



By-law 2018-63

**To amend By-law 2005-188 being a By-law to Govern and Control the Parking
of Vehicles in the City of Markham
(Amendments to Parking By-law)**

WHEREAS the Council of The Corporation of the City of Markham considers it desirable to amend By-law 2005-188, a By-law to govern and control the parking of vehicles in the City of Markham; and,

WHEREAS section 102.1 of the *Municipal Act, 2001* and Ontario Regulation 333/07 authorizes The Corporation of the City of Markham to require a person to pay an administrative penalty for a contravention of any by-law respecting the parking, standing or stopping of vehicles; and,

WHEREAS additions, deletions and changes to the said By-law are required to reflect current by-law administrative practices, and

WHEREAS administrative amendments are required from time to time for enforcement purposes;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

- (1) That Parking By-law 2005-188 be amended as follows:
 - (a) Add “AND WHEREAS section 102.1 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, (the “Municipal Act”) and Ontario Regulation 333/07 (the “Regulation”) authorize The Corporation of the City of Markham to require a person to pay an administrative penalty for a contravention of any by-law respecting the parking, standing or stopping of vehicles.”
- (2) That Section 1.0 of the Parking By-law (Definitions) be amended by adding the following:
 - (a) “City Facility” includes all buildings owned or controlled by the City and includes a library, school, pool, arena, hall, skating rink, and administrative building;”
 - (b) “Commercial Motor Vehicle”. Add the words “trailers, tow trucks, recreational vehicles” after “fire apparatus,” and before “buses”;
 - (c) “Curb” means the edge of the travelled portion of a highway;”
 - (d) “Habitual Offender” means that a vehicle owner has five (5) or more unpaid or outstanding penalty notices;”
 - (e) “Highway”. Add the word “laneway, court,” after “viaduct,” and before, “or trestle,”
 - (f) “Recreational vehicle” means any motor vehicle or trailer used for recreational purposes including but not limited to boating, camping and land/water sports;”
 - (g) “School zone” means the area on a highway within 30m (100 ft.) of a school entrance/exit or crosswalk;”
 - (h) Delete definition of “Town Facility” in its entirety.

(3) Add the following subsections to Section 5 (Parking Prohibited in Specific Places-Signs Not Required) as follows:

- (a) “s) within 0.2 m of a private roadway;”
- (b) “t) so as to obstruct a pedestrian walkway;”
- (c) “u) perpendicular to the curb;”
- (d) “v) so as to park in front or obstruct a super mailbox;”
- (e) “w) for sale on a highway;”
- (f) “x) which is not licensed for the current year;”
- (g) “y) for degreasing/washing on a highway;”
- (h) “z) so as to obstruct any portion of the highway;”
- (i) “aa) park on a highway for continuous period greater than 48 hours

(4) Add following subsections to Section 10 as follows:

- (a) “10 (2) (a) No person shall park or leave any motor vehicle on private property unless parked in a parking space;”
- (b) “10 (4) (a) No person shall park or leave any motor vehicle at a City facility between the hours of 2:30 a.m. and 6:00 a.m.;
- (c) “10 (4) (b) No person shall park or leave any motor vehicle at a City Facility unless parked in a parking space;”

(5) Add following subsections to Section 11 as follows:

- (a) 11 (1) (a) No person shall park, stop or leave standing a motor vehicle in a designated handicapped parking space where the Accessible Parking Permit is not clearly visible.
- (b) 11 “(4) Every owner or operator of a parking lot or parking facility shall erect and maintain designated handicapped parking signage for all designated parking spaces as approved by the City;”
- (c) 11 “(5) No person shall park, stop or leave standing a motor vehicle so as to block, obstruct or prevent access to a designated handicapped parking space;”

(6) Add following subsection to Section 20 as follows:

- (a) “(8) (1). Any vehicle found parked or left standing on a highway where there are five (5) or more unpaid or outstanding Administrative Monetary Penalties, may be towed without further notice, and all of the costs and charges for the tow, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in a manner provided for by the *Repair and Storage Liens Act R.S.O. 1990 c.R.25*;
- (b) “(11) Where a sign has been erected in a school zone indicating no parking or no stopping, the Administrative Monetary Penalty shall be doubled;”

(7) Add Section 29 to By-law 2005-188

(a) "Administrative Penalty By-law 2015-93 applies to each administrative penalty issued pursuant to this By-law."

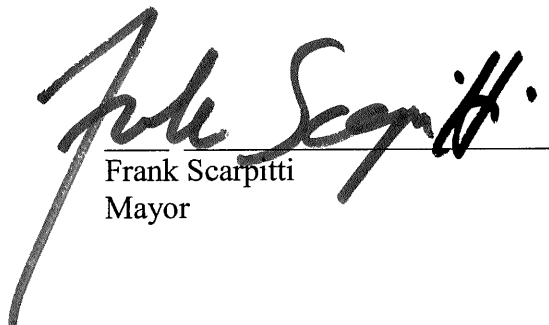
(8) Add Section 30 to By-law 2005-188

(a) "30. Each person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Monetary Penalty By-law 2015-93, be liable to pay the City an Administrative Monetary Penalty as set out in Schedule A."

Read a first, second and third time and passed this 29th day of May, 2018.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor