

# CAPE BRETON REGIONAL MUNICIPALITY

By-Law No: P-100

## Parking By-law

A BY-LAW TO PARKING WITHIN THE CAPE BRETON REGIONAL MUNICIPALITY

**WHEREAS** the Council of the Cape Breton Regional Municipality seeks regulate parking on municipal streets and municipal properties;

**WHEREAS** Section 153 of the *Motor Vehicle Act*, Chapter 293, R.S.N.S., 1989, as amended, provides that the Council for the Cape Breton Regional Municipality may make By-Laws prohibiting or restricting the parking or leaving standing vehicles upon any highway or part thereof in the limits of the Municipality and that such By-law may prohibit or restrict the parking or leaving standing of any vehicle, except in accordance with a sign, device on a Parking Meter or Pay Station;

**WHEREAS** the Council of the Cape Breton Regional Municipality also wishes to regulate the parking of vehicles in certain lots owned, leased or otherwise under the control of the Cape Breton Regional Municipality;

**WHEREAS** the Council of the Cape Breton Regional Municipality seeks to set forth provisions regarding parking enforcement, penalties, and restrictions;

**BE IT ENACTED** by the Council of the Cape Breton Regional, under the authority of the *Municipal Government Act*, S.N.S 1998, Chapter 18, as amended, and under the authority of the *Motor Vehicle Act*, R.S.N.S. 1989, Chapter 293, as amended, as follows:

Where a provision of this By-law conflicts with the provisions of another By-law in force within the Municipality, the more stringent provision prevails.

### 1. Short Title

This By-law shall be known as the "Parking By-law" and may be cited as the "Parking By-law, No. P-100".

### 2. Application

In addition to the authorities under the *Motor Vehicle Act*:

- (1) This By-law shall apply to the public streets and highways in the Cape Breton Regional Municipality upon which Parking Meters or Pay Stations have from time to time been installed.
- (2) This by-law applies to any parking lot owned, leased, or otherwise under the control of the Cape Breton Regional Municipality.

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#### **3. Definition**

In this By-law,

“By-law Enforcement Officer” means the employee(s) of the Cape Breton Regional Municipality appointed to enforce one or more By-laws of the Cape Breton Regional Municipality.

“Commercial Motor Vehicle” means a type of Motor Vehicle that is used for carrying goods or passengers as defined by the *Motor Vehicle Act*;

“Conviction” includes payment of a penalty under Section 22.

“Electronic Payment” means payment by means of a device to the Municipality and to a person contracted with the Municipality to accept payment.

“Electric Vehicle (EV)” means a motor vehicle that uses electric motors powered by rechargeable battery packs.

“EV Charging Station” means equipment used to recharge Electric Vehicles (EV).

“EV-Designated Parking Space” means a Parking Space designated solely for EVs while actively charging.

“Mobile Application (Mobile App)” means a system established by or on behalf of the Municipality, accessible by way of a cell phone or other device, which, when activated by the owner or operator, records the pay parking zone in or the Parking Meter at which the vehicle is parked, the licence plate of the parked vehicle and the time required for the use of the Parking Space.

“Motor Vehicle” includes an automobile, truck, trailer, motorcycle and any other Vehicle propelled or driven otherwise than by muscular power, but does not include a motorized snow Vehicle or motor-assisted Vehicle.

“Municipality” means the Cape Breton Regional Municipality, in the County of Cape Breton, Province of Nova Scotia.

“Municipal Vehicle” means a motor vehicle owned or operated for the Municipality by way of marking or permit.

“Parking” means the standing of a vehicle whether occupied or not, upon a Roadway, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to traffic regulations or traffic signs or signals;

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“ Parking Meter” means mechanical or electronic device designed to receive payment of fees for parking at a Parking Space, indicating whether any fee for parking has been paid, fix the period of parking allowed for any fee paid, and indicate whether the period for which any such fee has been paid has elapsed, and including any electronic payment display, including a Pay Station.

“Parking Permit” means a card or electronic notification authorized and approved for daily, weekly, monthly and yearly parking by the By-law enforcement division and displayed on the vehicle or electronically available while in effect;

“Parking Space” means a space for parking a vehicle controlled and regulated by a Parking Meter or Pay Station or sign and may also include an EV-Designated Parking Space

“Pay Parking Zone” means an area of a Roadway or property marked by signs or an application that indicates a period of time to park a Motor Vehicle shall be purchased from a Pay Station. "Pay Station" means an apparatus to receive payment of fees for parking within a parking payment area and indicate at the time of fee payment the period of time for which parking has been paid for.

