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Item No. 15.1
Transportation Standing Committee
July 27, 2017

TO: Chair and Members of Transportation Standing Committee

SUBMITTED BY: Original Signed

Bruce Zvaniga, P.Eng., Director, Transportation & Public Works

DATE: June 30, 2017

SUBJECT: **Approval of By-law P-505 and Amendment to By-law P-500 Respecting Parking Meters**

ORIGIN

At its meeting of February 3, 2015, Halifax Regional Council put and passed the following motion :

1. The approach to parking as outlined in the Parking Roadmap contained in Attachment 1 of the January 12, 2015 staff report.
 - a. Identify parking as a defined municipal service operation.
 - b. Approve the Phase 1 GIS Mapping Project and the Handheld Device Replacement Project in 2015-16 for an estimated cost of \$80,000 covered by existing operating funds.
 - c. Direct staff to commence development of supply demand management policy framework based on active parking management strategies including supply management, pricing, demand management and other supporting strategies to optimize parking.
 - d. Direct staff to investigate parking technology options to be presented to Regional Council for consideration and approval.
2. Direct staff to return to Regional Council for approval of each of the future year projects contained within the Parking Roadmap prior to project implementation.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, R.S.N.S. 2008, c. 39, clause 70(1)(d) states that the Municipality may establish or maintain parking facilities.

Motor Vehicle Act, R.S.N.S. 1989, c. 243, section 151 allows the Traffic Authority to erect signs to regulate parking on public streets; and section 153 allows Regional Council, by by-law, to restrict or regulate parking in accordance with a parking meter.

Recommendation on page 2.

RECOMMENDATION

It is recommended that Transportation Standing Committee recommend that Halifax Regional Council adopt By-Law P-505, the purpose of which is to amend By-Law P-500, Respecting Parking Meters, to allow the use of pay stations and payment options in addition to parking meters and coin-only payments, as set out in Attachment B to this report.

BACKGROUND

The Parking Roadmap examined the issues of Parking Governance, Technology and Supply-Demand Management. Within the Technology discussion one of seven technology projects was:

Parking Payment Solution (Parking Meter Replacement) – the replacement of existing parking meters with a modernized parking payment and parking management technology solution that improves accessibility, convenience and functionality as well as a variety of different payment methods. This project provides support to active parking management strategies.

The current Parking Meter By-Law stipulates paid on-street parking to be parking at a meter and making a payment using coins. This wording needs to be broadened to accommodate the planned introduction of pay stations and expansion of payment options to credit/debit cards and payment by phone and other electronic means.

DISCUSSION

A mark-up of By-Law P-500 showing where additions and deletions have been made is provided as Attachment A. The amending By-law P-505 is included as Attachment B.

In addition to accommodating the technology changes proposed in the Parking Strategy Roadmap, some minor “housekeeping” changes have been addressed. Highlights of the key changes are summarized below:

- Reference is made to both parking meters and pay stations. While the Parking Strategy Roadmap plans for the majority pay parking areas to be controlled by pay stations, there is likely to be some continued need to use individual parking meters.
- Electronic payment is defined and applied. Typically, this involves a customer setting up an account with a private vendor contracted with HRM and using their smart phone to pay for parking.
- Pay Parking Zones are defined as areas within which payment for parking will be made at pay stations. This is the only fundamental change to the way parking is managed. Currently, a customer can park at a parking meter for a maximum time period (normally 90 minutes), then move to another parking meter and pay to park for additional time. With the by-law amendments, a customer is limited to a maximum time to remain parked within a pay parking zone, even if they move to a different parking space within that zone.

FINANCIAL IMPLICATIONS

There are no immediate financial implications to amending By-Law P-500. The eventual conversion to pay stations and electronic payment options will have financial implications that will be identified when those projects come to Transportation Standing Committee and Regional Council for approval.

RISK CONSIDERATION

There are no significant risks associated with the recommendation in this report.

COMMUNITY ENGAGEMENT

No community engagement has been undertaken to date. Engagement and information sharing sessions with the public and parking stakeholders related to planned parking technology changes is planned for September, 2017.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications to this recommendation.

ALTERNATIVES

Transportation Standing Committee may choose to ask staff to consider additional amendments to the By-law before making a recommendation to Regional Council.

