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Halifax Regional Council
May 11, 2004

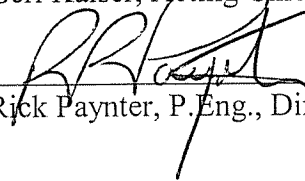
June 8, 2004

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Geri Kaiser, Acting Chief Administrative Officer



Rick Paynter, P. Eng., Director, Public Works and Transportation

DATE: May 7, 2004

SUBJECT: Amendments to By-Law P-1000, Respecting On-Street Parking Exemptions and Permits

ORIGIN

Staff

RECOMMENDATION

It is recommended that Regional Council approve in principle and direct staff to arrange for formal adoption of the amendment outlined in the Appendix to By-law P-1000, the On-Street Parking Exemptions and Permits By-law, to change the placement of the Exemption or Permit and to clarify matters such as Visitor Exemptions and the application process.

BACKGROUND

The Residential On-Street Parking Policy was approved in principle by Halifax Regional Council on November 12, 2002 followed by the approval of the originating By-Law P-1000 Respecting On-Street Parking and Permits on December 10, 2002.

This goal of the policy, thus the by-law, is to help alleviate symptoms of high on-street parking demand in residential areas while at the same time attempting to maintain a level of reasonable utilization of on-street parking supply by providing non-local residents with valid parking spaces in high demand areas where parking is limited.

DISCUSSION

In order to streamline the administration of the policy and to simplify enforcement, staff proposes these minor by-law amendments:

- The appointment of a Permit Administrator to clarify who is responsible for administering this By-law (subsection 2(d)).
- The inclusion of information on what is required of a resident to purchase a Residential Parking Exemption ("Exemption"), Permit or Visitor Exemption (subsection 4(2)).
- By-Law P-1000 currently requires that the Exemption or Permit to be placed on the rear-view mirror of the vehicle. Enforcement personnel have experienced difficulty with the visibility of the Exemption or Permit in this location. We propose that the by-law require that Exemptions, Permits and Visitors Exemptions be placed on the rear windshield on the passenger side of the vehicle. The transfer of the permit location to the rear windshield will improve visibility and expedite enforcement (subsection 4(6)).
- Currently, Visitor Exemptions may be purchased for a 1-day or 14-day period. We propose that Visitor Exemptions be available instead for a 1-day or 7-day period (subsection 5(11)). No Visitor Exemptions have been requested by residents since the approval of By-Law P-1000.

All other changes are administrative for clarification purposes only. See the Appendix for proposed amendments. These proposed changes have been reviewed by the By-Law Rationalization Group and Legal Services.

BUDGET IMPLICATIONS

There are no budget implications.

**Amendments to By-Law P-1000
Respecting On-Street Parking
Exemptions and Permits
Council Report**

- 3 -

May 11, 2004

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

There are no recommended alternatives.


ATTACHMENTS

Appendix.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Erica Copeland, P.Eng., Transportation Engineer, 490-5525

Report Approved by:


Ken Reashor, P.Eng., A/Manager, Traffic & Transportation Services

APPENDIX

HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER P-1001

RESPECTING ON-STREET PARKING EXEMPTIONS AND
PERMITS

BE IT ENACTED by the Council of Halifax Regional Municipality that By-Law P-1000 Respecting On-Street Parking Exemptions and Permits be amended as follows:

1. Section 2 of By-law P-1000 is amended by adding the following subsection immediately after subsection (a):
 - (aa) "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 30 minutes or an hour in the morning or the afternoon,
 - (iv) prohibiting parking for 30 minutes or an hour in both morning and afternoon,
or
 - (v) prohibiting parking except by permit;
2. Subsection 2(c) of By-Law P-1000 is repealed and the following subsection substituted:

"Parking Permit" or "Permit" means a permit issued for use only on a street block designated by the Traffic Authority as parking by permit only;
3. Subsection 2(d) of By-law P-1000 is repealed and the following substituted:
 - (d) "Permit Administrator" means the person appointed by the Chief Administrative Officer of the Municipality to be the Permit Administrator and includes a designate of the Permit Administrator;
4. Section 2 of By-law P-1000 is amended by adding immediately after subsection 2(f) the following subsection:

(ff) "registered owner" means a person in whose name a vehicle is registered under the *Motor Vehicle Act*, R.S.N.S. 1989, as amended from time to time;

5. Section 2 of By-law P-1000 is further amended by

(a) adding "or "Exemption"" immediately after "Residential Parking Exemption" in subsection (g);

(b) adding "or "Visitor Exemption"" immediately after "Visitor Parking Exemption" in the first line of subsection (i); and

(c) striking out "or a visitor to a residence" in the first line in subsection (i);

(d) adding "on behalf of their visitor" after "to a resident" in the second line of subsection (i).

