



BY-LAW NUMBER 2011-

A By-law of The Corporation of the City of Barrie to amend By-law 2007-209 as amended being a By-law to prohibit overnight parking.

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 ("the Municipal Act, 2001"), provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS Section 9 of the Municipal Act, 2001, provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

AND WHEREAS Section 11 of the Municipal Act, 2001, provides that a single-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein;

AND WHEREAS by motion 11-G-241 it is deemed expedient that the Council of The Corporation of the City of Barrie amend By-law 2007-209 as amended, being a By-law to prohibit overnight parking;

NOW THEREFORE the Council of The Corporation of the City of Barrie hereby enacts as follows:

1. **THAT** By-law 2007-209, Section 1, "Definitions" be amended by adding the following definition:

"Winter Maintenance Event" means a period of time after March 31 and before December 1 during which the General Manager of Community Operations, or his designate, in his or her sole discretion, declares that he/she anticipates weather that is likely to require snow plowing, sanding, salting, direct liquid application, snow removal or other winter maintenance operations."

2. **THAT** By-law 2007-209, Section 4, "General Regulations" be amended by adding the following:

"4. (3) Notwithstanding the provisions of Section 4(1) and 4 (2), a winter maintenance event may be declared at any time by the General Manager of community Services, or his designate.

(4) Where a winter maintenance event has been declared no person shall park a motor vehicle or permit a motor vehicle to remain parked on any highway between the hours of 12:01 a.m. and 7:00 a.m."

3. **THAT** By-law 2007-209, Section 5, "Parking Prohibited – Downtown Business Improvement Area Boundaries – Schedule "A" be amended by adding the following:

"5. (4) Notwithstanding the provisions of Section 5(3), a winter maintenance event may be declared at any time by the General Manager of Community Services, or his designate.

(5) Where a winter maintenance event has been declared no person shall park a motor vehicle or permit a vehicle to remain parked on any highway between the hours of 3:00 a.m. and 6:00 a.m. in the area designated in Schedule "A" to this By-law."

4. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this 26th day of September, 2011.

READ a third time and finally passed this 26th day of September, 2011.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J.R. LEHMAN

CITY CLERK – DAWN A. MCALPINE