

A BYLAW OF THE CITY OF VICTORIA

to consolidate the regulations applicable to parking lots.

By virtue of the powers conferred upon it by Section 18 of the Victoria City Act, 1919, and other enabling powers, the Municipal Council of the Corporation of the City of Victoria enacts as follows:

1. This bylaw may be cited as the "PARKING LOT BYLAW."

2. In this bylaw

"vehicle" has the meaning assigned to it in the Motor Vehicle Act;

"parking lot" means a place, on one parcel of land, which is used or set aside for use for the parking of one or more vehicles in consideration of the payment of money.

3. No person shall operate a parking lot unless he holds a valid and subsisting licence for it, issued under the provisions of this bylaw and of the Business Licence Bylaw.

4. (1) No licence for a parking lot shall be issued unless and until the City Engineer certifies:

(a) that the surface area of the parking lot has been completely paved and is adequately drained;

(b) where the parking lot is in or adjoining an area zoned by bylaw or lawfully used for residential use, that it is screened from adjoining parcels of land either by evergreen hedges or by view obscuring fences or both and that such hedges or fences are of a height of not less than 1.3 m and, for fences, not more than 2 m, along the common boundaries of such adjoining properties and of the parking lot;

- (c) where the parking lot abuts on a street, that it is screened along its entire street boundary, except for necessary vehicular access points, either by an evergreen hedge or shrubs or by permanent masonry planters with plants growing in them, or by both methods, in such a manner as to provide an effective screen of the parking lot along all street boundaries and of a height of at least 1.3 m above ground level;
 - (d) that all lighting used to illuminate the parking lot is deflected from adjoining lots and streets; and
 - (e) that there is only one sign, not exceeding 2 m² in area, at each entrance and at each exit, and that such sign does not contain any words or signs other than to designate entrances, exits, conditions of use of the parking lot, the name of the parking lot and conditions relating to the towing away of vehicles.
- (2) Notwithstanding the provisions of subsection (1), no certificate as to screening is necessary in respect of any side of a parking lot constituting a boundary with an adjoining lot where the elevation of such parking lot is at least 2 m lower at such boundary than the finished elevation of the adjoining lot.
- (3) Where the provisions of subsection (2) apply the City Engineer may stipulate any modifications of the screening requirements as may be necessary to conform to zoning bylaws and traffic bylaws in respect to safety.
5. Upon it appearing that the holder of a licence issued for a parking lot is not watering the trees, shrubs or other plants on the lot adequately, or is allowing litter to accumulate on the lot or is otherwise failing to maintain the parking lot up to the standards required in terms of the preceding

section, the matter shall be reported to the Council, who, after affording the applicant an opportunity to be heard, shall, if satisfied that the report is correct, either cancel the licence or suspend its operation until such time as the matters complained of are corrected, and may, upon cancelling the licence, direct that it shall not be renewed.

6. Before renewing any licence and without assigning any reason, the Business Licence Inspector may demand that the applicant obtain and produce a fresh certificate from the City Engineer, complying with the provisions of Section 4, and if the applicant fails to do so, shall refuse to renew his licence.

7. Notwithstanding the provisions of Sections 4 and 6, the Business Licence Inspector shall waive the requirements of a certificate under Section 4 upon production by the applicant of a certificate from the City Engineer to the effect that:

- (a) the proposed use of the premises for parking lot purposes does not appear to constitute a hazard to traffic in the area or to the users of the parking lot;
- (b) it appears that the proposed use is only temporary, following demolition of a building and pending new construction;
- (c) no parking lot licence under this bylaw has previously been issued in respect of the same premises; and
- (d) the premises are in that part of the City included within the boundaries of one of the areas at that time zoned as

"M-1 Zone, Limited Light Industrial District,"

"M-2 Zone, Light Industrial District,"

"M-3 Zone, Heavy Industrial District," or

"M-3S Zone, Special Heavy Industrial District."

"M-3T Zone, Heavy Industry Tank Farm District."

8. A licence issued pursuant to the preceding section may not be renewed except upon production of a certificate under Section 4.
9. (1) Where a parking lot which complies with the provisions of this bylaw and in respect of which a valid and subsisting business licence is held under the Business Licence Bylaw is equipped with a ticket dispensing machine in good working order, into which coins must be deposited as advance payment for parking on such parking lot, no person shall park or leave a vehicle on such parking lot without immediately depositing the required amount of money into the ticket dispensing machine and leaving the appropriate and valid ticket on the front dashboard of vehicle in such a manner that the number printed on the ticket and the date and time if printed on the ticket are clearly visible from outside the vehicle.

