorcycles, to the upper portion of the front windshield on the passenger side of the vehicle so as to be clearly visible from the exterior; or,

(b) for motorcycles, on the front forks or rear mud guard.

Use of Parking Permit

52. The issuance, receipt, or use of a parking permit shall not guarantee a permit holder a parking space.

53. A parking permit shall only be used in respect of one vehicle at a time.

Compliance with Regulations

54. A vehicle owner or a driver or an operator of a vehicle in respect of which any permit has been issued pursuant to this By-law or the driver or operator or person using any permit issued pursuant to this By-law shall:

(a) comply with all the terms and conditions of the permit;

(b) comply with all the terms and conditions of the sign with respect to the date and time parking is permitted by permit;

(c) except to the extent this By-law provides otherwise, comply with any parking regulations including parking meters, pay stations, winter parking regulations, and any other temporary parking controls established by the Traffic Authority; and

(d) comply with all other parking signs and requirements pursuant to:

(i) the *Motor Vehicle Act*,

(ii) any rules or regulations made pursuant to the *Motor Vehicle Act*; and

(iii) any other By-law, except to the extent this By-law provides otherwise.

Transferability

55. (1) Any permit issued pursuant to this By-law shall not:

- (a) be sold; or
- (b) used for purposes other than the purposes for which such permit was issued.

(2) Unless otherwise authorized by this By-law, any permit issued pursuant to this By-law shall not be transferred or assigned from:

- (a) one person to another; or
- (b) from one vehicle to another.

Powers of Parking Administrator

56. The Parking Administrator is authorized and empowered to:

- (a) grant a permit;
- (b) refuse to grant a permit;
- (c) revoke a permit; and
- (d) approve a carshare vehicle organization to purchase Annual Carshare Vehicle Parking Permits.

57. The Parking Administrator may, at their sole discretion, revoke any permit issued pursuant to this By-law that is misused or abused, including if:

- (a) the permit holder fails to comply with any term or condition of the permit or this By-law, including contravening section 54;
- (b) the permit holder is convicted of an offence under this By-law; or
- (c) the continued use of the permit would unreasonably interfere with the ability of Municipality, or any utility or service commission, to have access to or maintain a street.

Replacement Permit

58. A replacement fee may be charged by the Municipality to replace a permit that is lost or stolen.

59. Any fee pursuant to section 57 shall be set out in Administrative Order 15.

Offence and Penalty

60. A person who:

- (a) violates any provision of this By-law;
- (b) fails to do anything required by this By-law;
- (c) permits anything to be done in violation of this By-law;
- (d) obstructs or hinders any person in the performance of their duties under this by-law;
- (e) provides false information to the Parking Administrator; or,
- (f) violates any provision of any permit issued under this By-law,

is guilty of an offence.

61. A person who commits an offence is liable, upon summary conviction, to a penalty of not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500).

62. Every day during which an offence pursuant to section 59 continues is a separate offence.

63. In addition to a fine imposed for contravening a provision of this By-law, a judge may order the person to comply with the By-law.

Schedule

64. Schedules A attached hereto shall form part of this By-law.

Repeal

65. By-law P-1000, The *On-Street Parking Exemptions and Permits By-law*, is repealed.

Effective Date

66. This By-law shall come into force on November 5, 2018.

Transition

67. Any permit issued under By-law P-1000 prior to the coming into force of this By-law shall remain valid until the expiry date of that permit.

Done and passed in Council this ____ day of _____, 2018.