Transportation Standing Committee may choose not to forward a recommendation to amend By-law P-500 to Regional Council. This is not recommended, as doing so would hamper the ability of staff to move forward with implementation of the Parking Strategy Roadmap as directed by Regional Council.

ATTACHMENTS

Attachment A: Showing Proposed Changes to By-law P-500

Attachment B: Amending By-law P-505

Attachment C: Incorporating Changes to 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: Dave McCusker, P.Eng., Parking Strategy Co-ordinator 902.490.6696

Report Approved by: John Traves, Q.C., Municipal Solicitor 902.490.4226

Financial Approval by: Amanda Whitewood, Director of Finance and Asset Management/CFO, 902.490.6308

Attachment A
(Showing Proposed Changes)

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 ~~No.~~ 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 ~~b~~By-law applies are those upon which, under Council authority, parking meters **and pay stations**, have from time to time been installed.

2A. Definition Interpretation

In this By-law,

(a) ~~"parking card" means a card authorized by the Halifax Regional Municipality and used to purchase time at a parking meter;~~ **Repeal.**

(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 ~~Halifax Regional~~ 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:

(1a) 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 ~~101~~ 100 millimeters beyond the parking meter nor more than one meter in measurement to the rear of the parking meter.;

(2b) When the parking is established at an angle to the edge of the roadway, this shall be appropriately marked or signed, and unless otherwise clearly 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) When two meters are supported by one standard, a vehicle shall be parked wholly within the parking space provided for each meter in a manner that no portion of the vehicle projects beyond the space. Repeal.~~

(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 ~~b~~By-law, special limitations of a parking space may be **clearly** marked and where so marked, **will such limitation shall** govern the permissible location of a vehicle.

(2) It shall be an offence and a violation of the ~~b~~By-law for any **person driver** to park or leave standing any vehicle beyond such line or marking, except as provided for in ~~Section 6~~ **subsection 1 of this section.**

(23) Not more than one motor vehicle shall be parked in each parking space described in Sections 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 **coin deposit 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 ~~or~~ **receipt,** digital display **or notification to a remote device** the period of time acquired by **coin deposit or parking card a payment** during which parking is permitted in the parking space to which such **parking** meter relates.

(3) Upon ~~and~~ 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. When in Effect

~~Each parking meter shall bear thereon directions indicating the days and hours when the requirement to deposit coins or use a parking card therein shall apply, the value of the coins to be deposited or the amount of money transferred from the parking card, and the limited period of time for which parking is lawfully permitted in the parking space to which such meter relates.~~ **Repeal.**

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. ~~Coins~~ Payment

(1) When used in directions on a parking meter **or pay station** the required ~~coins~~ **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 ~~Halifax Regional 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 ~~number of coins~~ **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. Commercial

~~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 coin or coins in the parking meter relating to such parking space. Repeal.~~

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. Unlawful to Permit Parking With “Expired” Visible on Meter

~~It shall be an offence and a violation of this By-law for the driver of a vehicle to permit the same to be parked or left standing in any parking space or while the word “Expired” is visible in the observation window of the parking meter relating to such parking space or where the meter has a digital display reading “00:00”, unless such vehicle is parking pursuant to the provisions of Section 13 herein or the phase “Out of Order” is visible in the observation window of the parking meter relating to the parking space. Repeal.~~

~~13A (1) Section 13 shall not apply to a vehicle bearing a veteran’s number plate issued by the Registry of Motor Vehicles for the Province of Nova Scotia pursuant to the Veteran’s Number Plates Regulations.~~

~~(2) This section shall remain in effect until 11:59 P.M. of the 31st day of March, 2006. Repeal.~~

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 ~~Halifax Regional Municipality~~ any device, slug, dice, metallic substance, or other substitute for the ~~coins~~ **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 ~~Halifax Regional Municipality~~ shall be under the authority of the Council of the ~~Halifax Regional Municipality~~ and under the management, supervision, and direction of the Traffic Authority for the ~~Halifax Regional Municipality~~.

16. Enforcement

~~It shall be the duty of any Police Officer of the Halifax Regional Municipality or Special Constable appointed for the purpose to enforce this By-law.~~ **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 ~~is alleged to have~~ **has** violated this By-law and is given notice of the ~~alleged~~ violation may pay twenty five dollars (\$25.00) for each hour of violation to the ~~Halifax Regional~~ 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)~~ **(\$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.