6. Section 4 of By-law P-1000 is repealed and the following Section substituted:

4.(1) An application for an Exemption or Permit shall be made by the registered owner of a vehicle to the Permit Administrator.

(2) An application for a Visitor Exemption shall be made by a person who resides on the street block for which the Visitor Exemption is sought.

(3) The applicant for an Exemption, Permit or Visitor Exemption shall provide the following information to the Permit Administrator:

(a) the Application and Contract form;

(b) valid photo identification for the applicant;

(c) valid Certificate of Registration for the vehicle or proof that the vehicle is duly registered in the province or state in which the owner of the vehicle resides;

(d) number plate of the vehicle; and

(e) written proof of the residential address of the applicant dated within 30 days from the date of the application.

(4) The application shall be accompanied by the appropriate fee as prescribed by Administrative Order 15.

(5) The Permit Administrator shall issue an Exemption, Permit or Visitor Exemption where all the information required by subsection (2) has been provided by the applicant, the applicant has paid the fee described in subsection (4) and the applicant is eligible for the Exemption, Permit or Visitor Exemption based on the requirements of this By-law.

(6) An Exemption, Permit or Visitor Exemption issued pursuant to this By-law is valid only when affixed to the rear windshield on the passenger side of the vehicle in respect of which the Exemption, Permit or Visitor Exemption was issued so as to be clearly visible

from the exterior, except for motorcycles, in which case the Exemption, Permit or Visitor Exemption shall be located on the front forks or rear mud guard.

(7) An Exemption, Permit or Visitor Exemption is not transferable from one person to another.

(8) If the applicant for an Exemption or Permit transfers their number plates to another vehicle, the Exemption or Permit may be used in respect of the vehicle to which the number plate is transferred, provided that the applicant provides the Permit Administrator with a copy of the Certificate of Registration for the vehicle to which the number plate is transferred.

(9) Subsection (8) does not apply to a Visitor Exemption.

7. The heading above Section 5 in By-law P-1000 is amended by adding the letter "s" to "Exemption".

8. Subsection 5(1) of By-law P-1000 is repealed and the following substituted

5. (1) A Residential Parking Exemption or Visitor Exemption shall be applicable only to the street block on which the applicant resides and the address of the applicant shall be based on the information provided by the applicant in the application under Section 4.

9. Subsection 5(2) is amended by:

(a) striking out "Permit" in the second line;

(b) adding "or Visitor Exemption" immediately after "Residential Parking Exemption" in the second line;

(c) striking out "Customer Service Centre" in the third line;

(d) adding "Permit Administrator" after "cannot be issued, the" in the second and third lines;

(e) striking our "a Permit" immediately after "may issue" in the third line; and

(f) adding "an Exemption or Visitor Exemption" immediately after "may issue" in the third line.

10. Subsection 5(5) of By-law P-1000 is repealed and the following substituted:

(5) The driver or owner of a vehicle in respect of which an Exemption or Visitor Exemption is in force is exempt from exemptible parking signs but shall comply with parking meters, winter parking regulations, any other temporary parking controls established by the Traffic Authority and all other parking signs and requirements under (a) the *Motor Vehicle Act*, R.S.N.S. 1989, c. 293, as amended from time to time;

- (b) rules or regulations made under the *Motor Vehicle Act*; and
- (c) any other By-law.

11. Subsection 5(7) of By-law P-1000 is amended by:

(a) striking "Subject to subsection 3 of Section 4 of this By-law, if" and substituting "If" in the first line; and

(b) adding "their" immediately after changes in the second line.

12. Subsection 5(10) is repealed and the following substituted

(10) A Visitor Exemption may be purchased for a one-day or seven-day period. One-day Visitor Exemptions may be purchased for up to seven consecutive days and Visitor Exemptions may be purchased by an applicant a maximum of six times during a permit year but a new Visitor Exemption shall not be issued until the previously issued Visitor Exemption has expired.

13. Subsection 6(2) is repealed and the following subsection substituted:

6(2) The driver or owner of a vehicle in respect of which a Permit is in force may park in an area designated by the Traffic Authority as parking by permit only, subject to the terms and conditions of the permit and the sign with respect to the date and time the Permit is valid as well as parking meters, winter parking regulations, any other temporary parking controls established by the Traffic Authority and all other parking signs and requirements under

(a) the *Motor Vehicle Act*, R.S.N.S. 1989, c. 293, as amended from time to time;

(b) rules or regulations made under the *Motor Vehicle Act*; and

(c) any other By-law.

14. Subsection 6(3) is amended by

(a) striking "Permit Parking Only" in the second line; and

(b) adding "by the Traffic Authority as parking by permit only" immediately after "in an area designated" in the second line.