



City Of Kingston

By-Law Number 99-166

A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board (A By-Law To Repeal By-Law Number 80-135, As Amended And Re-Enact As By-Law 99-166)

Passed: May 18, 1999
Updated To: January 9, 2024

(Office Consolidation)

City of Kingston By-law Number 99-166**As Amended By By-Law Number:**

By-Law Number	Date Passed
By-Law Number 99-194	June 1, 1999
By-Law Number 99-213	June 1, 1999
By-Law Number 99-247	July 13, 1999
By-Law Number 99-259	September 7, 1999
By-Law Number 2000-31	February 8, 2000
By-Law Number 2000-58	March 7, 2000
By-Law Number 2000-83	April 4, 2000
By-Law Number 2000-116	May 2, 2000
By-Law Number 2000-158	June 13, 2000
By-Law Number 2000-224	September 19, 2000
By-Law Number 2000-289	October 11, 2000
By-Law Number 2000-317	November 7, 2000
By-Law Number 2000-325	November 7, 2000
By-Law Number 2000-355	November 7, 2000
By-Law Number 2001-15	January 23, 2001
By-Law Number 2001-38	February 6, 2001
By-Law Number 2001-40	February 6, 2001
By-Law Number 2001-43	February 6, 2001
By-Law Number 2001-51	February 21, 2001
By-Law Number 2001-65	February 21, 2001
By-Law Number 2001-75	March 6, 2001
By-Law Number 2001-83	March 20, 2001
By-Law Number 2001-87	April 3, 2001
By-Law Number 2001-133	June 19, 2001
By-Law Number 2001-168	June 26, 2001
By-Law Number 2001-224	October 9, 2001
By-Law Number 2001-246	November 6, 2001
By-Law Number 2001-259	November 6, 2001
By-Law Number 2002-3	December 18, 2001
By-Law Number 2002-7	December 18, 2001
By-Law Number 2002-12	January 8, 2002
By-Law Number 2002-29	January 22, 2002
By-Law Number 2002-30	January 22, 2002
By-Law Number 2002-34	February 5, 2002
By-Law Number 2002-35	February 5, 2002
By-Law Number 2002-36	February 5, 2002
By-Law Number 2002-61	April 2, 2002
By-Law Number 2002-126	June 4, 2002
By-Law Number 2002-150	June 25, 2002
By-Law Number 2002-151	June 25, 2002
By-Law Number 2002-152	June 25, 2002
By-Law Number 2002-153	June 25, 2002
By-Law Number 2002-205	September 3, 2002

By-Law Number**Date Passed**

By-Law Number 2002-211	September 11, 2002
By-Law Number 2002-214	September 3, 2002
By-Law Number 2002-215	September 17, 2002
By-Law Number 2002-216	September 17, 2002
By-Law Number 2002-217	September 17, 2002
By-Law Number 2002-224	September 17, 2002
By-Law Number 2002-232	October 22, 2002
By-Law Number 2003-12	December 17, 2002
By-Law Number 2003-41	January 21, 2003
By-law Number 2003-42	January 21, 2003
By-law Number 2003-53	February 4, 2003
By-Law Number 2003-92	May 6, 2003
By-Law Number 2003-122	June 3, 2003
By-Law Number 2003-137	June 17, 2003
By-Law Number 2003-138	June 17, 2003
By-Law Number 2003-143	June 24, 2003
By-Law Number 2003-144	June 24, 2003
By-Law Number 2003-184	July 15, 2003
By-Law Number 2003-345	July 29, 2003
By-Law Number 2003-346	July 29, 2003
By-Law Number 2003-365	September 9, 2003
By-Law Number 2003-373	September 16, 2003
By-Law Number 2003-384	September 23, 2003
By-Law Number 2003-397	October 28, 2003
By-Law Number 2004-82	April 6, 2004
By-Law Number 2004-113	May 18, 2004
By-Law Number 2004-178	June 22, 2004
By-Law Number 2004-179	June 22, 2004
By-Law Number 2004-235	July 14, 2004
By-Law Number 2004-236	July 14, 2004
By-Law Number 2004-258	September 7, 2004
By-law Number 2004-332	November 16, 2004
By-law Number 2004-334	November 9, 2004
By-law Number 2004-342	November 30, 2004
By-law Number 2004-343	November 30, 2004
By-Law Number 2004-348	December 7, 2004
By-law Number 2005-23	January 18, 2005
By-law Number 2005-52	March 1, 2005
By-law Number 2005-59	March 22, 2005
By-law Number 2005-68	April 5, 2005
By-law Number 2005-69	April 5, 2005
By-law Number 2005-71	April 5, 2005
By-law Number 2005-72	April 5, 2005
By-law Number 2005-95	May 3, 2005
By-Law Number 2005-123	May 17, 2005
By-Law Number 2005-134	June 7, 2005
By-Law Number 2005-135	May 17-2005
By-Law Number 2005-144	June 7, 2005
By-Law Number 2005-147	June 21, 2005
By-Law Number 2005-195	July 19, 2005