~~(12)~~ 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.

~~(23)~~ The owner of a motor vehicle who incurs a fine under subsection ~~(12)~~ is not in any event liable to imprisonment.

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

I, Vi Carmichael, 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 December 16, 1997.

Vi Carmichael
Municipal Clerk

BY-LAW P-500

Notice of Motion:	November 4, 1997
First Reading:	November 18, 1997
ΔNotice of Intent@ Publication:	November 22, 1997
Second Reading:	December 16, 1997
Third Reading:	December 16, 1997
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	December 27, 1997

Amendment # 1 (By-law P-501)

Notice of Motion:	October 21, 2003
First Reading:	October 28, 2003
ΔNotice of Public Hearing@ Publication:	November 8, 2003
Second Reading:	November 25, 2003
Approval of Service Nova Scotia and Municipal Affairs:	N/A
Effective Date:	November 29, 2003

Amendment # 2 (By-law P-502)

Notice of Motion:	July 13, 2004
First Reading:	August 17, 2004
Notice of Public Hearing - ΔPublication@:	August 21, 2004
Second Reading:	September 7, 2004
Approval of Service Nova Scotia and Municipal Affairs:	N/A
Effective Date:	September 11, 2004

Amendment # 3 (By-law P-503)

Notice of Motion:	August 2, 2005
First Reading:	August 9, 2005
Notice of Public Hearing - Publication:	August 27, 2005
Second Reading:	September 13, 2005
Approval by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 17, 2005

Amendment # 4 (By-law P-504)

Notice of Motion:	August 8, 2006
First Reading:	September 5, 2006
Notice of Public Hearing - Publication:	September 16, 2006
Second Reading:	October 3, 2006
Approval by Service Nova Scotia and Municipal Relations:	N/A

Effective Date:

October 1, 2006

**Attachment B
(Amending By-law)**

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER P-505
RESPECTING PARKING METERS FOR THE REGULATION OF PARKING 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 Halifax Regional Parking Meter By-law, as amended, is further amended by:

1. Adding page numbers to the By-law.
2. Section 1 is amended by striking out the letters and punctuation “No.” after the word “By-law” and before the letter and number “P-500”.
3. Section 2 is amended by:
 - (a) capitalizing the word “by-law” after the word “this” and before the word “applies”; and
 - (b) adding the words “and parking stations” after the word “meters” and before the comma and words “, have from”.
4. Section 2A is amended by:
 - (a) striking out the word “Definition” in the title line and replacing it with the word “Interpretation”;
 - (b) repealing clause (a); and
 - (c) adding clauses (b), (c), (d), (e), (f), (g), (h) and (i) as follows:
 - (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*.

5. Section 3 is amended by:

- (a) adding the words “and Pay Stations” after the word “Meters” in the header;
- (b) renumbering section 3 as subsection 1 of section 3;
- (c) striking out the words “Halifax Regional” after the words “in the” and before the word “Municipality”; and
- (d) adding subsection (2) as follows:

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

6. Section 4 is amended by:

- (a) renumbering section 4 as subsection 1 of section 4;
- (b) adding the word “parking” after the word “each” and before the word “meter”.
- (c) renumbering subsection one of section 4 as clause (a) of subsection 1:
- (d) changing the word “When” to lowercase at the beginning of the newly renumbered clause (a);
- (e) striking the number “101” after the word “than” and before the word “millimetres” in the renumbered clause (a);
- (f) adding the number “100” after the word “than” and before the word “millimetres” in the renumbered clause (a);
- (g) striking out the period at the end of the renumbered clause (a);
- (h) adding a semicolon at the end of the renumbered clause (a);
- (i) renumbering subsection two of section 4 as clause (b) of subsection 1;
- (j) changing the word “When” to lowercase at the beginning of the newly renumbered clause (b);
- (k) striking out the word “clearly” after the word “otherwise” and before the word “indicated”;
- (l) striking out the period at the end of the renumbered clause (b);
- (m) adding a semicolon and the word “and” at the end of the renumbered clause (b);

- (n) adding the following immediately after the renumbered clause (b):
 - (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.
- (o) subsection (3) of section 4 is repealed; and
- (p) subsection (3A) of section 4 is added as follows:

(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 further than one meter from it, measured parallel to the curb.