“Peace Officer” means a police officer of the Cape Breton Regional Police, By-law Enforcement Officer or a special constable appointed pursuant to the *Police Act*.

“Roadway” for the purpose of this By-law Roadway means:

- (1) the whole of any land which is within the Cape Breton Regional Municipality and which is laid out by council as a road, street or public highway;
- (2) land which is vested in the Cape Breton Regional Municipality for the purposes of a road street and includes any access way or service lane under the control of the Cape Breton Regional Municipality;
- (3) every parking place, square or place intended for use of the general public and any private parking areas delegated to Cape Breton Regional Municipality for parking enforcement.

“Parking Authority” means the individual appointed to manage, supervise and enforce this By-law.

#### **4. General Parking Regulations**

- (1) No person shall park a Motor Vehicle:
  - (a) In a designated no-parking zone;
  - (b) In front of a fire hydrant or within 5 metres of a hydrant;
  - (c) On a sidewalk or crosswalk;
  - (d) In a manner that obstructs traffic or pedestrian movement;

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- (e) In a space designated for persons with accessibility and/or mobility limitations without a valid permit; or
- (f) In a manner that violates posted time limits.

#### **5. Placing of Parking Meters and Parking Pay Station**

- (1) A Parking Meter installed in the Municipality shall be placed on the sidewalk and shall designate the Parking Space associated with it as hereinafter set forth.
- (2) A Pay Station installed in the Municipality shall be placed in the right of way in the pay parking zone associated with it.

#### **6. Parking Spaces**

- (1) The Parking Space provided with each Parking Meter shall be of sufficient size to be accessible and accommodate one standard passenger vehicle. The placing of Motor Vehicles shall be as follows:
  - (a) When Parking is parallel to the curb or edge of the Roadway, the foremost part of the Motor Vehicle shall be placed within a space measured along the curb not more than 101 millimetre beyond the Parking Meter nor more than one metre in measurement to the rear of the Parking Meter;
  - (b) When the Parking is established at an angle to the edge of the Roadway, this shall be appropriately marked or signed, and unless otherwise clearly indicated, a Motor Vehicle parked at an angle where Parking Meters have been installed shall be placed in contact with the curb immediately to the right of the Parking Meter which applies to the Motor Vehicle; and
  - (c) When two Parking Meters are supported by one standard, a Motor Vehicle shall be parked wholly within the Parking Space provided for each Parking Meter in a manner that no portion of the Motor Vehicle projects beyond the Parking Space.
- (2) Where a Pay Parking Zone is established by the Parking Authority and a period of time is purchased by Electronic Payment, Mobile App or at the Pay Station:
  - (a) a Motor Vehicle shall be parked parallel to the curb or edge of the Roadway; or
  - (b) where appropriately marked or signed, a Motor Vehicle shall be parked at an angle to the curb or edge of the Roadway.

#### **7. Marking of Space**

- (1) Notwithstanding anything contained in this By-law, special limitations of a Parking Space may be clearly marked and where so marked, will govern the permissible location of a Motor Vehicle.

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(2) It shall be an offence and a violation of the By-law for any person to park or leave standing any Motor Vehicle beyond such line or marking, except as provided in Section 10.

(3) Not more than one Motor Vehicle shall be parked in each Parking Space described in Section 6 and Subsection 5(1).

#### **8. Meter Number and Pay Parking Zone Number**

(1) A Parking Meter or Pay Station shall be identified by a number which shall be known as the Parking Meter number.

(2) Every Pay Parking Zone shall be identified by a unique set of alphanumeric characters which shall be known as the Pay Parking Zone number.

#### **9. Parking on Municipal Property**

(1) The Municipality may erect parking signs prescribing terms or conditions upon which Motor Vehicles may be parked in parking lots owned, maintained or operated by the Municipality, including but not limited to signs prescribing:

- (a) permit parking only;
- (b) customer parking and/or employee parking;
- (c) maximum free parking time;
- (d) fee for parking;
- (e) EV Parking Only While Charging and
- (f) any sign deemed necessary by the Parking Authority.

(2) Every person shall comply with the directions set forth on any sign erected pursuant to this By-law.

(3) The municipality may designate Parking Spaces on municipal property for EV charging stations.

(4) EV-designated spaces may only be used by Electric Vehicles while actively charging.

