

**REPEALED BY BY-LAW NO. 87/2005
APRIL 27, 2005**

CONSOLIDATION UPDATE: DECEMBER 11, 2002

THE CITY OF WINNIPEG

**THE PARKING AUTHORITY BY-LAW
NO. 2054/78**

**A By-law of THE CITY OF WINNIPEG to
establish a Parking Authority for The City of
Winnipeg.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. This By-law may be cited as "**The Parking Authority By-law**".

2. In this By-law:

amended 6595/95; 8162/2002

"Authority" means the Parking Authority of The City of Winnipeg established by this By-law;

amended 6595/95

"Committee" means the Executive Policy Committee of The City of Winnipeg;

amended 5318/89; 8162/2002

"Citizen" means a person other than a Councillor entitled to vote in the municipal elections of The City of Winnipeg;

amended 6595/95; 8162/2002

"Parking Facilities" means any area, structure or device or arrangement acquired or constructed for or used as a place for the parking of motor vehicles by the public, and includes a metered parking space elsewhere than on a City street.

amended 6595/95

ESTABLISHMENT OF THE PARKING AUTHORITY

3. (1) There is hereby established a Parking Authority for the City to be known as "The Parking Authority of The City of Winnipeg" which shall:

- (a) subject to the provisions of this By-law, co-ordinate, monitor, develop and recommend policies for the operation of publicly owned parking facilities in The City of Winnipeg;
 - (b) investigate the requirements for the parking of motor vehicles within the City;
 - (c) report to and advise Council on all matters related to or concerned with off-street parking of motor vehicles in the City;
 - (d) recommend to Council through the Committee the construction of publicly owned parking facilities;
 - (e) encourage construction of privately owned parking facilities;
 - (f) recommend to Committee rates and charges for the use of City-owned parking facilities to the intent that, competition permitting, the revenue therefrom shall be sufficient to make the parking facilities self-sustaining after providing for all proper expenditures including payments in lieu of realty and business taxes and for such depreciation and debt charges as the City thinks proper and the power to recommend rates shall include the power to vary and negotiate rates for different structures, locations and circumstances, as seems fit to the Authority;
 - (g) submit to the Committee its estimates of operating expenditures for each year at the time, and in the form, prescribed by the said Committee. No item of capital expenditure for parking facilities shall be undertaken by Council without the specific recommendation of the Authority.
- (2) Without limiting the generality of the provisions of subsection (1), the Authority, subject to the limitations of said subsection, shall:
- (a) carry out detailed factual studies regarding location of sites to determine suitable size and type of parking facilities to meet parking requirements of the City;
 - (b) make available the results of studies and conclusions regarding parking to private firms and individuals to stimulate private interest in parking facility activities;
 - (c) assist organized groups, merchants, businessmen and others in parking activity;

- (d) control the location, operation, servicing and maintenance of publicly owned off-street parking facilities, including the possible metering of same;
 - (e) prepare and maintain a master plan of off-street parking facilities to meet the present and probable parking needs of The City of Winnipeg; and
 - (f) recommend acquisition or lease of land for the construction of parking facilities or the construction and operation of additional parking facilities on land presently owned by the City.
- (3) In carrying out the functions granted to it by this By-law, the Authority shall utilize the services of the Public Works Department of the City.
amended 5318/89; 8162/2002
- (4) Nothing contained in this By-law shall give to the Authority the power, right, authority and privilege of the City to raise money by the issue of debentures or otherwise for the acquisition of land or construction of buildings to be used for the public parking of vehicles, nor the power to guarantee repayment of any loan or loans to any person for parking facilities.

COMPOSITION OF AUTHORITY

4. (1) (a) The Authority shall be composed of eight (8) members as provided in this section, and consist of four (4) Councillors, one of whom shall be a member of the Committee, and three (3) citizens to be appointed by Council, and the Chief Financial Officer.
amended 5318/89; 8162/2002
- (b) The members of the Authority who are Councillors shall be appointed for one (1) year annually at the organizational meeting of Council.
- (c) The members of the Authority who are citizens shall be appointed for three (3) years at the organizational meeting of Council as each term expires.
amended 8162/2002
- (d) A former member is eligible for reappointment.
- (e) After the office of a member of the Authority becomes vacant by reason of death or resignation, Council shall, at the next regular meeting, or a subsequent meeting, appoint:

- (i) if the member is a Councillor, another Councillor to complete the term of office of the Councillor member who died or resigned, or
- (ii) if the member is a citizen, another citizen to complete the term of office of the citizen member who died or resigned, and may, if it deems expedient, appoint a member from the group or organization which was represented by the citizen member who has died or resigned.

amended 8162/2002

- (f) One (1) citizen member shall be selected by Council from each of the following:

amended 8162/2002

- (i) The Downtown Winnipeg Business Improvement Zone;

amended 5952/92

- (ii) A citizen at large; and

amended 8162/2002

- (iii) The Winnipeg Chamber of Commerce.

INITIAL APPOINTMENT AND TERMS OF OFFICE

- 4. (2) (a) The appointment of the initial members of the Authority shall be at the meeting of Council at which this By-law is passed.
- (b) The initial term of office of the Councillor member shall be from the date of appointment by Council to the organizational meeting of Council in November of 1978.
- (c) The initial term of office of the citizen member shall be as follows:
 - amended 8162/2002*
 - (i) one (1) shall be appointed from the date of appointment to the organizational meeting of Council in November of 1978;
 - (ii) one (1) shall be appointed from the date of appointment to the organizational meeting of Council in November of 1979;
 - (iii) one (1) shall be appointed from the date of appointment to the organizational meeting of Council in November of 1980;

- (d) The Chief Financial Officer, or his designate, shall take his seat on the Authority from the date of the appointment of the Councillor and citizen members by Council.

amended 5318/89; 8162/2002

CHAIRMAN AND REMUNERATION OF CITIZEN MEMBERS

amended 8162/2002

5. (1) The Authority shall select from its own members a member who shall act as chairman thereof.
- (2) The chairman shall have a vote on all matters requiring a decision by the Authority.
- (3) Subject to the approval of Council when it approves the budget of the Authority, the members of the Authority, except the members who are Council members and the Commissioner, may be paid an indemnity per meeting attended to be established by Council to be paid out of the General Revenue funds of the City.
- amended 2277/79*
- (4) The indemnity referred to in subsection (3) hereof shall be \$25.00 per meeting attended and shall be effective commencing the 1st day of November, 1978.
- added 2277/79*

TITLE TO LAND

6. (1) The Authority shall recommend to Council from time to time such acquisitions of land as it may deem advisable for the purposes of this By-law.
- (2) The Title to all land used for or in connection with the operation of parking facilities of the City pursuant to this By-law shall be acquired and held in the name of the City.
- (3) The City, upon recommendation of the Authority, may, at the discretion of Council, cause new parking facilities to be constructed on land owned or leased by it or acquired by it for this purpose.

LEASES

7. The Authority may recommend to Committee the lease to others of any parking facility, or part thereof, under its control.

DONE AND PASSED in Council assembled, this 17th day of August, 1978.