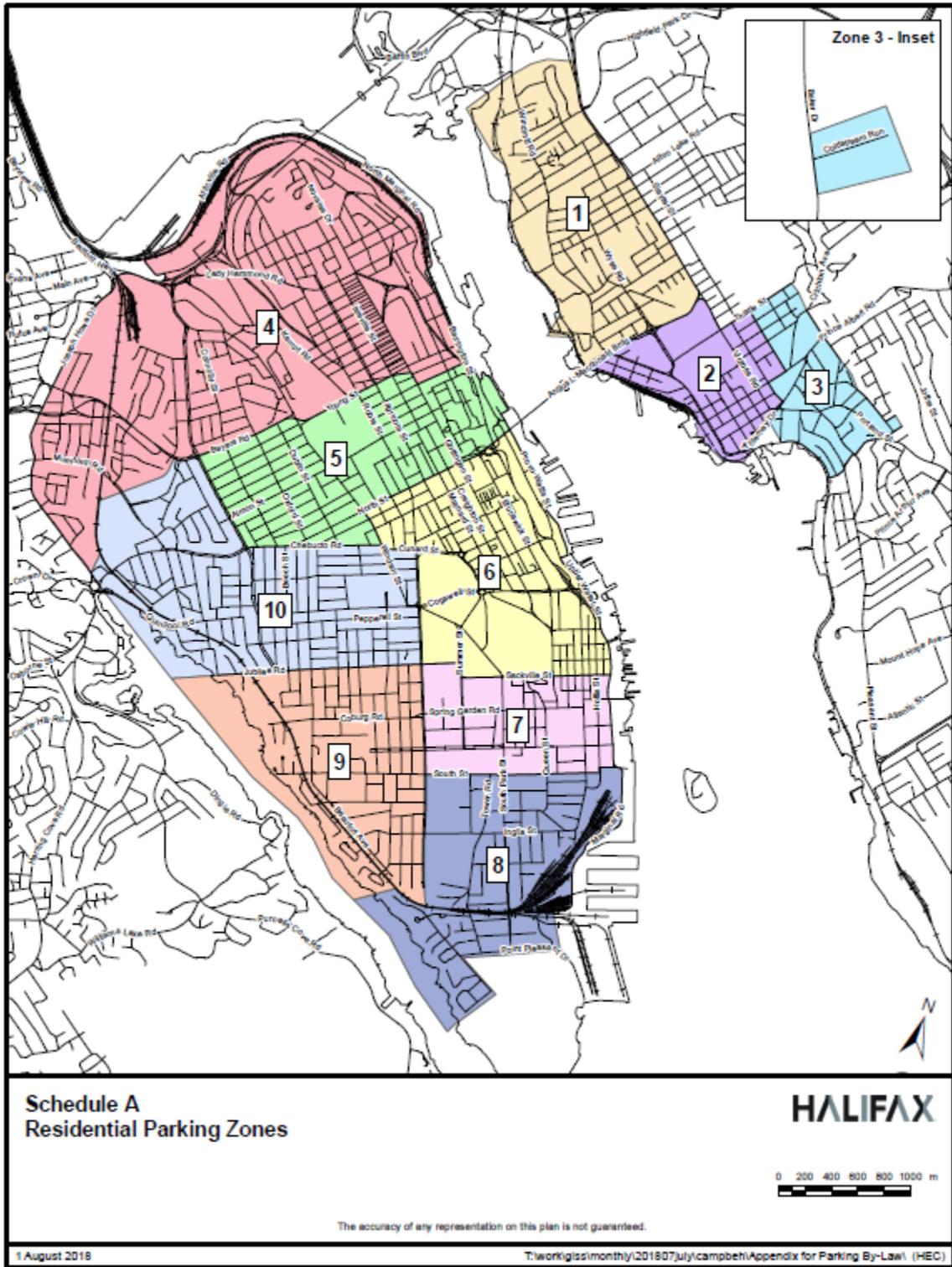
Mayor

Municipal Clerk

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted By-law was passed at a meeting of the Halifax Regional Council held on _____, 2018.

Kevin Arjoon, Municipal Clerk

SCHEDULE A



**Attachment 2
(Amending Administrative Order)**

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 15
Respecting License, Permit and Processing Fees**

BE IT RESOLVED by the Council of the Halifax Regional Municipality that Administrative Order 15, *the License, Permits and Processing Fees Administrative Order*, is further amended as follows:

1. Section 9 is repealed.
2. Section 9A is added after the repealed section 9 and before section 10 as follows:

By-law #	Short Title	Section	Permit	Fee
P-1200	<i>On-Street Parking Permits By-law</i>			
		8(b)	Annual Resident Parking Permit	\$30.00/year
		8(b)	Annual Carshare Vehicle Parking Permit	\$30.00/year
		8(b)	Temporary Resident Parking Permit	\$0.00
		8(b)	Annual Visitor Parking Permit	\$30.00/year
		8(b)	Temporary Visitor Parking Permit	\$5.00/day \$20.00/14 days \$40.00/30 days
		8(b)	Monthly Parking Permit: Zone 7, 8, 9 Zone 2, 5, 6, 10 Zone 1, 3, 4	\$45.00/month \$35.00/month \$30.00/month
		8(b)	Municipal Parking Permit	\$0.00
		57	Municipal Parking Permit Replacement Permit	\$0.00
		57	All other Replacement Permits	\$10.00