7. Section 4A is added after section 4 and before section 5 as follows:

4A Where a pay parking zone is established and a period of time is purchased at a pay station, the following is required:

- (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.

8. Section 5 is amended by:

- (a) capitalizing the word “by-law” after the words “in this” and before the word “special” in subsection (1);
- (b) striking out the word “clearly” after the words “may be” and before the word “marked” in subsection (1);
- (c) striking out the word “will” after the word and punctuation “marked,” and before the word “govern” in subsection (1);
- (d) adding the words “such limitation shall” after the word and punctuation “marked,” and before the word “govern” in subsection (1);
- (e) renumbering subsection (2) as subsection (3);
- (f) deleting the “s” at the end of the word of “Sections” to make it singular in the renumbered subsection (3);
- (g) adding the word “subsection” after the word “and” and before the number “5” in the renumbered subsection (3); and
- (h) adding “(1)” after the number “5” and before the word “above”.

9. Section 5 is further amended by:

- (a) numbering the sentence beginning with “It shall be an offence” as subsection (2) of section 5;
- (b) capitalizing the word “by-law” after the words “of the” and before the words “for any” in the renumbered subsection (2);
- (c) striking out the word “person” after the words “for any” and before the words “to park”;
- (d) adding the word “driver” after the words “for any” and before the words “to park”; and
- (e) striking the word “Section 6” after the words “for in” and by adding the word “subsection 1 of this section” after the words “for in”.

10. Sections 5A and 5B are added after section 5 and before section 6 as follows:

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.

11. Section 6 is amended by:

- (a) striking out the words “coin deposit” after the word “for” and before the words “in all”;
- (b) adding the word “payment” after the word “for” and before the words “in all”;
- (c) adding the word “parking “ after the word “applicable” and before the word “meters”; and
- (d) adding the words “or pay stations” after the word “meters” and before the “.”.

12. Section 7 is amended by renumbering the section into subsections and by:

- (a) adding “(1)” before the word the word “Each”;
- (b) adding the words “or display” after the word “sign” and before the word “stating`”;
- (c) adding “(2)” after the “.” and before the word “When”;
- (d) striking out the word “or” after the words “by a” and before the words “digital display”;
- (e) adding the word and punctuation “receipt,” after the words “by a” and before the words “digital display”;

- (f) adding the words “or notification to a remote device” after the words “digital display” and before the words “the period”;
- (g) striking out the words “coin deposit or parking card” after the words “acquired by” and before the words “during which”;
- (h) adding the words “a payment” after the words “acquired by” and before the words “during which”;
- (i) adding the word “parking” after the words “which such” and before the words “meter relates”;
- (j) adding “(3)” after the “.” and before the word “Upon”;
- (k) striking out the punctuation and word “; and” after the word “Upon” and before the words “the expiration”;
- (l) adding the words “or remote device” after the words “parking meter” and before the words “shall indicate”; and
- (m) adding the following subsections immediately after the newly numbered subsection (3) and before section 8:

(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 by a payment.

(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.

13. Section 8 is repealed.

14. Section 8A is added after the repealed section 8 and before section 9 as follows:

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.

15. Section 9 is amended by:

- (a) striking out the word “Coins” in the header;
- (b) adding the word “Payment” to the header;
- (c) renumbering the section by adding “(1)” before the word “When”;
- (d) adding the words “or pay station” after the words “parking meter” and before the words “the required”;
- (e) striking out the word “coins” after the word “required” and before the word “shall”;
- (f) adding the word “payment” after the word “required” and before the word “shall”; and
- (g) adding the following immediately after the newly numbered subsection (1) and before section 10:
 - (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.

16. Section 10 is amended by:

- (a) adding the words “and pay stations” after the word “meters” and before the word “within”; and
- (b) striking out the words “Halifax Regional” after the words “within the” and before the word “Municipality”.

17. Subsection (1) of section 11 is amended by:

- (a) adding the words “or pay station” after the words “parking meter” and before the words “for a period”;
- (b) adding the words “or pay station” after the words “parking meter” and before the word “regardless”;
- (c) striking out the words “number of coins” after the words “of the” and before the word “deposited”;
- (d) adding the word “payment” after the words “of the” and before the word “deposited”; and
- (e) adding the words “or the time indicated on the receipt provided under section 8A has expired” after “00:00” and before the “.”

