

SCHEDULE NO. 3
Relating to Public Garages
(added by By-law 2002-319)

LICENSE REQUIRED

1. A separate license shall be obtained in respect of each premises to be operated pursuant to this by-law.

(amended by By-law 2003-311)

2. Every person required to obtain a license shall indicate on the license application whether an automotive sales or leasing establishment, an automotive service station, a car washing establishment, a gas station, a motor vehicle repair or body shop or a parking lot are operating on the premise.

CONDITIONS FOR ISSUANCE OF A PUBLIC GARAGE LICENSE

3. No applicant for a Public Garage license shall be issued a license unless:

- (a) the applicant is at least eighteen (18) years of age,
- (b) the public garage complies with the zoning, building, sewer and property standards requirements of the City,
- (c) the Fire Chief has reported in writing that the premises are suitable for the purpose of a public garage and comply with the fire regulations,
- (d) in the case of an automotive service center, a car washing establishment or a motor vehicle repair or body shop, a certificate of approval issued pursuant to the Environmental Protection Act is provided in respect of any plant, structure, equipment, apparatus or mechanism to be used in the operation of such an establishment where the obtaining of such a certificate is required by the provisions of the Act, and
- (e) the applicant has paid the fees set out in Schedule "A" of this by-law.

(amended by By-law 2003-311 and By-law 2023-516)

3A. Despite Section 3, the Chief License Inspector may waive any or all of the requirements listed in paragraphs (b), (c) or (d) of Section 3 where the Chief License Inspector determines that any or all of the requirements of these paragraphs do not apply.

(By-law 2003-311)

INSURANCE

4. Every licensee shall file with the Chief License Inspector proof of insurance of Comprehensive/General Liability insurance coverage subject to a limit of not less than One Million dollars (\$1,000,000.00) per occurrence for bodily injury, death and damage to property arising out of the operation of the public garage.

LICENSE EXPIRY DATE

5. Every public garage license shall expire on April 30 of each year.

GENERAL REGULATIONS

6. Every licensee shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.

7. No person licensed under this schedule shall use or permit the land of the public garage to be used, except in an enclosed building, for:

- (a) the purpose of storing motor vehicles which are in a state of disrepair for a period in excess of 30 days, except where he or she is required to retain the motor vehicle for a longer period by law, or
- (b) vulcanizing tires or tubes.

8. No licensee shall permit the engine of a motor vehicle in any building to run, whether on a frame or in a motor vehicle while stationary, unless adequate ventilation is provided to ensure dilution of any carbon monoxide fumes.

9. No licensee shall store, permit to be stored, park or permit to be stored or parked at the public garage any trailer used for human habitation while so stored or parked;

10. No licensee shall permit lighting at the public garage;

- (a) to reflect on to residential property,
- (b) to interfere or distract the driver of a motor vehicle on a street, or
- (c) to appear to be the headlamps of an oncoming vehicle.

11. Every licensee shall, where snow storage is not prohibited, restrict the height of snow within the perimeter of the premises to a maximum height of three (3) metres save and except in an area which is within eight (8) metres of the street allowance in which case the height of the snow shall not exceed one (1) metre;

12. No licensee shall permit snow or ice originating from the licensed premises to be deposited on any abutting street or sidewalk;

13. Every licensee shall keep the premises in a clean and neat condition, free from debris, snow, ice, dirt rubbish or other foreign substances derived from the licensed premises or resulting from the use of the licensed premises;

14. Every licensee shall ensure that the outdoor storage of material or waste be properly screened so as to not likely disturb the neighbourhood.

15. Every licensee shall ensure that grease, fuel or other fuels derived from the operation of the licensed premises are not permitted to drain into storm sewer catch basin.

16. No licensee shall permit any portable sign to be located on the premises without a license to do so issued by the City;

(amended by By-law No. 2003-311 and By-law No. 2023-516)

17. No licensee shall permit any refreshment vehicle to be stored or parked on the licensed premises for the purpose of serving refreshment therefrom, unless the owner or operator of the refreshment vehicle has complied with all applicable by-laws of the City.

18. Every licensee shall ensure that any sidewalk or road allowance upon which the premises abut remain free and clear from all dirt and other foreign substance resulting from the use or occupation of the premises.

ADDITIONAL REQUIREMENTS FOR A PARKING LOT

19. Every licensee of a parking lot shall:

- (a) report to the Police Service, of any motor vehicle, which he or she may have reason to suspect is either stolen or abandoned,
- (b) display, in a conspicuous place at or upon the premises, a sign or signs of a design which is not misleading, and bearing,
 - (i) in letters and figures of uniform size, but not less than 6 cm in height, the various rates or charges for parking or storing of vehicles and the amount of any deposit required on entering the lot, and
 - (ii) in readily legible letters, the hours during which the remises are open for business, the business name, address and phone number;

- (c) ensure that the sign is placed at every entrance so that it is visible to any person driving a motor vehicle prior to entering the lot with the motor vehicle,
- (d) except in the case of a metered or automatically controlled parking station or parking lot, ensure that a competent attendant is on duty at all times during the business hours indicated on the sign hereinbefore mentioned, and
- (e) when no parking spaces are available, ensure that a suitable sign is prominently displayed at each entrance announcing that fact.

(amended by By-law 2003-311)

EXEMPTION

20. (1) This by-law shall not apply to a parking lot operated by a charitable organization provided that all compensation received from the parking lot is intended to go to the charitable organization and the charitable organization has a Revenue Canada number.

(By-law 2006-81)

- (2) This by-law shall not apply to a parking lot operated by a not-for-profit organization provided that all compensation received from the parking lot goes to the not-for-profit organization and the not-for-profit organization is operated solely for the cultural or religious goals, civic improvement, recreation, amateur sport or similar community enhancement initiatives.

(By-law 2006-81)

~~REQUIREMENTS FOR THE STORAGE OF TOWED VEHICLES~~

- ~~21. (1) No licensee shall demand, request, or receive a drop fee from a tow service operator or tow truck driver as part of their public garage service.~~
- ~~(2) Every licensee shall allow the owner of a motor vehicle or a person authorized to act on their behalf access to the towed vehicle during regular business hours for the purpose of removing any personal property it contains at no additional cost or fee.~~
- ~~(3) Every licensee that charges for the storage of a motor vehicle shall:~~
- ~~(a) file a schedule of rates for such storage with the Chief License Inspector;~~

- ~~(b) provide a copy of the schedule of rates filed under this Section to the owner of a motor vehicle or a person authorized to act on their behalf upon request; and~~
- ~~(c) obtain written authorization from the owner of the motor vehicle or a person authorized to act on their behalf before providing or charging for such vehicle storage.~~
- ~~(4) No licensee that charges for the storage of a motor vehicle shall:
 - ~~(a) change the schedule of rates filed under this Section unless the licensee gives 15 days written notice of such changes to the Chief License Inspector;~~
 - ~~(b) demand, request or accept payment for the storage of a motor vehicle other than in accordance with the schedule of rates filed under this Section; and~~
 - ~~(c) charge more than the amount of sixty dollars (\$60) per day for the storage of a motor vehicle.~~~~

(By-law 2021-316; to be repealed by By-law 2024-XX)