(5) It shall be an offence for non-Electric Vehicles or Electric Vehicles not actively charging to be parked in an EV-Designated Spaces

#### **10. Large Motor Vehicles**

In the case of parallel Parking, where the dimensions of a large Motor Vehicle are such that the Motor Vehicle extends into an adjacent Parking Space, the Motor Vehicle shall be considered to occupy all Parking Spaces so affected, and the driver shall be responsible for payment of fee in all applicable Parking Meters.

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#### **11. Indication of Time**

- (1) Each Parking Meter installed shall have thereon an appropriate sign stating the maximum parking time permitted in the individual Parking Space to which it relates.
- (2) When in operation, each Parking Meter shall indicate by a digital display the period of time acquired by coin deposit or parking card during which parking is permitted in the Parking Space to which such meter relates.
- (3) Upon the expiration of the period of time permitted for Parking, the Parking Meter shall indicate that Parking in such space is in violation of this By-law.
- (4) A sign in the Pay Parking Zone shall indicate the hours and days when payment is required to park in the Pay Parking Zone and the maximum amount of time that a Motor Vehicle may be parked in the Pay Parking Zone in a twenty-four-hour period.
- (5) The maximum time a Motor Vehicle may be parked under Subsection (1) of this section shall include the total of any intervals of time that may be purchased.
- (6) Parking is permitted in a Pay Parking Zone, when payment is required under Subsection (4) of this section, when:
  - (a) The following is entered into the Pay Station or submitted through Electronic Payment or Mobile Application (Mobile App);
    - (i) The license plate number of the Motor vehicle parked in the Pay Parking Zone, and
    - (ii) The period time to be purchased, and
    - (iii) The required fee for the time entered in sub clause (ii) of this Section is paid in full, and
  - (b) The maximum amount of time that a Motor Vehicle may be parked in the Pay Parking Zone has not been exceeded.

#### **12. When in Effect**

- (1) Each Parking Meter and Pay Station shall display the value of the coins, money, and Electronic Payment to be paid and the limited period of time for which parking is lawfully permitted in the Parking Space to which such Parking Meter relates.
- (2) Where payment is made by Electronic Payment, each Parking Meter and remote device shall retain electronically, for a period of time at least 24 hours, the license plate number and the amount of time for which Parking is permitted.
- (3) The amount of time retained under Subsection (2) of this Section, may be assessed remotely or otherwise by a Peace Officer or By-law Enforcement Officer to determine the amount of time to park at the Parking Meter that has been

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purchased or whether the amount of time purchased to park at the Parking Meter has expired.

#### **13. Payment**

- (1) When used in directions on a Parking Meter or Pay Station, the required payment shall refer only to lawful money of Canada.
- (2) When used in directions of a Pay Station, the required payment may be by Electronic Payment or Mobile Application (Mobile App).
- (3) Where so indicated on the Parking Meter or Pay Station, payment shall be by:
  - (a) coin,
  - (b) debit or credit card, or
  - (c) if Subsection (2) applies, by Electronic Payment and Mobile Application (Mobile App).

#### **14. Parking Rates**

The rate for Parking Meters within the Municipality shall be set by the Parking Authority of the Municipality from time to time and as approved by the Committee of the Whole.

#### **15. Parking in Excess of Time Allowed**

- (1) It shall be an offence and a violation of this By-law for the driver of a Motor Vehicle to park or leave the same standing in any Parking Space regulated by a Parking Meter for a period of time in excess of the maximum period allowed by the direction set forth on such Parking Meters regardless of the payment deposited or whether the word "expired" is visible in the observation window of the Parking Meter or where the Parking Meter has a digital display reading "00:00" or the time indicated on the receipt provided under Section 11 has expired.
- (2) When the driver of any Motor Vehicle has parked or left standing in any Parking Space for a period of time in excess of the maximum period of time allowed by the directions set forth on such Parking Meter or Pay Station, it shall be a new and separate offence for each additional hour that an offence continues.

#### **16. Commercial**

- (1) The driver of a Commercial Motor Vehicle may park or leave such Commercial Motor Vehicle standing in any Parking Space for the purpose of loading or unloading goods, wares, merchandise, materials or passengers for any period of time not exceeding thirty minutes, without depositing any payment in the Parking Meter or Pay Station relating to such Parking Space.
- (2) It shall be an offence and a violation of this By-law for the driver of a commercial Motor Vehicle.

