



# RENTAL HOUSING THINGS TENANTS SHOULD KNOW

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## RENTAL HOUSING THINGS TENANTS SHOULD KNOW

Although significant renovations require a building permit according to the Ontario Building Code, many homeowners transform single dwelling units into multi-room occupancy without the benefit of a building permit. **BE AWARE!** You may be entering a fire trap. The provisions of the Ontario Building Code and Fire Code are there for your safety. If you have questions or concerns and would like to request an inspection, please call 905-688-5601 extension 1660.

### FIRE SAFETY IS A MATTER OF LIFE

#### SMOKE ALARMS:

**IT'S THE LAW IN ONTARIO** to have working smoke alarms on every storey and outside all sleeping areas in each dwelling unit. The law applies to single family, semi-detached, townhomes and apartments (including basement apartments), whether owner-occupied or rented. Rooming houses have specific regulations about smoke alarms or fire alarm systems. In addition to smoke alarms within each unit or suite, apartment buildings and student residences operated by the school may also require a fire alarm system. Make sure the landlord, administrator or superintendent identifies and explains the fire alarm and detection features in the building and unit. Failure to comply with the Fire Code smoke alarm requirements could result in a ticket for \$235.00 and a fine of up to \$50,000.00 for individuals and \$100,000.00 for corporations may be imposed by the court upon conviction of an offence.

**IN A FIRE EMERGENCY**, everyone must know what to do and where to go. Large apartment buildings require a fire safety plan, which informs the occupants about emergency procedures. Ask the building administrator or superintendent to explain the procedures in the fire safety plan. Smaller apartment buildings and houses that have been converted to apartments or lodging rooms may not have a fire safety plan, however it's a good idea to ensure there are two ways out of the unit. The alternate way out can be a window that can be safely exited in an emergency. Develop and practice a home escape plan.

## REQUIREMENTS FOR LANDLORDS:

- It is the responsibility of the homeowner/landlord to install and maintain smoke alarms on every storey of their home and outside sleeping areas.
- It is the responsibility of the homeowner/landlord to ensure their rental properties comply with the Ontario Fire Code, Ontario Building Code (O.B.C.) and Municipal By-laws.
- It is recommended that all battery operated smoke alarms have a hush button. This will diminish the risk of a tenant removing the batteries from a smoke alarm that goes off due to steam or cooking activities. This button, when pressed, temporarily silences the unit for several minutes allowing for time to clear the air. The unit resets itself automatically and the building is still fully protected by a functioning detector.
- Smoke alarms must be located inside every sleeping area in the home and between sleeping rooms and remainder of floor area (9.10.19.3(1) O.B.C.. As of January 1, 2015, section 2.13 of the OBC makes it the law that smoke alarms be installed on every floor level of a dwelling unit including basements.
- It is required that the landlord explain to the tenants of the building where the smoke alarms are located, how they work, how to test the smoke alarm monthly or after a period of absence from the dwelling unit, how to contact the landlord immediately if they do not work and where the closest exit out of the building is. The landlord must supply manufacturer's maintenance instructions or an approved alternative to all occupants of rental properties.
- When replacing smoke alarms, the installation must not reduce the level of detection required by the Building Code in effect at the time of construction of the dwelling unit or municipal by-laws in effect before the Fire Code adopted this requirement. In the Sentence 6.3.3.5.(1) of the Fire Code any existing permanently wired individual smoke alarms or electrically interconnected smoke alarm installations must be maintained to provide the same level of protection as originally require. Any replacement smoke alarms must be of a type comparable to the original or better.

