

Town of Lunenburg

Paid Parking By-law

WHEREAS the Council of the Town of Lunenburg is authorized pursuant to Sections 172(1)(c), (e), (f) and (l) of the *Municipal Government Act*, SNS 1998, c.18, as amended, to make by-laws respecting persons, activities and things in or near public places, transport and transport systems, businesses, and the enforcement of by-laws;

BE IT ENACTED by the Council of the Town of Lunenburg that the following By-law is made:

1. Title

This By-law may be cited as the “Paid Parking By-law”.

2. Purpose

The purpose of this By-law is to regulate paid parking within the Town of Lunenburg to support the availability and turnover of parking spaces in commercial and high-demand areas, establish parking fees and time limits, support the administration and maintenance of municipal parking infrastructure, and create offences and penalties respecting the use of paid parking spaces.

3. Definitions

In this By-law:

“commercial vehicle” means a motor vehicle that is clearly marked or identifiable as being used for commercial purposes, including the delivery or pickup of goods, materials, or services.

“mobile payment application” means a Town-approved electronic application used to make payment for parking by reference to a vehicle’s licence plate.

“parking meter” means a mechanical or electronic device, including a pay-and-display parking station, used to regulate paid parking in a parking space.

“parking space” means a space designated by the Town for the parking of a vehicle and identified by signage, markings, or other Town-authorized means.

“permit” means a parking permit issued by the Town under this By-law.

“vehicle” means a motor vehicle as defined in the Motor Vehicle Act, R.S.N.S. 1989, c. 293.

4. Parking Space Designation

Each parking meter, pay and display parking station, or other Town-authorized parking payment system used in the Town shall clearly identify the parking space or spaces to which it applies by signage, markings, digital display, mobile application, or other means authorized by the Town.

A vehicle shall be parked wholly within a designated parking space and shall not obstruct or block the use of another parking space.

5. Authorized Methods of Payment

Where payment is required for the use of a parking space, payment shall be made using a method authorized by the Town, which may include:

- (a) payment at an individual parking meter;
- (b) payment at a pay-and-display parking station; or
- (c) payment through a Town-approved mobile payment application for the vehicle occupying the space, as identified by the vehicle's licence plate.

Where a vehicle occupies more than one parking space, payment must be made for each space used.

Payment made through a mobile payment application shall be deemed valid only for the vehicle licence plate entered at the time of payment.

Only mobile payment applications approved by the Chief Administrative Officer or designate may be used to make payment under this By-law.

6. Parking Fees, Hours, and Time Limits

Parking fees, required hours of payment, maximum parking time limits, and any areas where no fees or time limits apply, shall be set out in Schedule A to this By-law.

Schedule A forms part of this By-law and may be amended by resolution of Council from time to time.

Where payment is required, information respecting parking fees, required hours of payment, applicable time limits, and accepted methods of payment shall be clearly communicated by parking meters, pay stations, signage, mobile payment applications, or other means authorized by the Town.

7. Parking Permits (General)

Notwithstanding any other provision of this By-law, the Town may issue parking permits authorizing the use of one or more parking spaces with or without the requirement to make payment, and with or without compliance with otherwise applicable parking time limits, subject to the terms of the permit.

Parking permits may be issued where reasonably necessary to support municipal operations, events, or short-term parking needs.

The Chief Administrative Officer or designate may establish administrative procedures respecting the issuance, use, and enforcement of parking permits.

8. Authorized Use of Parking Meters

No person shall deposit, or attempt to deposit, any object or currency into a parking meter except in accordance with the instructions provided by the Town.

9. Parking Time Expired/ Time Limit Exceeded

No person shall park a vehicle in a parking space subject to a time limit for a period longer than the maximum time permitted for that space.

For the purposes of this section, a vehicle is deemed to have exceeded the permitted parking time where:

- (a) the time limit has expired in a space subject to a maximum parking duration; or
- (b) payment has expired or has not been made in a space where payment is required,

as determined by a parking meter, pay station, mobile payment application, chalk marking, licence plate recognition, observation by an enforcement officer, or other system authorized by the Town.