(2) No person shall leave a vehicle which has been lawfully parked pursuant to subsection (1) for a time longer than that authorized as indicated by a notice at or on the ticket dispensing machine.
10. (1) Where parking spaces on a licensed parking lot are clearly delineated by painted lines or barriers, no person shall park a vehicle on such parking lot, except in such parking spaces, and no person shall park a vehicle in such a manner as to straddle the line between two parking spaces.

(2) Where any parking space on a licensed parking lot is equipped with a parking meter, no person shall park a vehicle within such parking space without having deposited the appropriate fee for parking in the manner and at the rate prescribed and measured by the meter.
11. (1) Where any parking space on a licensed parking lot is clearly marked as reserved, no person other than the person for whom it is reserved shall park a vehicle in such space.

- (2) Where any area on a licensed parking lot is designated as a Truck Loading Zone pursuant to the Streets and Traffic Bylaw, the regulations and prohibitions applicable in the Streets and Traffic Bylaw apply to the Zone.

12. Subject to the provisions of Section 19, no person shall tow away or cause a vehicle to be towed away from a parking lot, whether or not such parking lot is licensed under the Business Licence Bylaw, by reason of such vehicle having been left there without the consent of the occupier of the parking lot if such lack of consent consists of either the failure of the driver of the vehicle to purchase a parking ticket or the expiry of a parking ticket, unless such towing occurs between the hours of 2 o'clock in the morning and 7 o'clock in the morning.

13. No person shall cause or authorize a vehicle to be towed away for failure to obtain a parking ticket from a ticket dispenser on a parking lot unless such ticket dispenser

- (a) at that time is in sound working order and supplied with parking tickets, and

- (b) dispenses parking tickets in duplicate.

14. No person shall cause or authorize a vehicle to be towed away to a destination outside the boundaries of the City of Victoria.

15. The provisions of Sections 4 to 8, inclusive, do not apply to a parking lot

- (a) that is wholly in, under or on a building;
or

- (b) that is not operated at any time between 7 o'clock in the morning and 5 o'clock in the afternoon.

16. No person shall erect, maintain, operate, control, keep or manage a ticket dispenser unless:

- (a) the owner or occupier of the premises holds a valid and subsisting licence for a parking lot, applicable to the location of the ticket dispenser; and
 - (b) the prices charged by the operator of the parking lot for the parking of vehicles are clearly stated in a conspicuous notice on or at the ticket dispenser.
17. No person shall charge or attempt to charge a fee for the parking of a vehicle in respect of which there is not a valid or unexpired ticket issued by a ticket dispenser that is more than twice the fee that would have been payable if such ticket had been purchased or had not expired.
18. No person shall put or keep a sign on a parking lot or deliver a document on a parking lot if such sign or document states or implies that the operator has the right to cause a vehicle to be towed away without the restrictions imposed by this bylaw.
19. Notwithstanding the provisions of Section 12, where more than 10 violation notices issued pursuant to Section 21 have been put on any vehicle, the owner or operator of a parking lot may cause or authorize the vehicle to be towed away from the parking lot where the driver of the vehicle has failed to purchase a parking ticket or the parking ticket purchased has expired.
20. Any person contravening any provision of this bylaw is guilty of an offence and liable on conviction to the fines prescribed by the Offence Act which shall be not less than \$25.00.
21. Where any person authorized by or pursuant to a resolution of the Council puts a violation notice on a vehicle whose owner is alleged to have committed an offence against Sections 9, 10 or 11, no prosecution shall be commenced against the alleged offender if there is paid to the City a voluntary penalty of
- (a) \$10.00 if paid within 7 days from the date of the violation notice;

(b) \$15.00 if paid after 7 days but within 45 days from the date of the violation notice;

(c) \$25.00 if paid after 45 days from the date of the violation notice.

22. Bylaw No. 82-85, the "Parking Lot Bylaw," and all its amendments are repealed.

Passed and received third reading by the Municipal Council the 26th day of November, 1987.

Reconsidered and adopted by the Municipal Council the 17th day of December, 1987.