18. Subsection 2 of section 11 is amended by adding the words “or pay station” after the words “parking meter” and before the words “it shall”.

19. Section 12 is repealed.

20. Section 12A is added as follows:

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.

21. Section 13 is repealed.

22. Section 13A is repealed.

23. Section 13B is added as follows:

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.

24. Section 14 is amended by:

- (a) adding the words “or pay station” after the words “parking meter” and before the words “in the”;
- (b) striking out the words “Halifax Regional” after the words “in the” and before the word “Municipality”;
- (c) striking out the word “coins” after the words “for the” and before the word “permitted”;
and
- (d) adding the word “payment” after the words “for the” and before the word “permitted”

25. Section 15 is amended by:

- (a) adding the words “and Pay Stations” after the words “Parking Meters” in the header;
- (b) adding the words “and pay stations” after the words “parking meters” and before the word “installed”; and
- (c) striking out the words “Halifax Regional” where they appear in this section.

26. Section 16 is amended by:

- (a) striking out the words “It shall be the duty of any Police Officer of the Halifax Regional Municipality or Special Constable appointed for the purpose to enforce this By-law”; and
- (b) adding the words “This By-law may be enforce by any Peace Officer”.

27. Subsection (2) of section 17 is amended by:

- (a) striking out the words “is alleged to have” after the word “who” and before the word “violated”;
- (b) adding the word “has” after the word “who” and before the word “violated”;
- (c) striking out the word “alleged” after the words “of the” and before the word “violation”;
- (d) striking out the words “Halifax Regional” after the words “to the” and before the word “Municipality”;
- (e) striking out “(\$20 00)” after the words “twenty dollars” and before the words “for each”; and
- (f) adding “(\$20.00)” after the words “twenty dollars” and before the words “for each”.

28. Section 17A is amended by:

- (a) renumbering subsection (2) of the section 17A as subsection (3);
- (b) striking out the number “1” after the words and punctuation “subsection (“ and before the punctuation and words “) is not”; and

- (c) adding the number “2” after the words and punctuation “subsection (“ and before the punctuation and words “) is not”;
- (d) renumbering subsection (1) of section 17A as subsection (2);
- (e) capitalizing the word “by-law” after the word “this” and before the word “unless” in the renumbered subsection 2 of section 17A; and
- (f) adding subsection (1) of section 17A as follows:
 - (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.

Done and passed in Council the _____ day of _____ 2017.

Mayor

Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Motion was passed at a meeting of the Halifax Regional Council held on _____, 2017.

Kevin Arjoon, Municipal Clerk

**Attachment C
(Incorporating Proposed Changes)**

**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.

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

I, Vi Carmichael, 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 December 16, 1997.

Vi Carmichael
Municipal Clerk

BY-LAW P-500

Notice of Motion:	November 4, 1997
First Reading:	November 18, 1997
ⒶNotice of IntentⓈ Publication:	November 22, 1997
Second Reading:	December 16, 1997
Third Reading:	December 16, 1997
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	December 27, 1997

Amendment # 1 (By-law P-501)

Notice of Motion:	October 21, 2003
First Reading:	October 28, 2003
ⒶNotice of Public HearingⓈ Publication:	November 8, 2003
Second Reading:	November 25, 2003
Approval of Service Nova Scotia and Municipal Affairs:	N/A
Effective Date:	November 29, 2003

Amendment # 2 (By-law P-502)

Notice of Motion:	July 13, 2004
First Reading:	August 17, 2004
Notice of Public Hearing - ⒶPublicationⓈ:	August 21, 2004
Second Reading:	September 7, 2004
Approval of Service Nova Scotia and Municipal Affairs:	N/A
Effective Date:	September 11, 2004

Amendment # 3 (By-law P-503)

Notice of Motion:	August 2, 2005
First Reading:	August 9, 2005
Notice of Public Hearing - Publication:	August 27, 2005
Second Reading:	September 13, 2005
Approval by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 17, 2005

Amendment # 4 (By-law P-504)

Notice of Motion:	August 8, 2006
First Reading:	September 5, 2006
Notice of Public Hearing - Publication:	September 16, 2006
Second Reading:	October 3, 2006
Approval by Service Nova Scotia and Municipal Relations:	N/A

Effective Date:

October 1, 2006