10. Liability of Registered Owner

The registered owner of a motor vehicle is liable for an offence under this By-law in respect of the vehicle.

11. Exemption for Veterans, Volunteer Firefighters, and Accessible Parking Permits and Plates

A vehicle that is lawfully displaying a Nova Scotia veterans licence plate, a Nova Scotia volunteer firefighter licence plate, or a valid accessible parking permit or licence plate issued by or recognized under the laws of any province, territory, state, or country, and recognized for use in Nova Scotia, is exempt from the requirement to pay parking fees under this By-law.

This exemption applies only to parking fees and does not exempt a vehicle from applicable parking time limits unless otherwise provided in Schedule A.

12. Commercial Loading Exemption

A commercial vehicle that is clearly marked and actively engaged in the delivery or pickup of goods may park in a paid parking space for up to thirty (30) minutes without payment, provided that the vehicle does not obstruct traffic and complies with all posted signage and time restrictions.

The burden of establishing that the vehicle was actively engaged in loading or unloading rests with the driver.

13. Enforcement

This By-law may be enforced by a by-law enforcement officer, police officer, or other person authorized by the Town.

14. Penalty

A person who contravenes any provision of this By-law is guilty of an offence.

A person who is alleged to have committed an offence under this By-law may, in lieu of prosecution, pay to the Town the applicable penalty set out in Schedule A, and upon payment of the penalty, the person shall not be prosecuted for the offence.

The penalty amounts set out in Schedule A form part of this By-law and may be amended by resolution of Council from time to time.

Where a person fails to pay the applicable penalty within sixty (60) days of the date the ticket is issued, the Town may proceed with prosecution of the offence as a summary offence under the Municipal Government Act.

Nothing in this section prevents the Town from prosecuting an offence under this By-law where the applicable penalty is not paid.

15. Severability

If any provision of this By-law is held to be invalid, the invalidity does not affect the validity of the remaining provisions of the By-law.

16. Repeal

The *Town of Lunenburg By-law No. 20, Parking Meter By-law*, is repealed upon the coming into force of this By-law.

Town of Lunenburg

Paid Parking By-law – SCHEDULE A

1. Parking Fees

Hourly Parking: The parking fee for on-street and municipal parking spaces where payment is required is \$2.00 per hour.

2. Parking Hours and Time Limits

General

Parking time limits, where applicable, are established by location as set out in this Schedule and may be further identified by signage or other Town-authorized means.

Areas with No Maximum Parking Time Limit

No maximum parking time limit applies in the following locations:

- Bluenose Drive
- Pelham Street
- Montague Street

Parking fees, where applicable, continue to apply in these areas in accordance with this Schedule.

Two-Hour Parking Areas

The maximum parking time in the following locations is two (2) hours, unless otherwise indicated:

- King Street
- Duke Street
- Lincoln Street, except where otherwise specified in this Schedule

Short-Term Parking – Thirty (30) Minute Limit

Short-term parking spaces are designated to support quick access to nearby businesses and services.

The maximum parking time in the following spaces is thirty (30) minutes, with no parking fee required:

Lincoln Street – two (2) spaces located near:

- 242 Lincoln Street
- 264 Lincoln Street

These spaces shall be clearly identified by signage or other Town-authorized means.

Interpretation

Where no maximum parking time limit is specified for a location in this Schedule, parking is permitted without time restriction, subject to any applicable parking fees and other provisions of the By-law.

3. Fee Exemptions

- Parking fees do not apply from the last week of November to December 31 of each year.
- The months of January and February
- Parking fees do not apply on statutory holidays, Sundays, or between 5:00 p.m. and 10:00 a.m.

4. Penalty Amounts

The voluntary payment amount for an offence under this By-law is \$25.00. The voluntary payment amount applies to each offence.

Payment of the voluntary penalty within the time specified in the ticket satisfies the offence, and no prosecution shall proceed.