By-Law Number**Date Passed**

By-Law Number 2005-216	August 23, 2005
By-Law Number 2005-245	October 18, 2005
By-Law Number 2005-252	November 1, 2005
By-Law Number 2005-264	November 15, 2005
By-Law Number 2005-266	November 1, 2005
By-Law Number 2005-267	November 1, 2005
By-Law Number 2006-50	February 7, 2006
By-Law Number 2006-110	February 7, 2006
By-Law Number 2006-139	June 20, 2006
By-law Number 2006-140	June 20, 2006
By-Law Number 2006-171	September 5, 2006
By-law Number 2006-245	November 21, 2006
By-law Number 2006-246	November 21, 2006
By-law Number 2007-6	January 9, 2007
By-law Number 2007-7	January 9, 2007
By-law Number 2007-27	February 27, 2007
By-law Number 2007-56	February 27, 2007
By-law Number 2007-57	February 27, 2007
By-law Number 2007-58	February 27, 2007
By-law Number 2007-87	April 3, 2007
By-law Number 2007-126	June 19, 2007
By-law Number 2007-133	July 24, 2007
By-law Number 2007-134	July 10, 2007
By-law Number 2007-211	November 6, 2007
By-law Number 2007-215	December 4, 2007
By-Law Number 2008-4	December 4, 2007
By-law Number 2008-56	February 5, 2008
By-Law Number 2008-92	April 15, 2008
By-law Number 2008-96	May 6, 2008
By-law Number 2008-118	June 3, 2008
By-law Number 2008-142	July 15, 2008
By-law Number 2008-151	September 16, 2008
By-law Number 2008-157	September 2, 2008
By-law Number 2009-9	January 6, 2009
By-law Number 2009-13	January 6, 2009
By-law Number 2009-46	March 3, 2009
By-law Number 2009-50	April 7, 2009
By-Law Number 2009-58	April 21, 2009
By-Law Number 2009-59	April 21, 2009
By-Law Number 2009-60	April 21, 2009
By-Law Number 2009-61	April 21, 2009
By-law Number 2009-62	April 21, 2009
By-law Number 2009-63	April 21, 2009
By-law Number 2009-98	August 4, 2009
By-law Number 2009-110	August 4, 2009
By-law Number 2009-127	September 15, 2009
By-law Number 2009-149	October 6, 2009
By-law Number 2009-165	November 17, 2009