**Attachment 3
(Showing Proposed changes to By-law P-500)**

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW P-500
RESPECTING PARKING METERS FOR THE REGULATION OF
PARKING OF VEHICLES LEFT STANDING IN THE
HALIFAX REGIONAL MUNICIPALITY**

BE IT ENACTED by the Council of the Halifax Regional Municipality pursuant to Section 153 of the Motor Vehicle Act as follows:

1. Short Title

This By-law shall be known as By-law P-500 and may be cited as the “Parking Meter By-law.”

2. Application

The public streets and highways in the Halifax Regional Municipality and parts thereof to which this By-law applies are those upon which, under Council authority, parking meters and pay stations, have from time to time been installed.

2A. Interpretation

In this By-law,

- (a) repealed.
- (b) "commercial motor vehicle" means a commercial motor vehicle as defined in the *Motor Vehicle Act*;
- (c) “electronic payment” means payment by means of a device to the Municipality or to a person contracted with the Municipality to accept payment;
- (d) “Municipality” means Halifax Regional Municipality;
- (e) “parking meter” means a mechanical or electronic device that indicates a period of time shall be purchased by payment during which parking is permitted in the parking space to which such meter relates;
- (f) “parking space” means a space for parking a vehicle controlled and regulated by a parking meter or pay station;
- (g) “pay parking zone” means an area of a roadway marked by signs that indicates a period of time to park shall be purchased from a pay station;
- (h) “pay station” means a mechanical or electronic device that indicates a period of time shall be purchased by payment during which parking is permitted in the pay parking zone to which such station relates, excluding a parking meter; and

(i) "Peace Officer" means a police officer, by-law enforcement officer or a special constable appointed pursuant to the *Police Act*.

3. Placing of Parking Meters and Pay Stations

(1) A parking meter installed in the Municipality shall be placed on the sidewalk, near the curb or edge of the roadway, and shall designate the parking space associated with it as hereinafter set forth.

(2) A pay station installed in the Municipality shall be placed in a roadway near the pay parking zone associated with it.

4. Parking Spaces

(1) The parking space provided with each parking meter shall be of sufficient size to be accessible and accommodate one standard passenger automobile. The placing of vehicles shall be as follows:

(a) when parking is parallel to the curb or edge of the roadway, the foremost part of the vehicle shall be placed within a space measured along the curb not more than 100 millimeters beyond the parking meter nor more than one meter in measurement to the rear of the parking meter;

(b) when the parking is established at an angle to the edge of the roadway, this shall be appropriately marked or signed, and unless otherwise indicated, a vehicle parked at an angle where parking meters have been installed shall be placed in contact with the curb immediately to the right of the parking meter which applies to the vehicle; and

(c) when two parking meters are supported by one standard, a vehicle shall be parked in the parking space in front of or to the rear of the standard.

(3) Repealed.

(3A) No part of the vehicle shall be parked beyond the standard, and the nearest part of the vehicle to the standard shall be no farther than one meter from it, measured parallel to the curb.

4A. Where a pay parking zone is established and a period of time is purchased at a pay station:

(a) a vehicle shall be parked parallel to the curb or edge of the roadway; or

(b) where appropriately marked and signed, a vehicle shall be parked at an angle to the curb or edge of a roadway.

5. Marking of Space

(1) Notwithstanding anything contained in this By-law, special limitations of a parking space may be marked and where so marked, such limitation shall govern the permissible location of a vehicle.

(2) It shall be an offence and a violation of the By-law for any driver to park or leave standing any vehicle beyond such line or marking, except as provided for in subsection 1 of this section.

(3) Not more than one motor vehicle shall be parked in each parking space described in Section 4 and subsection 5(1) above.

5A. Meter Number

A parking meter or pay station shall be identified by a number which shall be known as the meter number.

5B. Pay Parking Zone Number

Every Pay Parking Zone shall be identified by a unique set of alphanumeric characters which shall be known as the Pay Parking Zone number.