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- (a) to park or leave same standing in any Parking Space for any period of time in excess of thirty minutes; or
- (b) notwithstanding Subsection 1 of this Section, to fail to comply with the direction set forth on the Parking Meter relating to such Parking Space.

#### **17. Unlawful to Park or Impede**

- (1) It shall be an offence and a violation of this By-law for the driver of a Motor Vehicle to park or leave standing a Motor Vehicle in a Parking Space that is not part of a Pay Parking Zone:
  - (a) If a period of time for Parking has not been purchased from a Parking Meter or Pay Station
  - (b) If the word "Expired" is visible in the observation window of the Parking Meter relating to such Parking Space or where the Parking Meter has a digital display reading "00:00", unless such Motor Vehicle is parking pursuant to the provisions of Section 12 herein or the phase "Out of Order" is visible in the observation window of the Parking Meter relating to the Parking Space.
  - (c) If a remote device indicates that the time purchased by Electronic Payment has expired.
  
- (2) It shall be an offence and violation of this By-law for the driver of a Motor Vehicle to park or leave a Motor Vehicle standing in a Pay Parking Zone:
  - (a) If a period of time for parking has not been purchased from a Pay Station or mobile application (app), or
  - (b) If the Pay Station related to the Parking Space in the Pay Parking Zone indicates that the time purchased by Electronic Payment has expired, or
  - (c) If the remote device indicates that the time purchased by Electronic Payment has expired, or
  - (d) If the Pay Station or the mobile application (app) indicates that parking is unavailable in the Pay Parking Zone.
  
- (3) Unless a Motor Vehicle is parked in excess of the maximum time allowed pursuant to Section 11, there is no violation of Subsection (1) or (2) of the Section if:
  - (a) The Motor Vehicle is parked pursuant of Section 12 of the By-law, or
  - (b) The phrase "Out of Order" is visible in the observation window of the Parking Meter relating to the Parking Space where the Motor Vehicle is parked or left standing.
  
- (4) It shall be an offence and a violation of this By-law for any person to impede, block or divert a Motor Vehicle from parking in any Parking Space in the Municipality without written permission to do so from the Parking Authority.

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#### **18. Unlawful to Deposit**

It shall be an offence and a violation of this By-law for any person to deposit or cause to be deposited in any Parking Meter in the Cape Breton Regional Municipality any device, slug, dice, metallic substance, or other substitute for the coins permitted to be deposited in accordance with this By-law.

#### **19. Parking Administration**

The operation, maintenance, regulation and use of all Parking Meters and Pay Stations installed in the Cape Breton Regional Municipality along with municipally designated parking lots shall be under the authority management, supervision, and direction of the Parking Authority appointed for the purpose to enforce this By-law.

#### **20. Exemption from Parking Restrictions**

- (1) Emergency vehicles and Municipal Vehicles shall be exempt from certain parking restrictions while performing official duties.
- (2) The Municipality may grant temporary exemptions for special events upon request.
- (3) A Motor Vehicle identifiable by a Veteran's License Plate, issued pursuant to the *Nova Scotia Veterans Number Plate Regulations*, may park at any regulated Parking Space for the maximum time period referenced in Section 11 without payment. Parking beyond the maximum time period shall be subject to a penalty.
- (4) A Motor Vehicle displaying a valid accessible parking permit or number plate issued by a province, or another permit recognized under the *Motor Vehicle Act*, may park at any regulated Parking Space for the maximum time period referenced in Section 11 without payment. Parking beyond the maximum time period shall be subject to a penalty.

#### **21. Enforcement**

It shall be the duty of any Police Officer of the Cape Breton Regional Municipality or By-law Enforcement Officer delegated by the Parking Authority responsible for this By-law to enforce this By-law.

#### **22. Penalty**

- (1) A person who contravenes any Section of this By-law is liable upon summary conviction to a penalty:
  - (a) for the first five or less convictions within a period of 12 months, not less than twenty-five dollars (\$25.00);
  - (b) for the sixth to twelfth convictions within a period of 12 months, not less than forty-five dollars (\$45.00); and

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(c) for more than twelve convictions within a period of 12 months, not less than sixty-five dollars (\$65.00),

and in default of payment, to imprisonment for a term not less than seven (7) days.

(2) For the purpose of Subsection (1), the period of 12 months is the period of time that ends on the calendar day before the date of the current offence, and commences 12 months before that end day, and includes both days.

