The City of Kingston Act, 1975

Ontario
CHAPTER 103

An Act respecting the City of Kingston

Assented to April 18th, 1975

WHEREAS The Corporation of the City of Kingston, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. (1) In this section, "owner" when referring to an owner of land means a person shown on the latest revised assessment roll for the Corporation as owning any lands abutting on any highway or part thereof that the council of the Corporation proposes to designate under a by-law passed under subsection 2.

(2) Subject to subsection 4, the council of the Corporation may pass by-laws,

(a) permitting owners of motor vehicles, or any class or classes thereof, to park on designated highways or parts thereof during specified hours pursuant to issued permits;

(b) prescribing fees to be charged for parking permits;

(c) providing for the issuance and cancellation of parking permits and the refunding of any unexpired portion of any fee paid;

(d) prohibiting the parking of motor vehicles on designated highways or parts thereof during specified hours;

(e) designating highways or parts of highways within the City of Kingston for purposes of clauses a and d.
(3) Prior to passing a by-law under subsection 2, the council of the Corporation shall send to each owner at the address shown for him on the assessment roll, by prepaid mail, notice of its intention to pass the by-law and to designate any highway or part thereof.

(4) If the city clerk for the Corporation receives a petition objecting to any proposed designation of a highway or part thereof under the authority of clause e of subsection 2 signed by at least two-thirds of the owners within thirty days of the latest mailing of the notices mentioned in subsection 3, the council of the Corporation shall not pass the proposed by-law.

(5) Where any highway or part thereof was not designated as a result of the operation of subsection 4, the council of the Corporation may propose another by-law under clause e of subsection 2 in respect of that highway or part thereof after the expiration of two years from the time the city clerk of the Corporation had received the petition objecting to the proposed designation.

(6) The net revenue obtained from the charges collected under a by-law passed under subsection 2 shall be paid into a reserve fund and the reserve fund shall be applied for the acquisition, establishment and improvement of parking lots or facilities and for such other purposes as the Ministry of Treasury, Economics and Intergovernmental Affairs may approve.

(7) A by-law passed under subsection 2 may provide a procedure for the voluntary payment of penalties in cases where it is alleged that the parking provisions of the by-law have been contravened, and the owner of the motor vehicle shall incur the penalties provided for any violation unless, at the time of the violation, the motor vehicle was in the possession of some person other than the owner without the owner's consent.

(8) No by-law passed under subsection 2 which affects any highway designated as a connecting link or extension of the King's Highway pursuant to subsection 1 of section 19 of The Public Transportation and Highway Improvement Act shall become operative until approved by the Minister of Transportation and Communications.

(9) Part XXI of The Municipal Act applies to any by-law passed under subsection 2.
2. This Act comes into force on the day it receives Royal Assent.

3. This Act may be cited as *The City of Kingston Act, 1975*. Short title