

Bylaw

of the
Cape Breton Regional Municipality
Amending the
Parking Meter Bylaw T-5

Bylaw T-5, the Parking Meter Bylaw of the Cape Breton Regional Municipality, is hereby repealed and replaced with the following bylaw by the Council of the Cape Breton Regional Municipality in the following manner:

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

1. Short Title

This By-law shall be known as Bylaw No. T-5 and may be cited as the **“Parking Meter Bylaw.”**

2. Application

The public streets and highways in the Cape Breton Regional Municipality and parts thereof to which this bylaw applies are those upon which, under the traffic authority, parking meters have from time to time been installed.

2A. Definition

In this Bylaw,

- (a) **“commercial vehicle”** means a type of vehicle that is used for carrying goods or passengers;
- (b) **“parking meter”** means an apparatus designed to receive payment of fees for parking, indicating whether any fee for parking has been paid, fix the period of parking allowed for any fee paid, and indicate whether the period for which any such fee has been paid has elapsed, and includes any pay and display parking meter;
- (c) **“parking permit”** means a card authorized and approved for daily, weekly, monthly and yearly parking by the bylaw enforcement division and displayed on the vehicle while in effect;

(d) “**roadway**” for the purpose of this bylaw roadway means:

1. the whole of any land which is within the Cape Breton Regional Municipality and which is laid out by council as a road, street or public highway;
2. land which is vested in the Cape Breton Regional Municipality for the purposes of a road street and includes any access way or service lane under the control of the Cape Breton Regional Municipality;
3. every parking place, square or place intended for use of the general public and any private parking areas delegated to Cape Breton Regional Municipality for parking enforcement.

(e) “**traffic authority**” means the individual appointed to manage, supervise and enforce this Bylaw

3. Placing of Parking Meters

A parking meter installed in the Cape Breton Regional Municipality roadway, as laid out by council as a road or street, shall be placed on the sidewalk, near the curb or edge of the *roadway or building*, and shall designate the parking space associated with it as hereinafter set forth.

4. Parking Spaces

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

- (1) 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 millimeters beyond the parking meter nor more than one meter in measurement to the rear of the parking meter.
- (2) 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.
- (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.

5. Marking of Space

- (1) Notwithstanding anything contained in this bylaw, special limitations of a parking space may be clearly marked and where so marked, will govern the permissible

location of a vehicle. It shall be an offence and a violation of the bylaw for any person to park or leave standing any vehicle beyond such line or marking, except as provided in Section 6.

(2) Not more than one motor vehicle shall be parked in each parking space described in Sections 4 and 5 above.

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 in all applicable meters.

7. Indication of Time

Each parking meter installed shall have thereon an appropriate sign stating the parking time permitted in the individual parking space to which it relates. When in operation, each parking meter shall indicate by a digital display the period of time acquired by coin deposit or parking card during which parking is permitted in the parking space to which such meter relates. Upon the expiration of the period of time permitted for parking, the parking meter shall indicate that parking in such space is in violation of this Bylaw.

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 permit therein shall apply, the value of the coins to be deposited and the limited period of time for which parking is lawfully permitted in the parking space to which such meter relates.

9. Coins

When used in directions on a parking meter, the required coins shall refer only to lawful money of Canada.

10. Parking Rates

The rate for parking meters within the Cape Breton Regional Municipality shall be set by the Traffic Authority of the Municipality from time to time and as approved by the General Committee.

11. Parking in Excess of Time Allowed

(1) It shall be an offence and a violation of this Bylaw for the driver of a vehicle to park or leave the same standing in any parking space regulated by a parking meter for a period of time in excess of the maximum period allowed by the direction set forth on

such parking meters regardless of the number of coins 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".

(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, 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. It shall be an offence and a violation of this Bylaw for the driver of a commercial motor vehicle to park or leave same standing in any parking space for any period of time in excess of thirty minutes and fail to comply with the direction set forth on the parking meter 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 Bylaw for the driver of a vehicle to permit the same to be parked or left standing in any parking space 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 12 herein or the phase "Out of Order" is visible in the observation window of the parking meter relating to the parking space.