6. Large Vehicles

In the case of parallel parking, where the dimensions of a large vehicle are such that the vehicle extends into an adjacent parking space, the vehicle shall be considered to occupy all spaces so affected, and the driver shall be responsible for payment in all applicable parking meters or pay stations.

7. Indication of Time for Parking Meter

(1) Each parking meter installed shall have thereon an appropriate sign or display stating the parking time permitted in the individual parking space to which it relates.

(2) When in operation, each parking meter shall indicate by a receipt, digital display or notification to a remote device the period of time acquired by a payment during which parking is permitted in the parking space to which such parking meter relates.

(3) Upon the expiration of the period of time permitted for parking, the parking meter or remote device shall indicate that parking in such space is in violation of this By-law.

(4) Each parking meter shall bear thereon directions indicating the days and hours when payment is required and the period of time that may be purchased for parking.

(5) Each parking meter and remote device shall retain electronically, for at least 24 hours, the license plate number and the amount of time purchased for each transaction during which parking is permitted via electronic payment.

(6) The amount of time retained under subsection (5) of this section, may be accessed remotely or otherwise by a Peace Officer to determine if a vehicle has purchased an

amount of time to park at the parking meter or whether the amount of time purchased to park at the parking meter has expired.

8. Repealed.

8A. Indication of Time for Pay Station

(1) A sign in the pay parking zone shall indicate the hours and days when payment is required to park in the pay parking zone, and the maximum amount of time that a vehicle may be parked in the pay parking zone in a twenty-four hour period.

(2) The maximum time a vehicle may be parked under subsection (1) of this section shall include the total of any intervals of time that may be purchased.

(3) Parking is permitted in a pay parking zone when:

(a) the following is entered into the pay station or submitted through electronic payment;

(i) the license plate number of the vehicle parked in the pay parking zone,

(ii) the period of time to be purchased, and

(iii) the required fee for the time entered in sub clause (ii) is paid in full; and

(b) the maximum amount of time that a vehicle may be parked in the pay parking zone has not been exceeded.

(4) If any period of time is purchased under this section, the purchaser may request a receipt indicating the time when permitted parking will expire.

(5) Each operational pay station shall retain electronically, for at least 24 hours, the license plate number and the amount of time purchased for each transaction during which parking is permitted in the pay parking zone.

(6) The amount of time retained under subsection (5) of this section, may be accessed remotely or otherwise by a Peace Officer to determine if a vehicle has purchased an amount of time to park in the pay parking zone or whether the amount of time purchased to park in the pay parking zone has expired.

9. Payment

(1) When used in directions on a parking meter or pay station the required payment shall refer only to lawful money of Canada.

(2) Council may, by resolution, allow for electronic payment for parking.

(3) Where so indicated on the parking meter or pay station, payment shall be made by:

- (a) coin,
- (b) credit card, or
- (c) if subsection 2 applies, by electronic payment.

10. Parking Rates

The rate for parking meters and pay stations within the Municipality shall be set by the Council of the Municipality from time to time.

11. Parking in Excess of Time Allowed

(1) It shall be an offence and a violation of this By-law for the driver of a vehicle to park or leave the same standing in any parking space regulated by a parking meter or pay station for a period of time in excess of the maximum period allowed by the direction set forth on such parking meters or pay station regardless of the payment deposited or whether the word "expired" is visible in the observation window of the parking meter or where the meter has a digital display reading "00:00" or the time indicated on the receipt provided under section 8A has expired.

(2) When the driver of any vehicle has parked or left standing in any parking space for a period of time in excess of the maximum period of time allowed by the directions set forth on such parking meter or pay station it shall be a new and separate offence for each additional hour that an offence continues.

12. Repealed.

12A Commercial

(1) The driver of a commercial motor vehicle, may park or leave such commercial motor vehicle standing in any parking space for the purpose of loading or unloading goods, wares, merchandise, materials or passengers for any period of time not exceeding thirty minutes, without depositing any payment in the parking meter or pay station relating to such parking space.

(2) It shall be an offence and a violation of this By-law for the driver of a commercial motor vehicle:

- (a) to park or leave a commercial vehicle standing in any parking space for any period of time in excess of thirty minutes; or
- (b) notwithstanding subsection 1 of this section, to fail to comply with the direction set forth on the parking meter or pay station relating to such parking space.

13. Repealed.

13A Repealed.

