

REPEALED BY BY-LAW NO. 59/2016

MAY 18, 2016

(effective August 8, 2016)

THE CITY OF WINNIPEG

BY-LAW NO. 789/74

A By-law of THE CITY OF WINNIPEG to permit the voluntary payment of penalties out of court for contraventions of by-laws or regulations of the City respecting parking and traffic.

WHEREAS section 510 of The City of Winnipeg Act provides, in part, as follows:

“510 (3) Where it is alleged by a peace officer or by any person appointed to enforce the traffic or parking by-laws, resolutions, or regulations of the city that any person has contravened a provision of a resolution or by-law enacted or made by the council, that person, on being notified of the allegation, may voluntarily consent to pay the penalty for the contravention fixed in such a resolution or by-law; and payment thereof may be made in accordance with such procedure, and to such person, as may be stated in such a resolution or by-law enacted or made by the council.

510 (4) When payment has been made by any person as provided in subsection (2), he is not liable to prosecution for the contravention in respect of which the payment is made.”

NOW THEREFORE THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. Any peace officer or other person appointed to enforce the traffic or parking by-laws, resolutions or regulations of the City may issue a notice in a form approved by the Chief of Police, and hereinafter referred to as a “parking tag”, to any person who has allegedly contravened a provision of any resolution or by-law of the City respecting parking or traffic.
2. The said parking tag shall set out the provincial registration number (if a motor vehicle), the time at which the vehicle is parked in contravention of the said by-law or regulation and any other facts, the knowledge of which is necessary to a thorough understanding of the circumstances of the alleged contravention and shall be attached to the vehicle or handed to the owner or operator should he be present at the time.
3. (1) The owner or operator of the said vehicle may, within three days, exclusive of Sundays and public holidays, of the time that a parking tag is attached to the vehicle or handed to the owner or operator, between such hours and at such place or places as may be determined by the Chief of Police of the City, report with such parking tag, and pay to the Chief of Police or other person assigned by him to such duty, the

penalty for the contravention as set forth in the Schedule attached hereto and marked as Schedule "A" to this by-law.

- (2) Subsection (1) is deemed to have been complied with in any case where the parking tag, together with full payment of the said penalty, is received by the Chief of Police within the time limited as aforesaid through the mails; provided however, that where the payment consists of a cheque or other negotiable instrument, it is deemed to have been received only when the cheque or instrument is honoured by the bank or financial institution upon which it is drawn.
4. On payment of the said sum for such contravention the Chief of Police or other person so assigned shall issue his receipt therefor and shall keep a record showing the number of the parking tag, the provincial registration number (if a motor vehicle), the offence and the amount paid.
5. Upon payment by any person of the penalty, as provided in Section 3, there shall be no prosecution for the contravention in respect of which payment has been made.
6. If the person concerned fails to pay the penalty for the alleged contravention in accordance with Section 3, he shall be liable to prosecution in the ordinary way in respect thereof.
7. All moneys paid under this by-law shall be deposited with the Treasurer of the City.
8. The following by-laws or sections of by-laws are hereby repealed:
- The City of Winnipeg By-law No. 17484
The City of West Kildonan By-law No. 16/65A
Section 52 of By-law No. 29 of The Metropolitan Corporation of Greater Winnipeg.
Corporation of Greater Winnipeg

DONE AND PASSED in Council assembled, this 2nd day of October, A.D., 1974.

SCHEDULE "A" TO BY-LAW NO. 789/74
OF THE CITY OF WINNIPEG

City Clerk

Unlawful stopping during rush hours (7 a.m. to 9 a.m.) (4 p.m. to 6 p.m.)	\$15.00
Double Parking.....	\$5.00
No Parking – Street Cleaning	\$5.00
Stopping in bus stops.....	\$5.00
Unauthorized parking on private property.....	\$5.00
Parking in prohibited areas	\$5.00
Overtime parking in restricted areas	\$3.00
Meter violations.....	\$3.00
Any parking violations not specified as above.....	\$3.00