## REQUIREMENTS FOR TENANTS:

- **It is the responsibility of the tenant** of a rental property to contact the landlord if the smoke alarms located in the dwelling unit are not operational. Tenants should also be prepared to permit access to the unit for routine testing and maintenance of smoke alarms. **It is against the law for tenants to intentionally disable a smoke alarm so as to make it inoperable.** Tickets in the amount of \$235.00 may be issued for this offence.
- Tenants are encouraged to test smoke alarms at least once every month following the manufacturer's instructions or a detailed checklist that complies with the Ontario Fire Code. Where the tenant has signed a Smoke Alarm Waiver or other agreement with the Landlord agreeing to be responsible for monthly testing, this is a requirement.
- Smoke alarms are not required according to the Fire Code under section 2.13 when there is a space without a finished floor. This refers to areas such as a crawl space, attic space or cellar. However, if any of these spaces become furnished with a finished floor it then becomes a storey and a smoke alarm is required by law. \*\*\*Note - a cellar is defined in the Fire Code as a basement that is more than 50% below grade. A cellar, like a basement is considered a storey. If the space falls under the definition of a cellar then a smoke alarm is required to be installed.

More information is available at [www.ofm.gov.on.ca](http://www.ofm.gov.on.ca).

## **INSPECTION OF THE BUILDING:**

At the commencement of the tenancy and at regular intervals, tenants are encouraged to check the following items for proper working condition and maintenance.

Maintenance of the building is the responsibility of the landlord and/or the tenant depending on the rental contract. Resolution of maintenance issues should be discussed between the landlord and tenant.

The City will inspect upon request – Please contact the By-law Enforcement Coordinator at (905) 688-5601 ext. 1629:

- A portable fire extinguisher having a minimum rating of 2A-10BC should be provided on each level. (One should be in kitchen.)
- All hallways and any access to an exit are clutter/garbage free. They are to be unobstructed at all times.
- Furnace filters are clean
- All smoke alarms are in good working condition
- Test all smoke alarms monthly
- Carbon Monoxide alarms should be located outside every sleeping area and are to be functioning properly. A new by-law to take effect in 2014 will make carbon monoxide alarms mandatory in all residential units in St. Catharines.
- Dwelling is generally clean and tidy
- Check that appliances do not have a grease build-up and are functioning properly
- No storage in furnace rooms
- There are to be no extension cords used. Power bars are permitted for small appliances such as televisions, DVD players, computers, etc. only.
- There is to be no overloading of circuits. 15 amp fuses only excluding stoves and dryer which are 30 amps.
- You and your house mates have a home escape plan and two ways out of every room.

## **GENERAL FIRE SAFETY INFORMATION:**

If you have any fire safety concerns or require additional information regarding fire safety please contact the Fire Prevention Office at 905-688-5601 extension 4224.

**FURNACE ROOM STANDARDS:**

- The furnace room should be a room all unto itself.
- In the furnace room there should be 5/8" drywall on walls and ceilings. You may opt for a sprinkler head to be installed on the ceiling if you are unable to put drywall up and/or existing plaster. This would require a building permit.
- 1 3/4" solid core door equipped with a self-closing device and latching.
- The furnace room door should close and latch automatically.
- There should be a fresh air supply for the furnace room.
- There should be no storage of miscellaneous objects inside this room.

**PUBLIC LIABILITY:**

- It is suggested that all tenants arrange their own tenant insurance coverage.

**EXITS FOR BEDROOMS:**

- 1) Ensure that any floor that has a bedroom has 2 means of escape and that each bedroom has a window or door to the exterior that is large and easy enough to open. 9.7.1.3.(1) O.B.C.
- 2) A second separate exit may be required from the basement area. This exit cannot be a window.

**WINDOW MEASUREMENT REQUIREMENTS:**

- 1) The minimum unobstructed opening requirements for egress windows is 15 inches (380 mm) in one direction and a total of 3.8 square feet (0.38 square meters) in area.
- 2) The minimum area of unobstructed glass area shall be 5% of the area served. 9.7.1.2. O.B.C.
- 3) The height of the window should provide easy access for use as an exit. It is recommended that the sill not be higher than 1.0 m (39 inches) above the floor except basements. Section 9.7.1.3.(2) O.B.C.
- 4) Required unobstructed glass areas for various rooms are drawn from table 9.7.1.2 O.B.C., which is summarized below.

