

DISTRICT OF SALMON ARM

BY-LAW NO. 1844

A by-law of the District of Salmon Arm to establish a downtown off-street parking commission pursuant to the provisions of Section 928 of the Municipal Act, as amended.

Whereas the District has, on a specified area basis, acquired a number of properties for the purpose of providing off-street parking for the benefit of properties within the specified area.

And Whereas it is deemed advisable to establish an off-street parking commission to direct the operation of the specified area off-street parking facilities and to set out: the composition of the commission; the manner in which Council shall appoint the members thereof; the procedures governing the conduct of the said Commission; and the duties and responsibilities delegated to the said Commission.

Now Therefore the Council of the District of Salmon Arm, in open meeting assembled, enacts as follows:

1. Definitions:-

Wherever in this by-law the following words and terms are used they shall have the meanings respectively assigned to them in this section unless the context otherwise requires:-

- (a) "Commission" means the Salmon Arm Downtown Parking Commission established pursuant to this by-law;
- (b) "Council" means the Council of the District of Salmon Arm;
- (c) "District" means the District of Salmon Arm.
- (d) "Downtown Improvement Association" means the Salmon Arm Downtown Improvement Association.
- (e) "Specified Area" means the Downtown Off-street Parking Specified Area as established and delineated by by-law of the District of Salmon Arm.

2. Establishment:-

A Commission to be officially known as the "Salmon Arm Downtown Parking Commission is hereby established.

3. Composition:-

- (a) The Commission shall consist of five (5) members, namely:-
 - i. two (2) members nominated by Council;
 - ii. three (3) members nominated by the Downtown Improvement Association;
- (b) The Commission shall select a Chairman from its membership.

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4. Appointment:-

- (a) All members of the Commission shall be appointed by resolution of Council;
- (b) All appointments except those required to fill interim vacancies, shall be for a two year term based on the calendar year and except the Council appointees, whose first term only shall be one calendar year;
- (c) All nominations shall be submitted to Council for consideration not later than November 30th of the year preceding the initial year of the members term to be filled and shall be ratified by Council resolution not later than December 31st of the year submitted;
- (d) In the event of an interim vacancy on the Commission, the nominating body whose member created the vacancy shall submit a nomination to Council to fill same within one (1) month of the vacancy occurring, and Council shall make an appointment to fill the vacancy for the balance of the term remaining within one (1) month of the nominations being presented.

5. Termination:-

Council may, at any time, by an affirmative vote of not less than two-thirds (2/3) of all its members present at a duly constituted meeting, terminate the appointment of any or all members of the Commission.

6. Remuneration:-

All members of the Commission shall serve without remuneration.

7. Properties to be Administered:-

The real and personal property to be administered by the Commission shall be that listed on Schedule "A" attached to and forming part of this by-law.

8. Duties and Responsibilities:-

- (a) The Commission shall be responsible for the operation, maintenance and development of all properties acquired for off-street parking purposes and listed on Schedule "A" to this by-law through the preparation and communication to Council of directives for implementation in the following areas:-
 - i. availability of facilities or portions thereof for designated and public use
 - ii. signage
 - iii. hours of operation
 - iv. terms and conditions of lease or rental
 - v. fees and charges
 - vi. time allotment for public parking
 - vii. standard and schedule maintenance
 - viii. schedule and standard of development
- (b) The Commission shall be responsible for the preparation and making recommendation to Council concerning the annual budget and associated rate to be levied against the assessed value of all specified area properties, to offset the net costs of operations and programs implemented and carried out pursuant to the provisions of Clause (a) above.

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8. (c) The Commission shall be responsible for making recommendations to Council concerning the acquisition, by purchase, lease or rental of property or the construction of parking structures to meet the off-street parking requirements of the specified area business operations and establishments, including the proposed method of financing and proposed method of obtaining specified area owner approval. In conjunction with its responsibilities pursuant to this clause, the Commission may make recommendations to Council regarding the conduct of surveys or studies of specified area off-street parking facilities and requirements, including funding for same on a specified area basis.
 - (d) The Commission may make recommendations to Council regarding the operation, maintenance and development of on-street parking facilities within the specified area, insofar as they relate to co-ordination of the function of providing parking services to patrons, owners, operators and employees between the on-street and off-street operations.
9. Procedure:-
- (a) The Commission shall have the power to regulate its own procedure provided that such rules and regulations do not contravene any District of Salmon Arm by-law or any applicable Act of the Province of British Columbia.
 - (b) All business of the Commission shall be conducted through the forum of a duly constituted meeting.
 - (c) A quorum for a duly constituted meeting shall consist of three (3) member.
 - (d) The Chairman shall preside at meetings of the Commission when present.
 - (e) In the absence of the Chairman an Acting Chairman may be appointed, for that meeting, by those members present.
 - (f) The Chairman or Acting Chairman, at any meeting, shall be entitled to vote.
 - (g) In the event of a tie vote the motion at hand shall be lost.
 - (h) Minutes shall be kept of all meetings of the Commission and shall be verified, subsequent to ratification by the Commission, by signature of the Chairman or Acting Chairman as appropriate.
 - (i) A copy of the Minutes of each meeting as prepared and certified by the recording secretary shall be forwarded to the District of Salmon Arm and the Downtown Improvement Association within seven (7) days of the meeting.