By-Law Number**Date Passed**

By-law Number 2010-49	March 23, 2010
By-law Number 2010-55	April 6, 2010
By-law Number 2010-56	April 6, 2010
By-law Number 2010-57	April 6, 2010
By-law Number 2010-58	April 6, 2010
By-law Number 2010-59	April 6, 2010
By-law Number 2010-60	April 6, 2010
By-law Number 2010-65	March 23, 2010
By-law Number 2010-69	April 20, 2010
By-law Number 2010-97	May 4, 2010
By-law Number 2010-105	May 18, 2010
By-law Number 2010-207	October 5, 2010
By-law Number 2010-218	November 2, 2010
By-law Number 2011-21	February 1, 2011
By-law Number 2011-48	April 19, 2011
By-law Number 2011-54	May 3, 2011
By-law Number 2011-55	May 3, 2011
By-law Number 2011-56	May 3, 2011
By-law Number 2011-57	May 3, 2011
By-law Number 2011-58	May 3, 2011
By-law Number 2011-59	May 3, 2011
By-law Number 2011-60	May 3, 2011
By-law Number 2011-70	May 17, 2011
By-law Number 2011-71	May 17, 2011
By-law Number 2011-72	May 17, 2011
By-law Number 2011-73	May 17, 2011
By-law Number 2011-74	May 17, 2011
By-law Number 2011-75	May 17, 2011
By-law Number 2011-117	September 6, 2011
By-law Number 2011-118	September 6, 2011
By-law Number 2011-142	November 15, 2011
By-law Number 2012-8	December 7, 2011
By-law Number 2012-93	May 15, 2012
By-Law Number 2012-126	August 14, 2012
By-law Number 2013-24	December 18, 2012
By-law Number 2013-52	March 5, 2013
By-law Number 2013-53	March 5, 2013
By-law Number 2013-88	April 23, 2013
By-law Number 2013-113	June 4, 2013
By-law Number 2013-114	June 4, 2013
By-law Number 2013-115	June 4, 2013
By-law Number 2013-159	September 10, 2013
By-law Number 2013-160	September 10, 2013
By-law Number 2013-161	September 10, 2013
By-law Number 2013-162	September 10, 2013
By-law Number 2013-163	September 10, 2013
By-law Number 2013-164	September 10, 2013
By-law Number 2013-165	September 10, 2013

By-Law Number**Date Passed**

By-law Number 2013-177	September 24, 2013
By-law Number 2013-178	September 24, 2013
By-law Number 2013-218	December 3, 2013
By-law Number 2014-8	January 7, 2014
By-law Number 2014-9	January 7, 2014
By-law Number 2014-10	January 7, 2014
By-law Number 2014-29	January 21, 2014
By-law Number 2014-53	April 1, 2014
By-law Number 2014-83	June 3, 2014
By-law Number 2014-105	July 16, 2014
By-law Number 2014-130	July 16, 2014
By-law Number 2014-131	July 16, 2014
By-Law Number 2014-166	November 4, 2014
By-Law Number 2014-167	November 4, 2014
By-Law Number 2014-176	November 18, 2014
By-Law Number 2014-188	December 16, 2014
By-Law Number 2015-75	June 2, 2015
By-Law Number 2015-99	June 2, 2015
By-Law Number 2015-100	June 2, 2015
By-Law Number 2015-110	July 14, 2015
By-Law Number 2015-122	August 11, 2015
By-Law Number 2015-185	November 3, 2015
By-Law Number 2015-186	November 3, 2015
By-Law Number 2015-199	December 1, 2015
By-Law Number 2016-11	January 12, 2016
By-Law Number 2016-27	May 3, 2016
By-Law Number 2016-28	May 3, 2016
By-Law Number 2016-29	May 3, 2016
By-Law Number 2016-38	January 26, 2016
By-Law Number 2016-39	January 26, 2016
By-Law Number 2016-40	January 26, 2016
By-Law Number 2016-41	January 26, 2016
By-Law Number 2016-42	January 26, 2016
By-Law Number 2016-52	February 17, 2016
By-Law Number 2016-101	June 7, 2016
By-Law Number 2016-102	June 7, 2016
By-Law Number 2016-109	June 23, 2016
By-Law Number 2016-149	August 9, 2016
By-Law Number 2016-161	September 6, 2016
By-Law Number 2016-162	September 6, 2016
By-Law Number 2016-174	September 20, 2016
By-Law Number 2016-188	October 18, 2016
By-Law Number 2016-195	November 1, 2016
By-Law Number 2017-11	January 10, 2017
By-Law Number 2017-12	January 10, 2017
By-Law Number 2024-102	January 9, 2024