<b>Location</b>	<b>Without Electric Lighting</b>	<b>With Electric Lighting</b>
Laundry, basement, rec room, unfinished basement	4 % of area served	windows not required
Water closet room	0.37 square meters, 4 square feet	windows not required
Kitchen	10 % of area served	windows not required
Living rooms, dining rooms	10 % of area served	10 % of area served
Bedrooms and other finished rooms not mentioned above	5 % of area served	5 % of area served

- 5) Where a window opens into a window well, a clearance of 21 5/8" (550 mm) shall be provided in front of the window. This opening shall not restrict the minimum clearance dimension.9.9.10.1. (b) O.B.C.
- 6) Newly created or enlarged window openings require lintel or beam support. A building permit is required.

#### **DOOR MEASUREMENT REQUIREMENTS:**

Minimum Door Size (9.5.11.1.) O.B.C.

- a) Main Entrance: 32" x 78"
- b) Bathroom: 24" x 78"
- c) Rooms other than A & B: 30" x 78"
- d) Passage from exterior to basement or utility and stair to level containing a finished space: 32" x 78"

#### **FIRE RATED DOORS:**

- Any dwelling that has sleeping quarters below grade (basement level) should have a 1 3/4 inch solid core door.
- Smoke alarms must be on every level and in each bedroom as approved by the Fire Services Department (O.B.C. and outside bedroom area)
- All furnace rooms should have 1 3/4 inch solid core doors with a self-closing device and will remain latched at all times.

#### **BEDROOM MEASUREMENT AREAS: - (9.5.7.1.), (9.5.7.2.) O.B.C.**

- At least one bedroom shall be of an area not less than 105 square feet or 9.8 square meters where there are no built in cabinets. Where there are built in cabinets or closets, not less than 95 square feet or 8.8 square meters, exclusive of the area taken by the closets or cabinets.
- All other bedrooms shall be of an area not less than 75 square feet or 7 square meters, exclusive of the area taken by the closets or cabinets.

#### **MINIMUM ROOM HEIGHT: - (9.5.3.) O. B.C.**

- 1) **Living Room, dining room, kitchen** is required to have at least 75% of the floor area at 7ft. 7in. with a clear height of 6ft 11in. at any point over the required area.
- 2) **Bedrooms** are required to have at least 50% of the required area at 7ft. 7in. or 6ft. 11in. over all the required floor areas. Any part of the floor having a clear height of less than 4ft. 7in. shall not be considered computing the required floor area.
- 3) **Basement space** is required to have a minimum height of 6ft. 11in. over at least 75% of the basement area. Except that under beams and ducts the clearance is permitted to be reduced to 6ft. 5in.
- 4) **Bathroom or laundry area above grade** is required to have a height of 6ft. 11in. This would be in any area where a person would normally be in a standing position.

**5) Passage, hallway, main entrance, vestibule, finished rooms not mentioned above** is required to have a height of 6ft. 11in.

**ELECTRIC OR GAS RANGE SAFETY MEASUREMENTS: O.B.C.**

A minimum required vertical clearance of 2ft. 6in. above the level of the range to framing, finishes and cabinets. Alternatively, clearance may be reduced to 2ft. 0in. provided metal hood is installed which projects 4 7/8 in. beyond the framing, finishes or cabinets.

**NATURAL VENTILATION : (9.32.2.1.) (O. B.C.) (only applies where dwelling is naturally Ventilated)**

- **Bathrooms** have a minimum required unobstructed openable window area of 0.97 sq.ft. or mechanical ventilation is required.
- **Unfinished Basement Space** is required to have a minimum unobstructed ventilation equal to 0.2% of the floor area
- **Dining rooms, living rooms, bedrooms, kitchens, common space, and all other rooms** are required to have a minimum unobstructed ventilation equal to 3 square ft .(0.28 square meters) per room or combination of rooms.



## **BOARDING LODGING OR ROOMING HOUSES:**

A Boarding, Lodging or Rooming House is defined in a like manner in both the Ontario Building Code and Fire Code. The definition is as follows:

*“Boarding, lodging or rooming house means a building,*

- (a) that has a building height not exceeding three storeys and a building area not exceeding 600m<sup>2</sup>,
- (b) in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and
- (c) in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.”

