

REPEALED BY BY-LAW NO. 86/2016
JULY 13, 2016

CONSOLIDATION UPDATE: MARCH 25, 2015

THE CITY OF WINNIPEG

WINNIPEG PARKING METER BY-LAW
NO. 6547/95

**A By-law of THE CITY OF WINNIPEG concerning
the reservation of certain portions of streets
and public parking facilities and public parking
sites for the purpose of parking vehicles and
the use of parking meters in connection
therewith.**

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

SHORT TITLE

1. This By-law may be referred to as the "**Winnipeg Parking Meter By-law**".

INTERPRETATION

2. (1) Unless otherwise expressly provided or unless the context otherwise requires words and expressions in this by-law have the same meaning as the same words and expressions in *The Highway Traffic Act*.

- (2) In this By-law
amended 8162/2002

"Holiday" includes New Year's Day, Good Friday, Victoria Day, the day set aside to celebrate the Queen's Birthday, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day;

"Meter" or **"Parking Meter"** means a device installed by the City of Winnipeg for the purpose of accepting a fee for parking for an increment of time in a metered space or for measuring the time that a vehicle has been parked in a metered space;
amended 205/2006

"Metered Space" means, in respect of a space within a street,

- (a) in respect of a meter which does not issue a receipt, a space adjacent to the curb or edge of the roadway, beginning at the meter and extending 6.7 metres
 - (i) against the direction of traffic, in the case of a single-headed meter; or
 - (ii) either against the direction of traffic or in the direction of traffic, in the case of a double-headed meter; or
- (b) in respect of a meter that issues a receipt, any space within a street adjacent to the curb or edge of the roadway where a traffic control device gives notice that metered parking is permitted;

and, in respect of a space within a parking facility owned by the City of Winnipeg that is available for public parking and in which meters have been installed,

- (c) a space marked with lines on the floor or ground surface of the facility; or
- (d) where no lines have been marked, a space no more than 3 metres wide adjacent to the meter.

amended 205/2006

"Operator" includes the owner of and every person who drives or operates a vehicle;

COO OF PARKING AUTHORITY TO PLACE METERS

3(1) The Chief Operating Officer of the Winnipeg Parking Authority is hereby authorized to place and maintain parking meters on portions of streets within the City of Winnipeg at which metered parking is permitted pursuant to section 8.

amended 125/2008

3(2) The Chief Operating Officer of the Winnipeg Parking Authority is hereby authorized to place parking meters within a parking facility that is available for public parking.

added 125/2008

CAUSING OR PERMITTING OFFENCE

4. Any person who causes or permits an offence against this By-law is guilty of an offence.

PARKING, ETC. PROVISIONS NOT EXCLUSIVE

5. The provisions of this By-law shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles on specified places or at specified times.

PROHIBITIONS & OFFENCES

6. (1) Subject to this section and section 10, the owner and the operator of a vehicle are each in contravention of this By-law
- (a) if the vehicle is parked in a metered space at a time during which vehicles are prohibited from being parked in that metered space;
 - (b) if the vehicle is parked in a metered space at a time during which vehicles may be parked in that metered space only upon payment of a fee and
 - (i) the parking meter or a receipt displayed within or on the vehicle indicates that the increment of time for which payment of a fee has been made has expired; or
 - (ii) in the case of a metered space in respect of which a parking meter that issues receipts has been installed, a receipt demonstrating that the fee has been paid to park for that period of time is not clearly displayed within or on the vehicle;
amended 125/2008
 - (c) *repealed 125/2008*
 - (d) subject to subsection (2), the vehicle is parked so that the vehicle is not wholly within a metered space for which a fee has been paid;
 - (e) if the vehicle has been parked in a metered space for more than the maximum time for which a fee may be paid for parking a vehicle in that metered space.
added 109/2012

- (2) Notwithstanding clause (1)(d), a vehicle that is larger than a single metered space may be parked in several adjacent metered spaces so long as the vehicle complies with clause (1)(b) in respect of all the metered spaces in which it is parked.

amended 205/2006

- (2.1) *repealed 42/2015*

- (3) *repealed 205/2006*

- (4) No person shall deposit or cause to be deposited in a parking meter any slug, device or metallic or other substitute for the coins prescribed by this By-law unless the use of such substitute is expressly authorized by the Chief Administrative Officer of the City of Winnipeg.

amended 125/2008

- (5) No person shall wilfully tamper with, open, deface, break, destroy or impair a parking meter.