Index

Definitions
 Offence and Penalty Provisions
 Repealing of Old Parking By-Laws
 Changes To Fine Amounts And Disabled Parking
 Spaces
 Delegation of Authority
 Eligibility Requirements for Appointed Persons
 Obstruction
 Validity

Section

1
 2-8
 9
 10

 11-13
 14
 15
 16

Name of Institution

- Bayhill Development Limited
- Bendale Property Management – Royal George Condominium at 5 Gore Street
- Bendale Property Management – Sexton Place Properties – 156 Unit Townhouse Community
 - Canada Customs & Revenue Agency
 - Canadian Tire
 - Canterbury Gardens
 - Cataraqui Town Centre
 - City of Kingston Employees
 - Community Support Services, Providence Care, Mental Health Services – 525 Montreal Street
 - Frontenac Condominium Corporation #10, 15, 20, 23, 39 & 51
 - Frontenac Condominium Corporation #68 – River Park Condominium –
 - Unicum Management Corporation
 - Gilad Parking at 19 Brock Street
 - Homestead Landholdings
 - Homestead Landholdings
- Hotel Dieu Hospital

Name of Property

- Kingston Yacht Club
- Liquor Control Board Of Ontario Store #40
- Norman Rogers Airport
- Ontario Realty Corporation
- Osgoode Properties Ltd. (2)
- Phase 2 Clothing Inc.
- Pizza Pizza Store #706
- 49 Place D'Armes
- Porto Village Non-Profit Homes Inc.
- Princess Towers
- John Counter Boulevard at Montreal Street -Newmarket Lane and Ascot Lane
- Frontenac Place – 780 Division Street
- Providence Manor
- Rendale Property Management
- 94 Wright Crescent, 117 Park Street, 175 Park Street, 322 Brock Street, 346 Brock Street, 44 Old Oak Road, 62 Old Oak Road, 90 Curtis Crescent
- Royal Kingston Curling Club

Name of Institution continued	Name of Property continued
▪ Houde-Shulman Property Management	▪ S & R Department Store
▪ Inside & Out Home and Garden	▪ Shoppers Drug Mart
▪ Jumbo Video/Microplay	▪ St. Lawrence College
▪ Kincore Holdings Ltd.	▪ St. Mary's of the Lake Hospital
▪ Kingston and Frontenac Housing Corporation	▪ St. Paul's Anglican Church, 137 Queen Street
▪ Kingston Collegiate & Vocational Institute & Queen's University	▪ Soporific Investments Inc.
▪ Kingston Co-Operative Homes Inc.	▪ Town Homes Kingston
▪ Kingston General Hospital	▪ Varsity Properties
▪ Kingston Psychiatric Hospital	▪ Via Rail
▪ Kingstown Investment Inc.	▪ Westgate Square
▪ Kingston Shopping Centre	▪ 287 Westdale Avenue
▪ Kingston Transit	▪ YMCA
▪ Ewen MacKinnon/ Property Owner and managed by: MacKinnon Development Corporation	▪ 112 Nelson Street ▪ 134 Colborne Street ▪ 206 Bagot Street ▪ 402 Johnson Street ▪ 196, 198 and 200 Union Street West ▪ 149 Collingwood Street

(By-law 99-166; 2015-110; 2016-11; 2016-109; 2016-149)

City Of Kingston By-Law Number 99-166

A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board (A By-Law To Repeal By-Law Number 80-135, As Amended And Re-Enact As By-Law 99-166)

Passed: May 18, 1999

Now Therefore the Council for the Corporation of the City of Kingston enacts as follows:

1. In this by-law, the following shall be definitions:

Definitions:

“City” means the Corporation of the City of Kingston;

“Electric Vehicle” means:

- (a) a battery electric vehicle that runs only on a battery and an electric drive train, or
- (b) a plug-in hybrid electric vehicle that runs on a battery and an electric drive train, and also uses an internal combustion engine;

“Electric Vehicle Charging Station Space” means a parking space that provides access to equipment that supplies a source of electricity for charging electric vehicles”

