

CORPORATION OF THE CITY OF NEW WESTMINSTER



DOWNTOWN PARKING COMMISSION BYLAW NO. 5769, 1988

EFFECTIVE DATE: June 13, 1988

CONSOLIDATED FOR CONVENIENCE ONLY
(February 14, 2006)

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
5831, 1989	May 8, 1989
5962, 1990	November 26, 1990
6647, 2000	December 11, 2000
6907, 2004(Sec 2(a))	February 23, 2004
7083, 2006 (Sec 2a&c)	February 13, 2006

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 5769. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Obtainable from the City Clerk's Office

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 5769, 1988

A Bylaw to Establish a Parking Commission for Downtown New Westminster

WHEREAS the City desires to create a Parking Commission to manage the Parking Facilities in Downtown New Westminster owned or controlled by the City which are defined herein;

AND WHEREAS Section 688 of the Municipal Act R.S.B.C. 1979, c. 290 empowers Council, by bylaw adopted by an affirmative vote of at least 2/3 of all its members, to delegate to a commission or commissions whose members shall service without remuneration any or all of the administrative powers of Council over property it has acquired, held or used for the public purpose of off street parking facilities.

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of New Westminster ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Downtown New Westminster Parking Commission Bylaw No. 5769, 1988".

Bylaw No. 7083, 2006

2. A Parking Commission is hereby established, the membership of which shall be appointed by Council in accordance with the following formula:

- (a) four citizens at large;
- (b) one person recommended by the New Westminster Chamber of Commerce;
- (c) one person recommended by the Downtown New Westminster Association; and
- (d) one person recommended by Douglas College;

and the Chairman of the Parking Commission shall be selected from among its number by the above mentioned seven appointees.

Bylaw No. 6647, 2000

3. Council shall appoint each person to membership on the Parking Commission for a term of one year; and

Where any member of the Parking Commission resigns or is removed by Council prior to the expiration of his or her term (the “withdrawing” member), the person appointed by Council to replace the withdrawing member shall be appointed to serve for the unexpired portion of the withdrawing member’s term.

Bylaw No. 5831, 1989

4. The Parking Commission is hereby delegated Council’s administrative authority to, and so shall in accordance with procedures herein:

- (a) manage all off street parking facilities owned or controlled by the City within the area regulated by Official Community Plan Designation Bylaw No. 5647, 1987 which are described in Schedule “A” hereto (the “Parking Facilities”);
- (b) contract for the supply of materials, equipment and services, professional or otherwise, required for the operation, maintenance and administration of the Parking Facilities within the policies and operating budget approved by Council, these contracts to include management agreements through which third parties by contract can carry out the day to day operation of the Parking Facilities;
- (c) operate parking facilities owned or controlled by third parties so long as in each instance the Council concurs in advance of the Parking Commission so doing or incurring any obligation to so do; and
- (d) properly maintain all of the City’s physical assets that form part of the Parking Facilities and keep the City fully informed on a timely basis of their state of repair.

5. The Parking Commission shall:

- (a) prepare and submit an operating budget by the 30th day of November in each year for the following calendar year for Council’s approval;

- (b) prepare and submit to Council:
 - (i) on or before the 15th day of the first month following each quarter of each calendar year, quarterly financial statement of all revenues and expenditures in whatever detail Council requires; and
 - (ii) on or before the 28th day of February in the year following, final annual audited financial statements for each calendar year; and
- (c) make recommendations to Council regarding parking rates and policies governing the Parking Commission and the Parking Facilities.

Bylaw No. 5831, 1989

- 6. The procedures of the Parking Commission shall be:
 - (a) where not provided for herein governed by the City's Procedure Bylaw; and
 - (b) that where the Commission exercises its delegated power to enter a contract, contracts shall be approved by a resolution of the Commission, entered into in the name of the Commission and executed on behalf of the Commission by the Chairman.

SCHEDULE "A"

"Parking Facilities" means the following parking facilities:

Front Street Parkade – that parking facility constructed pursuant to the city of New Westminster Parking – Deck Bylaw 1957, Parking – Deck Extension Bylaw 1964, and Parking – Deck Extension Bylaw – 1964, Amendment Bylaw 1965, and located over Front Street in New Westminster including all parking spaces, ramps and circulation lanes for vehicular entrance and exit, and all means of pedestrian access to and from the structure, except those private pedestrian connections connecting the Front Street Parkade to the properties of the owners of the connections on Front Street together with all facilities and ancillary thereto.

Bylaw No. 5962, 1990

Carnarvon Street Parkade – that parking facility constructed pursuant to Parking Facility Loan Authorization Bylaw No. 5765, 1988 and located in the 400 Block of Carnarvon Street and consisting of 189 parking spaces, ramps and circulation lanes for vehicular entrance and exit, and all means of pedestrian access to and from the structure, together with all facilities ancillary thereto.