USE OF SPACE AND CHARGES THEREFOR

7. (1) *repealed 205/2006*

- (2) *repealed 7082/97*

- (3) *repealed 205/2006*

LIMITED TIME PARKING FOR DRIVERS REQUIRING HAND AND OTHER SPECIAL CONTROLS

- (4) Any vehicle, operated by or on behalf of a disabled person, which lawfully displays a Physically Disabled Persons Parking Permit issued pursuant to Section 124.3 of *The Highway Traffic Act*, C.C.S.M. c. H60, and the regulations pertaining thereto, may be parked for not more than four hours where and when parking is otherwise limited by the terms of this By-law. The driver of said vehicle shall be exempt from Sections 5 and Subsection 6 (2) hereof.

This provision shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting the stopping or parking of vehicles.

**LOCATION OF METERS, HOURS OF OPERATION, MAXIMUM TIMES AND FEES FOR
METERED PARKING**

amended 125/2008

8(1) Subject to this section, the Chief Administrative Officer of the City of Winnipeg may establish

- (a) the location of meters on portions of streets and parking lots within the City of Winnipeg;
- (b) the hours of operation of parking meters placed on streets and within parking facilities;
- (c) the maximum time for which a fee may be paid for parking a vehicle in a metered space;
- (d) the fee that must be paid to park for an increment of time in a metered space.

8(2) In exercising his or her authority under subsection (1), the Chief Administrative Officer must take into account:

- (a) Plan Winnipeg;
- (b) the Parking Policy for Downtown Winnipeg referred to in Item 1 of the Report of the Alternate Service Delivery dated September 16, 2002 adopted by Council on September 25, 2002;
- (c) the Operating Charter of the Winnipeg Parking Authority; and
- (d) the needs and characteristics of the surrounding area.

8(3) The authority of the Chief Administrative Officer under subsection (1) may only be exercised in respect of portions of streets and times of the day in which parking is permitted under:

- (a) *The Highway Traffic Act*;
- (b) other by-laws of the City of Winnipeg; and
- (c) resolutions of the Standing Policy Committee on Infrastructure Renewal and Public Works and decisions of the Director of Public Works pursuant to the City's powers as a traffic authority.

8(4) The Chief Administrative Officer's authority under subsection (1) is subject to resolutions adopted by the Council of the City of Winnipeg concerning:

- (a) the location of meters on portions of streets within the City of Winnipeg;
- (b) the hours of operation of parking meters placed on streets and within parking facilities;
- (c) the maximum time for which a fee may be paid for parking a vehicle in a metered space;
- (d) the fee that must be paid to park for an increment of time in a metered space;
- (e) days of the year or week and times of a day during which vehicles may be parked in metered spaces for increments of time without payment of a fee.

amended 125/2008

GENERAL REGULATIONS

9. Every operator of a vehicle using a metered space shall

- (a) park the vehicle in such a manner that it is wholly within the metered space;
- (b) where a single-head meter is installed the vehicle shall be parked so that the front bumper is opposite the meter post;
- (c) where a double-headed meter is installed the vehicle shall be parked so that either the front or rear bumper is opposite the meter post.