These types of residences have specific requirements under the Ontario Building Code and Fire Code. For your own safety, please ensure that it meets code if your property falls in this category.

# GARBAGE AND YARD MAINTENANCE

## GARBAGE:

- Waste materials must be at the curb no later than 7:00 a.m. on the designated day of collection, but no sooner than 8 p.m. the evening before.
- The current limit of garbage bags or containers in a residential area is one (1). Tags for extra bags can be purchased for \$2.00 at certain convenience stores.
- Under no circumstances are there to be full garbage bags sitting inside the units, in the hallways, any access to exits or exposed outside on porches or back patios. This practice could prevent someone from being able to escape in case of fire and is contrary to the City's Waste and Property Standards By-laws.
- Full-sized garbage bags or more sturdy containers are to be used. Because of the one (1) bag limit, small grocery bags should be placed in a larger garbage bag or container. When possible please recycle.
- Recyclable material is collected **every week** (Blue and Grey Box and organics) on the same day as your garbage. As a part of the community, it is our obligation to reduce the amount of garbage that is produced weekly. It is highly recommended to have a recycling program implemented in the building and follow through on the result weekly.
  - Curbside collection for all large household items and appliances can be arranged by calling Emterra Environmental at 905-227-7771 at least 2 days prior to regular garbage pick-up date or you may wish to donate any unwanted furniture or used working appliances to the Southridge Shelter located on 201 Glenridge Ave., St. Catharines at 905-682-2477.
- Do not store garbage or recyclables near sources of combustion such as the furnace or hot water tank.
- Rules for garbage as well as schedule for pickup can be obtained at [www.niagararegion.ca](http://www.niagararegion.ca)

## YARD MAINTENANCE:

Owners as well as tenants are responsible for the maintenance of the yards around their residences. Yards must be kept clean and maintained.

- Grass must be cut on a regular basis and be no taller than 8 inches high.
- Yards around dwellings are to be kept free of trash, household furniture and/or appliances, car parts, unlicensed vehicles or household/yard waste. When a City of St. Catharines By-law Officer is required to attend the property, the Officer will give a written notice giving the occupants of the property a specific amount of time to remove the waste. If not complied within that timeframe, a ticket in the amount of \$125.00 can be issued against each occupant in the dwelling.
- Yards are to be maintained and the building exteriors to be kept in good repair. Any ruts created on lawn due to maintenance should be repaired immediately.

- There is to be no parking on the lawn at any time of the day or night, and non-compliance may result in a ticket with a set fine of \$100.00.
- Failure to maintain your property will result in a contravention of the City of St. Catharines Property Standards (76-320) and Waste (2001-409) By-Laws. This may lead to a fine of up to \$5,000 upon conviction under the Provincial Offences Act R.S.O. 1990 Chapter P.33, as amended.

# NOISE AND PUBLIC NUISANCES

## EXCESSIVE NOISE BY-LAW NO.: 95-198

Pursuant to the Noise By-Law it is an offence to cause or permit any noise likely to disturb the inhabitants of the city. Some noises which have been determined to be likely to disturb the inhabitants are:

- Persistent racing of the motor of a motor vehicle
- Squealing of tires
- Operation of an engine without an effective exhaust muffling device
- Operation of a vehicle resulting in banging, clanking, or other sounds
- Persistent operation of a horn or other warning device
- Persistent barking, calling or whining of a domestic animal
- Operation of any electronic device between 11:00 pm and 7:00 am
- Yelling, shouting, hooting, whistling, singing or the playing of musical instruments between the hours of 11:00 pm and 7:00 am
- Operation of construction equipment between the hours of 11:00 pm and 7:00 am

**\*\*The Police may be called with regards to noise level and are authorized to issue tickets to offenders of the By-Law. Each ticket carries a fine of \$365.00/tenant in the house.**

