

**BY-LAW NO. 26**

**PARKING TAX ASSESSMENT AREA BY-LAW**

1. This By-Law shall be cited as the “Parking Tax Assessment Area By-Law.”
2. The boundaries of the area to be rated for parking tax under the Yarmouth Parking Commission Act are as follows:

BEGINNING at a point where the South side of Frost Park intersects with the East side of Water Street;

THENCE Southerly by the East side of Water Street to the North side of Forest Street;

THENCE Easterly by the North side of Forest Street to the West side of William Street;

THENCE Northerly by the West side of William Street to the South side of Cliff Street;

THENCE Westerly by the South side of Cliff Street to Willow Street;

THENCE Northerly by the West side of Willow Street to the center line of Parade Street;

THENCE Westerly along Parade Street to a point where it intersects with the center line of First Street;

THENCE Northerly to the point in line with the South side of Frost Park;

THENCE Westerly to the point of beginning.

**REGULATIONS FOR THE TOWN OF YARMOUTH  
RESPECTING PARKING MADE PURSUANT TO  
SECTION 137 OF THE MOTOR VEHICLE ACT**

Whereas it is desirable that the parking of vehicles upon certain public streets and highways be regulated by the placing of traffic signs limiting parking to one hour during the daytime;

And whereas Section 137 of the Motor Vehicle Act, Chapter 191, R.S.N.S., 1967, as amended, provides that the traffic authority for the Town of Yarmouth may make regulations prohibiting or restricting the parking or leaving standing of vehicles upon any highway or part thereof in the limits of the Town and that such regulations may prohibit or restrict the parking or leaving standing of vehicles except in accordance with a sign or device on a parking meter;

Therefore, by virtue of the power vested in me under the provisions of Section 137 of the Motor Vehicle Act, I, as Traffic Authority for the Town of Yarmouth, do hereby make the following regulations:

- 1.01 That streets and highways, or portions thereof, in the Town of Yarmouth to which these regulations apply are those on which, under my authority, traffic signs shall have, from time to time, been installed.
- 1.02 The installation and maintenance of traffic signs shall be under the supervision and direction of the Traffic Authority of the Town of Yarmouth.
- 1.03 It shall be the duty of any police officer of the Town of Yarmouth or of any By-Law Enforcement Officer and of any Special Constable appointed for the Town of Yarmouth under the Nova Scotia Police Act, to report all violations of these regulations and to enforce them.

- 1.04 For the purposes of these regulations, the word “traffic signs” means traffic signs as described in the regulation Made Pursuant to Section 79 of the Motor Vehicle Act of the Province of Nova Scotia.
2. The Traffic Authority for the Town of Yarmouth is hereby authorized to cause traffic signs to be placed on any streets or highways, or portions thereof, in the Town of Yarmouth, limiting the length of time which a vehicle is permitted to park thereon to 1 hour, between the hours of 7:00 o’clock in the forenoon, local time, to 6:00 o’clock in the afternoon of the same day.
3. No driver shall park or leave standing a vehicle on any street or highway or portion thereof in the Town of Yarmouth for a period exceeding 1 hour, between the hours of 7:00 o’clock in the forenoon, local time, and 6:00 o’clock in the afternoon of the same day.
- 4.01 A person who is alleged to have violated these Regulations and is given notice of the alleged violation may pay a penalty in the amount of \$5.00 to the office of the Town Clerk of the Town of Yarmouth, provided that if the said payment is made to the office of the Town Clerk within a period of 48 hours following the day on which the alleged violation was committed, then the said payment shall be reduced to \$4.00 and in either case such payment shall constitute full satisfaction, release and discharge of all penalties incurred by the person for the violation.
- 4.02 Any person who pays a parking fine within seven (7) days from the date of the alleged offence shall not be liable for prosecution under these Regulations.

- 4.03 Any person convicted for a violation of these Regulations shall be liable for a first offence to a penalty of not more than \$5.00, and in default of payment, to imprisonment for a term of not more than two days, and for a subsequent offence to a penalty of not more than \$10.00 and in default of payment, to imprisonment for a term not more than four days.
- 4.04 Pursuant to Section 233 (1) of the Motor Vehicle Act, the owner of the vehicle operated or parked in violation of these Regulations shall be liable for any penalty or any violation of these Regulations and shall incur the penalty or other consequences provided by these Regulations unless at the time of such violation, the motor vehicle was in the possession of some other person other than the owner, without the owner's consent, either express or implied.

DATED at Yarmouth, Nova Scotia this 30<sup>th</sup> day of November, A.D., 1984