10(1) Subject to the provisions of Sections 5 and 6, a metered space may be used without charge

amended 42/2015

- (a) by any vehicle on Sundays and holidays; and on any other day of the week outside of the hours specified in Section 8 for the sections of streets in the respective Schedules;
- (b) by a vehicle of or employed by The City of Winnipeg, or the Armed Forces, or any emergency vehicle, provided that markings designating ownership of the vehicle is painted thereon, or by a vehicle of or employed by The City of Winnipeg, the Armed Forces, The Government of Manitoba, The Government of Canada or The Assembly of Manitoba Chiefs identified by a card, sticker or certificate duly authorized and signed by the Mayor of The City of Winnipeg, provided that the operator of said vehicle is using the vehicle in the course of his or her duties;

- (c) by vehicles licensed as taxi-cabs while actually taking on or discharging passengers;
- (d) by duly licensed commercial vehicles while loading and unloading where there is no lane to serve the property.
- (e) by any vehicle, on such days, during such periods and on the sections of streets as Council by resolution may determine.
amended 8162/2002
- (i) on any day or days that the Mayor of The City of Winnipeg or his/her designate so declares.
added 7697/2000
- (f) by a vehicle in respect of which a "Parking Permit", pursuant to, and in accordance with the conditions prescribed by Schedule "F" hereto, for the relevant month, has been affixed.

10(2) Notwithstanding clauses 6(1)(b) and (e), the owner and operator of a vehicle that is identified in a valid Mobile Vendor's Parking Permit issued under section 26.1 of the Traffic By-law No. 1573/77 are not guilty of an offence for parking in a metered space without charge and for longer than the maximum time for which a fee may be paid for parking a vehicle in that space.

added 42/2015

TEMPORARY CLOSING OF PARKING SPACES

11. Whenever, due to any special circumstances the Chief of Police or the Director of Public Works considers that a metered space should be temporarily discontinued as a parking space, he may cause the meter thereat to be hooded or covered and he may cause to be placed or erected a sign or notice prohibiting parking at such metered space.

12. *repealed 125/2008*

RESPONSIBILITY OF OWNER AND DRIVER

13. The owner of a vehicle shall incur the penalties provided for a violation of this By-law unless at the time of the violation the motor vehicle was in the possession of some person other than the owner or his chauffeur without the owner's consent, and the driver of a motor vehicle who is not the owner shall also incur the penalties provided for any such violation.

TIME

14. A reference to time shall be deemed to be a reference to Daylight Saving Time when such is in current use in The City of Winnipeg and at all other times to Central Standard Times applicable to The City of Winnipeg.

PENALTY

15. Every person found guilty of a breach of any provision of this By-law, unless a penalty or fine is specifically provided therefor, shall be liable to a fine not exceeding fifty dollars in addition to costs.

VOLUNTARY PAYMENT

16. (1) Where it is alleged by a peace officer or by any person appointed to enforce this By-law, that any person has contravened a provision of this By-law, that person, on being notified of the allegation may voluntarily consent to pay the penalty for the contravention fixed by and in accordance with the procedure, and to such person, as is stated in the By-law of the City to permit the voluntary payment of penalties out of court for contraventions of by-laws of the City respecting parking and traffic.
- (2) When payment has been made as provided in Subsection (1) of this Section there shall be no prosecution for the contravention in respect of which payment has been made.

REPEAL

17. City of Winnipeg By-law No. 820/74 and any amendments thereto are hereby repealed.

DONE AND PASSED in Council assembled, this 26th day of January, 1995.

SCHEDULE "A"

repealed 125/2008

SCHEDULE "B"

repealed 125/2008

SCHEDULE "C"

repealed 125/2008

SCHEDULE "D"

repealed 125/2008

SCHEDULE "E"

repealed 7818/2001

SCHEDULE "F"
Parking Permits

amended 205/2006

1. Parking Permits issued pursuant to subsection 10(f) may be issued by the Chief Operating Officer of the Winnipeg Parking Authority on a daily, weekly or monthly basis upon the payment of a fee established by Council.
2. Parking Permits must be displayed within the vehicle so that they are clearly visible from outside the vehicle.
3. The Chief Operating Officer of the Winnipeg Parking Authority may determine the form of a Parking Permit.
4. The owner of a vehicle that has been issued a Parking Permit but which fails to display the Parking Permit in accordance with this Schedule is guilty of an offence and is liable, upon summary conviction, to a fine set out in the Voluntary Payment of Fines By-law.