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10. Records and Financial Accounting:-

- (a) The Administrative records and files relating to the specified area parking operation, including minutes and files pertaining to activities of the Commission shall be maintained by the District, in trust, separate and apart from the District's own records and files;
- (b) The financial and accounting records relating to the specified area parking operations shall be maintained by the District, in trust, for the commission, separate and apart from the District's general operation in the same manner and in accordance with the same principals and regulations applicable to the water and sewer utilities.

11. District Responsibilities:-

- (a) The District shall support the Commission in the fulfilment of its responsibilities and implementation of its directives pursuant to this by-law by providing:-
 - i. at District expense, the services of a District employee to act as secretary to the Commission;
 - ii. at District expense, the Council Chamber or other appropriate facility for meetings of the Commission;
 - iii. at District expense, services and supplies necessary to carry out the administrative operations of the Commission;
 - iv. at District expense the services of the By-law Enforcement/Traffic Officer to enforce the off-street parking regulations, subject to Council approval as to the level of service;
 - v. at District expense the services of District financial staff and facilities to assist in budget development and maintenance, tax levies and collection, payment of expenses, collection of fines and revenues and other applicable financial and accounting activities;
 - vi. at specified area expense, the services of District staff, equipment and contractors to conduct the operation, maintenance and development of specified area off-street parking properties and facilities listed on Schedule "A" of this by-law.
 - vii. at specified area expense, the services of District staff, equipment, facilities and contractors to conduct surveys, property acquisition and parking structure requirement studies, property acquisition and parking structure authorization and financing initiatives and capital construction projects for grade level and parking structure developments.

- 12. The Mayor and Clerk are hereby authorized to do all things necessary to give effect to this by-law.

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13. This by-law shall come into full force and effect on January 1, 1990.
14. This by-law may be cited for all purposes as "District of Salmon Arm Downtown Parking Commission By-law, 1989, No. 1844.

READ A FIRST TIME this 19th day of February, 1989.

READ A SECOND TIME this 19th day of February, 1989.

READ A THIRD TIME this 19th day of February, 1989.

RECONSIDERED, FINALLY PASSED AND ADOPTED this 5th day

of March, 1989.

"R.H. Smith"

Mayor

"G.W. Buchanan"

Clerk

District of Salmon Arm OFF-STREET PARKING PROPERTIES

<u>Roll No.</u>	<u>Legal Description</u>	<u>Address</u>
1. 6812.000	Lot 2, Plan 2250, NW 14-20-10	140 Hudson Street NW
2. 6689.000	Lot 13, Blk. 1, Plan 393, NE 14-20-10	321 Ross Street N.E.
6686.000	Lots 10-12, Blk. 1, Plan 393, NE 14-20-10	341 Ross Street N.E.
6684.000	Lots 8&9, Blk. 1, Plan 393, NE 14-20-10	361 Ross Street N.E.
6690.000	Lots 14&15, Blk. 1, Plan 393, NE 14-20-10	271 Hudson Ave N.E.
3. 6681.001	Lot 7, Blk. 1, Plan 393, NE 14-20-10	381 Ross Street N.E.
6670.000	Lot 1, Plan 9997, NE 14-20-10	260 Lakeshore Dr.N.E.
6681.000	Lots 5&6, Blk. 1, Plan 393, NE 14-20-10	270 Lakeshore Dr.N.E.
4. 6574.000	Lot 6, Plan 852, NE 14-20-10	120 Co-op Cresc. NE
6575.000	Lots 7&8, Plan 852, NE 14-20-10	90 Co-op Crescent NE
6577.000	Lot 9, Plan 852, NE 14-20-10	80 Co-op Crescent NE
6579.000	Plan B4160, NE 14-20-10	70 Co-op Crescent NE
5. 6586.000	Lots 24&25, Plan 852, NE 14-20-10	160 Co-op Cresc. NE
6588.000	Lots 26&27, Plan 852, NE 14-20-10	140 Co-op Cresc. NE