## PUBLIC NUISANCES BY LAW NO.: 2007-295 (as amended)

Pursuant to the Public Nuisances By-Law it is an offence to cause or permit public nuisances. The by-law applies to certain actions including:

- Fighting in a public place
- Urinating, defecating, vomiting or spitting in a public place
- Loitering in a public place
- Knock over or attempt to knock over a Canada Post mailbox, newspaper box, bench, fence, blue box or garbage container, or any other structure or object, located in a public place.
- Graffiti or marking on any public place, including signs, or private property
- Throw or deposit any bottles, glasses or other materials on public or private property
- No person shall refuse to identify themselves when requested to do so by a police officer or a municipal law enforcement officer

**\*\*The Police may be called with regards to noise level and are authorized to issue tickets to offenders of the By-Law. Each ticket carries a fine up to \$365.00/tenant in the house.**

Copies of City By-laws can be found on the City website [www.stcatharines.ca](http://www.stcatharines.ca) or at the City Clerk's Office for a nominal fee.

# HOW TO ENSURE YOUR DWELLING IS FIRE SAFE

- Check that **working smoke alarms** are installed on every floor level as well as in any basement bedroom. When bedrooms are located in basement, the smoke alarms located in the common spaces must be connected to the home's wiring. **IT IS AN OFFENCE TO DISABLE A SMOKE ALARM, INCLUDING THE REMOVAL OF BATTERIES OR DISCONNECTING THE POWER. MAXIMUM PENALTY FOR THIS OFFENCE IS \$50,000.00 AND/OR ONE YEAR IMPRISONMENT.**
- Ensure that exit doors open easily without the use of a key.
- Confirm that there are two escape routes from every sleeping area (e.g., door and large window). Bars should not be placed on bedroom windows. Also consider an escape ladder for bedrooms located above the first floor. Depending on the number of occupants a second exit may be required from the basement area. This exit cannot be a window.
- See that extension cords are not being used as permanent wiring to serve fixtures and appliances, and that electrical cords never run under carpets or through doorways or stapled to the structure. ULC approved power bars with fuse protection are permitted for small appliances such as televisions, DVD players, computers, etc. only.
- Check that there is a portable fire extinguisher (2 A 10 B C) located in the kitchen. All extinguishers should be mounted at a location on the way out of the building.
- Keep all storage away from hot water tanks and furnaces. Never store flammable liquids or propane tanks inside of a building.
- Install a carbon monoxide alarm near each sleeping area in each home or apartment.
- Develop and practice a home escape plan. Escape plan grids as well as other important information regarding fire safety are available online at [www.stcatharinesfire.com](http://www.stcatharinesfire.com).

**If you have questions about any of the above information, please contact:**

- St. Catharines Fire Prevention Office, at 905-688-5601, extension 4224.

# TIPS ON BEING A GOOD NEIGHBOUR

- **Introduce yourself to your neighbours:**
  - wave, say hello
  - help your neighbour rake leaves, shovel snow, etc.
- **Pay attention to how your property looks:**
  - keep furniture off front lawn
  - don't hang signs in the windows
  - keep litter and garbage out of sight
  - keep the grass cut and snow shovelled off sidewalk if this is your responsibility.
- **Park only on driveways and established parking areas:**
  - ***“Do Not Park On Lawns or Sidewalks. (\$100.00 Fine)”***
- **Respect your neighbours**
  - your schedule may be different from your neighbours  
Respect their right to quiet at appropriate times of the day
- **Party responsibly:**
  - keep the party inside after 11:00 pm
  - don't party on the front porch or lawn
  - sound travels a long way at night
  - “Keg Parties” **are illegal**
  - limit the number of guests
- **Follow the garbage rules:**
  - put out garbage only on garbage day
  - don't exceed the bag limit
  - recycle cans, glass, newspapers, cardboard, etc.
  - Rules for garbage as well as schedule for pickup can be obtained at [www.niagararegion.ca](http://www.niagararegion.ca)

# Do you drive a vehicle?

## A guide to parking legally in St. Catharines

The City of St. Catharines is committed to providing high quality and available parking to enhance the quality of life for our residents and visitors. Tickets may be given to owners or operators of motor vehicles who fail to obey parking by-laws.