"C.F.G. CRISP"
CITY CLERK

"G. BREWIN"
MAYOR

A BYLAW OF THE CITY OF VICTORIA
to amend the Parking Lot Bylaw.

The Municipal Council of the Corporation of
the City of Victoria enacts as follows:

1. This bylaw may be cited as the "PARKING
LOT BYLAW, AMENDMENT BYLAW (NO. 1).
2. Bylaw No. 87-248, the "PARKING LOT
BYLAW", is amended by repealing
paragraph (e) of Section 4(1) and
substituting the following:

"that there is only one double-faced
sign

(i) not exceeding 2 m² in area,
with black block print in the size
of 5 cm on a yellow background;

(ii) placed at each entrance and
each exit of the parking lot;

(iii) of a maximum height of 3.0 m,
measured from the bottom of the
sign;

(iv) which is displayed and
oriented to be visible at all times
from all points on the lot;

(v) which shall not contain any
words or signs other than to
designate entrances, exits,
conditions of the use of the
parking lot, the name of the
parking lot and the conditions
relating to the towing away of
vehicles."

3. The Parking Lot Bylaw is further amended
by repealing subsection 1 of section 10
and substituting the following:

"Any parking spaces on a licensed
parking lot shall be clearly delineated
by painted lines or barriers and no
person shall park a vehicle on the
parking lot, except in the parking

spaces and no person shall park a vehicle in such a manner as to straddle the line between two parking spaces."

4. The Parking Lot Bylaw is further amended by repealing subsection 1 of section 11 and substituting the following:

"Where any parking space on a licensed parking lot is clearly marked as reserved by signs or stencil which is clearly visible from the adjoining aisle, no person other than the person for whom it is reserved shall park a vehicle in the space."

Passed and received third reading by the Municipal Council the 11th day of January 1990.

Reconsidered and adopted by the Municipal Council the 25th day of January 1990.

Mark Johnston Geoffrey Young
CITY CLERK ACTING MAYOR

NO. 91-128

A BYLAW OF THE CITY OF VICTORIA
to amend the Parking Lot Bylaw.

The Municipal Council of the Corporation of
the City of Victoria enacts as follows:

1. This bylaw may be cited as the "PARKING
LOT BYLAW, AMENDMENT BYLAW (NO. 2).
2. Bylaw No. 87-248, the "PARKING LOT
BYLAW," is amended by renumbering Section 16
as Subsection 16(1) and adding the following
subsection:
 - (2) The holder of a licence for a
parking lot shall make the ticket
dispensers on the lot inoperable
during the time that the lot is
reserved for private use.

Passed and received third reading by the
Municipal Council the 13th day of June
1991.

Reconsidered and adopted by the Municipal
Council the 27th day of June 1991.

"MARK JOHNSTON"

CITY CLERK

"DAVID TURNER"

MAYOR

A BYLAW OF THE CITY OF VICTORIA

to amend the Parking Lot Bylaw to increase the minimum fine and the voluntary penalties.

Under its statutory powers, including section 294 of the Municipal Act, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the "PARKING LOT BYLAW, AMENDMENT BYLAW (NO. 3)."
2. Bylaw No. 87-248, the Parking Lot Bylaw, is amended by repealing section 20(2) and substituting the following subsection:

"(2) The minimum penalty for a contravention of a provision of this Bylaw is a fine of \$42.50."
3. The Parking Lot Bylaw is also amended in section 21 by repealing paragraphs (a), (b), and (c) and substituting the following paragraphs:

"(a) \$15.00 if paid within 14 days from the date of the offence notice;

(b) \$27.50 if paid after 14 days but within 45 days from the date of the offence notice;

(c) \$42.50 if paid after 45 days from the date of the offence notice."

Passed and received third reading by the Municipal Council the 22 day of
June , 1995.

Adopted by the Municipal Council the 13 day of July 1995.

"Mark Johnston"
CITY CLERK

"Bob Cross"
MAYOR

Under its statutory powers, including section 15 of the *Community Charter*, the Council of The Corporation of the City of Victoria enacts the following provisions:

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|------------------------|------------------------|--------|-----------------|-------|
| READ A FIRST TIME the | 13th | day of | January, | 2005. |
| READ A SECOND TIME the | 13th | day of | January, | 2005. |
| READ A THIRD TIME the | 13th | day of | January, | 2005. |
| ADOPTED on the | 27th | day of | January, | 2005. |

"ALAN LOWE"
MAYOR