“Motor Vehicle” includes an automobile, bus, truck, motorcycle, motor assisted bicycle, motor scooter and any other vehicle propelled or driven other than by muscular power, but does not include an electric bicycle, a traction engine, farm tractor, other farm vehicle, or machine used for road construction or maintenance;

“Municipal Law Enforcement Officer” includes, for the purposes of this by-law, all persons appointed under Section 15 of the Police Services Act, R.S.O. 1990, c. P. 15, as amended, by the Director of Transportation to enforce provisions of this by-law in specific areas, as designated;

"Owner" when used in relation to property means:

- (a) the registered owner of the property;
- (b) the registered owner of a condominium unit whose consent shall extend only to the control of the unit of which he is owner and any parking spaces allotted to him by the condominium corporation, or reserved for his exclusive use in the declaration or description of the property;

Definitions Continued:

- (c) where the property is included in a description registered under The **Condominium Act**, the Board of Directors of the Condominium Corporation;
- (d) A person authorized in writing by the property owner defined in clauses (a), (b), or (d) above, to act on the owner's behalf for requesting enforcement of this by-law.

"Occupant" means:

- (a) The tenant of the property or part thereof whose consent shall extend only to the control of the land of which he is tenant and any parking spaces allotted to him under his lease or tenancy agreement;
- (b) A person or a municipality or a local board thereof having an interest in the property under an easement or right-of-way granted or expropriated by the person, municipality or local board, whose consent shall extend only to the part of the property that is subject to the easement or right-of-way; and
- (c) A person authorized in writing by an occupant as defined in clauses (a) or (b) above, to act on the occupant's behalf for requesting the enforcement of this by-law.

"Park" when applied to a vehicle means to stop for any period longer than actually required to take or to discharge passengers, or to load or unload merchandise;

"Provincial Offences Officer" means a by-law enforcement officer of the City and a Kingston Police Officer.

"Vehicle" includes a motor vehicle and any other vehicle drawn, propelled or driven by any kind of power, including muscular power.

(By-Law 99-166; 2017-11; 2024-102)

2. The parking or leaving of motor vehicles on private property or on property of the City of Kingston or any local board thereof, without the consent of the owner or occupant of the private property or the consent of the municipality or local board in the case of property owned or occupied by the City of Kingston or a local board thereof is hereby prohibited.
 - (1) The parking or leaving of motor vehicles in any persons with disabilities parking area located on private property or on property of the City of Kingston or any local board thereof without the consent of the owner or occupant of the private property or the consent of the municipality or local board in the case of property owned or occupied by the City of Kingston or a local board thereof is hereby prohibited.

(2) No person will park a vehicle or any part of a vehicle in an electric vehicle charging station space that is identified by signage unless the vehicle is an electric vehicle and the electric vehicle is attached to the station's charging equipment and is charging.

(By-law Number 99-166; 2003-365; 2004-348; 2024-102)

3. Any vehicle parked or left in contravention of this by-law may be removed and impounded or be restrained and immobilized at the owner's expense, and all costs and charges for removing, care and storage of the vehicle shall be a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act, as amended.

(By-Law Number 99-166; 2017-11)

4. All costs and charges for the removing, care and storage of the vehicle shall be a lien upon the vehicle and may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, C.R. 25, as amended.

(By-law Number 99-166; 2004-348)

5. The driver of a motor vehicle not being the owner shall be liable to the penalties provided for in this by-law. The owner is also liable to the penalties provided for in this by-law, unless at the time the offence was committed the motor vehicle was in the possession of a person other than the owner, without the owner's consent.

6. Where an owner or an occupant of property affected by this by-law has posted signs stating conditions on which motor vehicles may be parked or left on the property or prohibiting the parking or leaving of a vehicle on the property, a motor vehicle parked or left on the property contrary to such conditions or prohibition, shall be deemed to have been parked or left without consent.

7. A Municipal Law Enforcement Officer or a Provincial Offences Officer appointed under the Police Services Act to enforce this by-law in respect of a particular property shall be deemed to have the written authority of the owner or occupant of the property to enforce this by-law.