14. Unlawful to Deposit

It shall be an offence and a violation of this Bylaw for any person to deposit or cause to be deposited in any parking meter in the Cape Breton Regional Municipality any device, slug, dice, metallic substance, or other substitute for the coins permitted to be deposited in accordance with this Bylaw.

15. Traffic Authority to be in Charge of Parking Meters

The operation, maintenance, regulation and use of all parking meters installed in the Cape Breton Regional Municipality shall be under the authority management, supervision, and direction of the Traffic Authority appointed for the purpose to enforce this Bylaw.

16. Enforcement

It shall be the duty of any Police Officer of the Cape Breton Regional Municipality or Special Constable delegated by the traffic authority responsible for this bylaw to enforce this Bylaw.

17. Penalty

- (1) A person who contravenes any section of this Bylaw is liable upon summary conviction to a penalty of not less than that approved under the terms of the Nova Scotia Summary Proceeding Act and Summary Offence Tickets Regulations, Twenty five dollars (\$25.00) and as amended from time to time and in default of payment, to imprisonment for a term not less than seven (7) days.
- (2) Any person alleged to have violated the Bylaw shall be given notice by a ticket left on the vehicle for each offence. The ticket shall set a penalty of twenty five dollars (\$25.00) for each hour of violation which maybe paid to the Cape Breton Regional Municipality) if paid within sixty days of the ticket issuance date (specifying the place and manner of payment), or \$55.00 after sixty days, however provide that such payment is made within a period of (7) days following the day on which the alleged violation was committed, then such payment shall be reduced to twenty dollars (\$20.00) for each hour of violation.
- (3) The traffic authority may cause to be removed from any roadway, parking space or transportation station, a vehicle using same in breach of this bylaw, and require payment of the reasonable costs of its removal to a place of safety.

17A. Liability of Owner and Driver

- (1) The owner of a motor vehicle shall incur the fine provided for any violation of this bylaw 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.
- (2) Any person alleged to have violated the Bylaw shall be given notice by a ticket left on the vehicle for each offence. The ticket shall set out that if a penalty of twenty-five dollars (\$25.00) is paid within sixty days of the ticket issuance date (specifying the place and manner of payment) or said amount plus court costs after sixty days, prosecution will be avoided.

18. Parking Permit

- (1) For the facilitation of operation in the construction industry or operation of utilities (including drainage, electrical, road construction and maintenance services, telecommunications operations, water supply and similar services) ,an authorized officer may, subject to such conditions as are considered appropriate in the

circumstances and on payment of the prescribed fee, grant an exemption known as a "Parking Permit" to specified persons generally in respect of specific vehicles or conditions, whether owned by that person or otherwise, form some or all of the provisions of this bylaw.

(2) Without limiting the generality of section 18 (1) of this bylaw, conditions imposed under that clause may include the following:

- (a) a requirement to show on any vehicle or vehicles to which the exemption applies, a sticker, label or similar document setting out the days and times when the exemption has effect and a limitation to specific geographic areas and or meter numbers.
- (b) the closure of the meter or meters in effect by way of bagging or no parking signage as approved and installed by the enforcement body of this bylaw.

19. Designated Parking Spaces for a Manufacturing Use

- (1) An authorized officer may designate a parking space or spaces for the use of the owner of a manufacturing use for the purpose of loading/unloading of goods subject to the following conditions:
 - (a) This designation shall be for specific hours and days of the week and shall not be assigned for longer than a three hour period daily.
 - (b) Payment shall be prorated in compliance with the monthly rate of \$220.
 - (c) Payment must be submitted annually.
- (2) Upon approval of a designated space(s), the authorized officer will ensure the necessary signage is posted and states the days and times when the designation is in effect.
- (3) The enforcement of unauthorized vehicles occupying any designated space during an approved period shall be the sole responsibility of the owner of the manufacturing use.

Mayor Amanda M. McDougall

Deborah Campbell Ryan
Municipal Clerk

THIS IS TO CERTIFY that the attached is a true and correct copy of the Parking Meter By-law of the Cape Breton Regional Municipality including amendments to July 6, 2021

Deborah Campbell Ryan, Municipal Clerk

Publication Date: April 15, 2011; May 26, 2026; July 10, 2021