Here are some tips to help drivers **AVOID PARKING TICKETS**, which can help to make St. Catharines a more enjoyable place to park and drive.

### Did You Know?

Did you know that only the person who is issued a valid Accessible Parking Permit, and is travelling and exiting the vehicle may use it to park in an Accessible Space? The Set Penalty for unauthorized **Parking in an Accessible Space is \$300.00.**

Did you know that the Set Penalty for **Parking in a Fire Route is \$75.00**? Fire Routes are for all designated Emergency Vehicles, such as Fire, Ambulance and Police.

Did you know that the Set Penalty for **Parked on lands other than parking area is \$100.00?**

Did you know that there are many violations for parking illegally, which are not posted, and as a driver you are required to know them?

Examples are:

- o Leaving an **Oversized Vehicles or Unhooked Trailer** on St. Catharines roadways **is a \$75.00 Set Penalty.**
- o Parking too close to a **Fire Hydrant or Driveway**, on a **Boulevard, Facing the Wrong Way**, within **10 metres of an Intersection** or on the roadway for **longer than twelve hours at a time.** All have a **Set Penalty of \$24.00.**
- o Stopping or parking on or partly over a **Sidewalk is a \$48.00 Set Penalty.** Be courteous to pedestrians and don't block the sidewalk.

Did you know that **meters and short term parking lots downtown** will soon have a **2 hour limit**, to ensure parking space turnover. **The two Municipal Parking Garages** between Ontario and William Streets and Garden Park/Carlisle are both equipped for **full day, pay on your way out**, for the convenience of a longer stay.

### Unauthorized Parking can get you Tagged and/or Towed without warning.

As of June 19, 2014, parking fines of \$100 and less can be disputed to a Screening Officer appointed by the City.

Under the new system, a person can ask for a review of their parking ticket by requesting a Screening. City staff will then set a date and time for the individual to meet with the City's Screening Officer with the review now held at City Hall rather than regional court.

Disputes will be held within one to two months of the request being made, while under the previous system disputes took up to 6 months to be addressed. Screening Requests can be filed by phone, in person or in writing and forms can be downloaded at [www.stcatharines.ca/IGotaParkingTicket](http://www.stcatharines.ca/IGotaParkingTicket).

Those looking to dispute a parking ticket must do so within 15 calendar days from the date of issue.

There is no cost to request a review; however, failure to attend a scheduled screening appointment will result in a \$25 administrative fee being added to the penalty amount.

The new dispute process applies only to parking tickets issued after June 19, 2014 and for fines of \$100 or less. Tickets issued prior to June 19 and fines greater than \$100 will continue to be processed under the current Provincial Offences Act (POA) system.

Changes to the appeal process are part of the Administrative Monetary Penalties System (APS) introduced province wide under Ontario Regulation 333/07 of the Municipal Act, 2001. Under the new system parking tickets have been renamed Penalty Notices, but to avoid confusion residents can still find information by visiting [www.stcatharines.ca/ParkingTickets](http://www.stcatharines.ca/ParkingTickets).

## **On Street Parking in St. Catharines during the Winter Months**

Parking is not allowed on Regional Roads between 2 a.m. and 6 a.m. at any time during the year. Parking at meters on streets in the downtown core is not allowed between 3 a.m. and 6 a.m. at any time during the year.

During snow removal activities, vehicles left parked on the street or in a Municipal lot in the downtown core may be towed to a nearby Municipal lot at the owner's expense.

Within 24 hours of a snow event, any vehicle observed snow covered and parked on the street with no evidence of moving, will be subject to a Parking Infraction Notice and immediate tow, which means the City will automatically enforce the 12 hour parking restriction as per the Parking By-law.

Information provided by Parking Enforcement ([parking@stcatharines.ca](mailto:parking@stcatharines.ca)).