13B. Unlawful to Park

(1) It shall be an offence and violation of this By-law for the driver of a vehicle to park or leave standing a vehicle in a parking space that is not part of a pay parking zone:

- (a) if a period of time for parking has not been purchased from a parking meter;
- (b) if the parking meter display window related to the parking space indicates that the time purchased has expired by showing the word "Expired" or the digits "00:00"; or
- (c) if the remote device indicates that the time purchased by electronic payment has expired.

(2) It shall be an offence and violation of this By-law for the driver of a vehicle to park or leave standing a vehicle in a pay parking zone:

- (a) if a period of time for parking has not been purchased from a pay station;
- (b) if the pay station related to the parking space in the pay parking zone indicates that the time purchased for parking has expired; or
- (c) if the remote device indicates that the time purchased by electronic payment has expired.

(3) Unless the vehicle is parked in excess of the maximum time allowed pursuant to Section 11, there is no violation of subsection (1) or (2) of this Section if:

- (a) the vehicle is parked pursuant to the provisions of Section 12A of the By-law; or
- (b) the phrase "Out of Order" is visible in the observation window of the parking meter or pay station relating to the parking space or pay parking zone where the vehicle is parked or left standing.

14. Unlawful to Deposit

It shall be an offence and a violation of this By-law for any person to deposit or cause to be deposited in any parking meter or pay station in the Municipality any device, slug, dice, metallic substance, or other substitute for the payment permitted to be deposited in accordance with this By-law.

15. Traffic Authority to be in Charge of Parking Meters and Pay Stations

The operation, maintenance, regulation and use of all parking meters and pay stations installed in the Municipality shall be under the authority of the Council of the Municipality and under the management, supervision, and direction of the Traffic Authority for the Municipality.

16. Enforcement

This By-law may be enforced by any Peace Officer.

17. Penalty

(1) A person who contravenes any section of this By-law is liable upon summary conviction to a penalty of not less than twenty five dollars (\$25.00) and in default of payment, to imprisonment for a term not less than seven (7) days.

(2) A person who has violated this By-law and is given notice of the violation may pay twenty five dollars (\$25.00) for each hour of violation to the Municipality, however, provided that such payment is made within a period of seven (7) days following the day on which the alleged violation was committed, then the said payment shall be reduced to twenty dollars (\$20.00) for each hour of violation and, in any case, such payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for the violation or violations.

17A. Liability of owner and driver

(1) It is an offence to be the registered owner of a vehicle that is parked or left standing in violation of this By-law, whether or not the registered owner is the driver at the time of the violation.

(2) The owner of a motor vehicle shall incur the fine provided for any violation of this By-law unless at the time of such violation the motor vehicle was in the possession of some person other than the owner without the owner's consent, either expressed or implied, and the driver of a motor vehicle not being the owner shall also incur the penalties or other consequences provided for any such violation.

(3) The owner of a motor vehicle who incurs a fine under subsection (2) is not in any event liable to imprisonment.

Exemption from Parking Restrictions

17B. Council has adopted the *On-Street Parking Permits By-law* which exempts certain persons or vehicles from parking restrictions within the Municipality, including parking meters and pay stations, and provides for permits to be issued to those who are exempted.

18. By-law P-200 of the City of Dartmouth, as amended, and the Parking Meter By-law of the City of Halifax, as amended, are repealed.

Mayor

Municipal Clerk

**Attachment 4
(By-law P-506 Amending P-500)**

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW P-506
RESPECTING PARKING METERS FOR THE REGULATION OF
PARKING OF VEHICLES LEFT STANDING IN THE
HALIFAX REGIONAL MUNICIPALITY**

BE IT ENACTED by the Council of the Halifax Regional Municipality that By-law P-500, the Parking Meter By-law, is further amended as follows:

1. Section 17B is added after section 17A and before section 18 as follows:

Exemption from Parking Restrictions

17B. Council has adopted the *On-Street Parking Permits By-law* which exempts certain persons or vehicles from parking restrictions within the Municipality, including parking meters and pay stations, and provides for permits to be issued to those who are exempted.

Done and passed in Council this ____ day of _____, 2018.

Mayor

Municipal Clerk

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted By-law was passed at a meeting of the Halifax Regional Council held on _____, 2018.

Kevin Arjoon, Municipal Clerk