(By-Law 99-166; 2017-11)

8. (1) Any person who contravenes any of the provisions of this by-law shall, in addition to any other penalty provided for in this by-law, be guilty of an offence and upon conviction is liable to a penalty in the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction as provided for under the *Provincial Offences Act*. The owner of a vehicle that is parked in contravention of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for under the *Provincial Offences Act* unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another person, without the owner's consent, express or implied. Upon a conviction being entered, the Court in which the conviction was entered may, in addition to any other remedy and to any penalty imposed in this

by-law, make an Order prohibiting the continuation or repetition of the offence by the person convicted.

- (2) Every person to whom a parking infraction notice has been issued alleging that a provision of this by-law has been contravened may, within seven days of the issuance of the parking infraction notice, make a voluntary reduced payment to the City of the penalty for that offence, if the offence allows for a voluntary reduced payment.
- (3) The affixing of a parking infraction notice to a vehicle is an optional procedure, and nothing herein is to be construed as a prohibition against the issuing of a summons in the first instance alleging a breach of By-Law Number 99-166.

(By-Law 99-166; 2017-11)

9. By-Law Number 5615 entitled "A By-Law to Prohibit the Parking or Leaving of Motor Vehicles on Private Property or Property of the Municipality or any Board thereof Without Authority from the Owner or Occupant of such Property and to Provide for the Removal and Impounding of any Vehicle so Parked or Left at the Expense of the Owner Thereof", and By-Law Number 7398 entitled "A By-Law to Prohibit the Parking or Leaving of Motor Vehicles on Property of the Municipality or any Local Board Thereof where Parking by the Public is not Authorized and to Provide for the Removal and Impounding of any Vehicle so Parked or Left at the Expense of the Owner", are hereby repealed.
10. All changes to fine amounts and disabled parking spaces shall become effective upon approval being received for said fine amounts from the Ministry of the Attorney General and upon required signage and/or equipment being installed and pavement markings being added or removed, as necessary.

(By-law Number 99-166; 2002-217; 2004-348)

11. Delegation of Authority

The Director of Transportation Services, or his or her designate, is granted delegated authority by Council to:

- (a) approve the execution by the Mayor and Clerk of agreements for the issuance of City parking infraction notices on private property, and amend or rescind any agreement, as deemed necessary;
- (b) appoint persons as municipal law enforcement officers for the purpose of issuing parking infraction notices under the provisions of By-Law Number 99-166 on designated private properties, and revoke said appointment of any person, if deemed necessary.

(By-Law 99-166; 2017-11)

12. Pursuant to the authority delegated under Section 11 of this by-law, the Director of Transportation Services, and his or her designate, shall:

- (a) be responsible for reviewing each application with respect to its eligibility for approval;
- (b) maintain an up-to-date listing of authorized properties and persons appointed to issue parking infraction notices on said properties; and,
- (c) ensure that each authorized property owner or occupant and each person appointed to issue City parking infraction notices complies with all municipal by-laws and statutory requirements.

(By-Law 99-166; 2017-11)

13. The authorization by Council permitting the issuance of City parking infraction notices on a property by persons appointed for that purpose, as listed under Section 11 of this by-law on the date of the passing of the amendment removing Section 11, shall continue to remain in effect, until such time that the Director of Transportation Services, or his or her designate, may rescind such authorization, as deemed necessary.

(By-Law 99-166; 2017-11)

14. Every person applying to issue City parking infraction notices on private property shall meet the following requirements:

- (a) be at least 18 years of age;
- (b) provide a Canadian Police Information Centre (CPIC) criminal record check satisfactory to the City; and,
- (c) successfully complete a parking infraction notice issuance orientation.

(By-Law 99-166; 2017-11)

15. No person shall obstruct or hinder or attempt to obstruct or hinder any municipal law enforcement officer or any provincial offences officer who is performing a duty under this by-law.

(By-Law 99-166; 2017-11)

16. If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force or effect, it is the intention of Council in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

(By-Law 99-166; 2017-11)
