

**Municipality of Jasper
Bylaw #196**

**BEING A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA TO
ESTABLISH THE MUNICIPALITY OF JASPER PARKING AUTHORITY 2017**

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PURPOSE

WHEREAS the provisions of the Municipal Government Act, R.S.A. 2000, c-M26 provide that a council may regulate and control public parking in the Municipality of Jasper;

AND WHEREAS pursuant to the Canada National Parks Act, the Parks Canada Agency may regulate and control commercial and residential parking located on-site with new developments in the Municipality of Jasper;

AND WHEREAS the Parks Canada Agency may waive or set aside all or part of an on-site parking requirement when equal parking can be obtained from a parking authority;

NOW THEREFORE, THE COUNCIL OF THE SPECIALIZED MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. Citation

- 1.1 This bylaw may be cited as the "Jasper Parking Authority Bylaw 2017".

2. Definitions

- 2.1 In this bylaw:
 - 2.1.1 "CAO" shall mean the chief administrative officer of the Municipality of Jasper and includes any person authorized to act for or in the name of the chief administrative officer;
 - 2.1.2 "leaseholder" shall mean a grantee or a person or other legal entity holding a valid lease or licence of occupation with the federal Crown for the use or occupation of land in Jasper National Park, and shall mean Canadian National Railway in respect of lots or land parcels held by Canadian National Railway, and shall mean Jasper National Park of Canada in respect of lots or land parcels held by the Crown;
 - 2.1.3 "Municipality" shall mean the Municipality of Jasper;
 - 2.1.4 "parking authority" shall mean the Municipality of Jasper parking authority established by this bylaw;
 - 2.1.5 "parking stall" shall mean a paved, asphalted or concrete surfaced space intended for the temporary parking or storage of a vehicle, accompanied with adequate provision for the ingress and egress of such vehicle, accessible to members of the public, and measuring not less than 2.73m in width by 6.06m;
 - 2.1.6 "person" shall mean an individual, society, partnership or corporation;
 - 2.1.7 "Superintendent" shall mean the Superintendent of Jasper National Park of Canada;
 - 2.1.8 "vehicle" shall mean a device in, on, or by which any person or property may be transported or drawn on land;

3. Parking Authority

- 3.1 Council hereby:
 - 3.1.1 establishes the parking authority;
 - 3.1.2 designates the CAO to be responsible for the management and operation of the parking authority; and
 - 3.1.3 authorizes the parking authority to accept contributions for, and to provide not more than 140 parking stalls in the Municipality.

4. Parking Authority Contribution

- 4.1 Every person contributing to the parking authority shall:
 - 4.1.1 be a leaseholder possessing a valid Parks Canada development permit;
 - 4.1.2 have been granted a Parks Canada variance of onsite parking for such development; and
 - 4.1.3 contribute to the parking authority for each of the parking stalls specified in such waiver or relaxation, the amount specified in Schedule "A" herein.

- 4.2 The CAO shall issue to every person contributing to the parking authority an accounting detailing the amount of the contribution, the value of a parking stall as specified in Schedule "A" herein and, by dividing the amount of the contribution by the value of a parking stall, as specified in Schedule "A" herein, the number of stalls or parts thereof with respect to which the contribution has been made.
- 4.3 Notwithstanding the provisions of section 4.1, Jasper National Park of Canada may contribute to the parking authority:
- 4.3.1 on behalf of persons who have promised to contribute to the parking authority as a condition of development approval for developments completed prior to the coming into force of this bylaw;
- 4.3.2 in amounts calculated by multiplying the number of parking stalls specified in each promised contribution by the value of a parking stall as specified in Schedule "A"; and
- 4.3.3 Jasper National Park of Canada shall not be held liable for unpaid contributions.
- 4.4 Notwithstanding the provisions of sections 4.1 and 4.3, the parking authority may accept contributions from persons:
- 4.4.1 who have undertaken to Jasper National Park of Canada to contribute to a parking authority as a condition of development approval for developments completed prior to the coming into force of this bylaw; and
- 4.4.2 in amounts calculated by multiplying the number of parking stalls specified in each promised contribution by the value of a parking stall as specified in Schedule "A"; and
- 4.4.3 Jasper National Park of Canada shall not be held liable for unpaid contributions.
- 4.5 Parking authority contributions made pursuant to section 4.1 shall become payable by the leaseholder to the Municipality prior to the Superintendent issuing a building permit for the leasehold to which the levies apply and shall be in addition to other levies, fees or charges required by the Superintendent as a condition of development.

5. Parking Stall Value

- 5.1 The value of a parking stall shall be:
- 5.1.1 as calculated on the best available estimate of the actual cost of provision of parking stalls as determined from time to time by Council and including:
- 5.1.1.1 subgrade preparation;
- 5.1.1.2 paving;
- 5.1.1.3 lighting;
- 5.1.1.4 storm drainage;
- 5.1.1.5 associated curbs, gutters and sidewalks;
- 5.1.1.6 access and egress requirements;
- 5.1.1.7 landscaping; and
- 5.1.2 as specified in Schedule "A".
- 5.1.3 The value of a parking stall shall be adjusted annually on or about the first day of January by increasing the cost charged in the previous calendar year by a factor equal to the most recently published Statistics Canada annual "all goods and services" Consumer Price Index figure for the Province of Alberta. The revised cost shall be published by the Municipality.

6. Revenues and Operations

- 6.1 Parking authority revenues shall be used only for the purpose of providing parking stalls in the Municipality.
- 6.2 The CAO shall place all unexpended parking authority revenues in a parking authority reserve fund.
- 6.3 Every parking stall provided by the parking authority shall, upon completion, become the property and responsibility of the Municipality and shall be operated and maintained to the same standards as other off-street public parking stalls in the care and control of the Municipality.

7. Notice

- 7.1 Any notice provided for in this bylaw shall be in writing.

8. Severance

- 8.1 If any section of this bylaw is found by a court of competent jurisdiction to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

COMING INTO FORCE AND REPEAL

This bylaw shall come into force on the final day of passing thereof.

Bylaw #186, Jasper Parking Authority Bylaw 2014 is hereby repealed.

READ a first time this 6 day of December 2016

READ a second time this 6 day of December 2016

READ a third time and finally passed this 20 day of December 2016

Mayor

Chief Administrative Officer

SCHEDULE "A"

2006 adjustment (3.6%)

2007 adjustment (3.8%)

2008 adjustment (3.9%)

2009 adjustment (3.1%)

2010 adjustment (not adjusted)

2011 adjustment (1.0%)

2012 adjustment (2.9%)

2013 adjustment (1.1%)

2014 adjustment (1.4%)

2015 adjustment (2.6%)

2016 adjustment (not adjusted)

2017 adjustment (1.9%)

Value of each parking stall to be provided by the Jasper Parking Authority 2017: \$7,699.17