(3) Any person alleged to have violated this By-law shall be given notice by way of a ticket left on the Motor Vehicle for each offence.

(4) The ticket shall set a penalty as set out in Subsection (1) for each hour of violation, payable to the Cape Breton Regional Municipality, if paid within sixty (60) days from the date of issuance, and shall specify the place and manner of payment.

(5) However, if payment is made within seven (7) days following the date on which the alleged violation was committed, the penalty shall be reduced to by five dollars (\$5) per hour of violation.

(6) If payment is not made within sixty (60) days, the penalty shall increase by an additional thirty six dollars and sixty cents (\$36.60 per hour of violation).

(7) Payment of the applicable fine within the timeframes outlined shall constitute full satisfaction, releasing and discharging the person from all further penalties and imprisonment related to the alleged violation(s).

(8) A Peace Officer or By-law Enforcement Officer Parking Authority may cause to be removed from any Roadway, Parking Space or transportation station, a Motor Vehicle using same in breach of this By-law, and require payment of the reasonable costs of its removal to a place of safety.

### **23. Liability of Owner and Driver**

(1) The owner of a Motor Vehicle shall incur the fine provided for any violation of this By-law unless at the time of such violation the Motor Vehicle was in the possession of some person other than the owner without the owner's consent, either expressed or implied, and the driver of a Motor Vehicle not being the owner shall also incur the penalties or other consequences provided for any such violation.

(2) Any person alleged to have violated the By-law shall be given notice by a ticket left on the Motor Vehicle for each offence. The ticket shall set out that if a penalty of twenty-five dollars (\$25.00) is paid within sixty days of the ticket issuance date

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(specifying the place and manner of payment) or said amount plus court costs after sixty days, prosecution will be avoided.

- (3) The owner of a Motor Vehicle who incurs a fine under Subsection (2) is not in any event liable to imprisonment.

#### **24. Construction Industry Parking Permit**

- (1) For the facilitation of operations in the construction industry or in the operation of utilities (including drainage, electrical, road construction and maintenance services, telecommunications, water supply, and similar services), an authorized officer may, subject to conditions deemed appropriate in the circumstances and upon payment of the prescribed fee, grant an exemption known as a "Parking Permit." Such a permit may be issued to specified persons, in respect of certain motor vehicles or conditions, exempting them from some or all provisions of this By-law

- (2) Without limiting the generality of Subsection (1), conditions imposed under that clause may include the following:

- (a) a requirement to show on any Motor Vehicle or Motor Vehicles to which the exemption applies, a sticker, label or similar document setting out the days and times when the exemption has effect: and a limitation to specific geographic areas and or Parking Meter numbers.
- (b) the closure of the Parking Meter or Parking Meters in effect by way of bagging or no parking signage as approved and installed by the enforcement body of this By-law.

- (3) Parking Authority may establish a permit procedure for parking in designated areas.

- (4) Permits shall be issued by the Municipality upon application and payment of applicable fees.

- (5) Permit holders must display the permit in a visible location inside the Motor Vehicle.

#### **25. Designated Parking Spaces for a Manufacturing Use**

- (1) An authorized officer may designate a Parking Space or spaces for the use of the owner of a manufacturing use for the purpose of loading/unloading of goods subject to the following conditions:

- (a) This designation shall be for specific hours and days of the week and shall not be assigned for longer than a three hour period daily.
- (b) Payment shall be prorated in compliance with the monthly rate of \$220.
- (c) Payment must be submitted annually.

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- (2) Upon approval of a designated space(s), the authorized officer will ensure the necessary signage is posted and states the days and times when the designation is in effect.
  
- (3) The enforcement of unauthorized Motor Vehicles occupying any designated space during an approved period shall be the sole responsibility of the owner of the manufacturing use.

**26. Previous By-law Repeal**

Bylaw No. T-5, cited as the Cape Breton Regional Municipality Parking Meter By-law is hereby repealed.

**PASSED AND ADOPTED by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipality held on the December 9, 2025.**

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**Mayor Cecil P. Clarke**

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**Christa Dicks, Municipal Clerk**

I, Christa Dicks, Municipal Clerk of the Cape Breton Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of the Cape Breton Regional Municipal Council on December 9, 2025.

***THIS IS TO CERTIFY*** that the attached is a true and correct copy of the Parking By-law of the Cape Breton Regional Municipality

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***Christa Dicks, Municipal Clerk***

**Publication Date: March 3, 2026**