THE CITY OF WINNIPEG

BY-LAW NO. 205/2006

A By-law of THE CITY OF WINNIPEG to accommodate new forms of parking meters, to update parking fees and fines, to authorize Visitor's Residential Parking Permits, and to permit the Chief Administrative Officer to impose parking meter fees and maximum times that a vehicle may be parked at parking meters in particular areas of the City.

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

Voluntary Payment of Fines By-law Amended

1. Schedule A of the Voluntary Payment of Fines By-law No. 789/74 is amended by striking out the following:

Parked – meter expired	*50*	*15*
No stopping 7:00 – 9:00	*70*	*35*
No stopping 15:30 – 17:30	*70*	*35*
Park/Stop on snow emergency route	*70*	*35*
No parking/No stopping – fire lane	*70*	*35*
No parking/No Stopping - handicapped zone	*150*	*75*

and substituting the following:

Parked – meter expired	*40*	*20*
No stopping – 7:00 – 9:00	*100*	*50*
No stopping – 15:30 – 17:30	*100*	*50*
Park/Stop on snow emergency route	*100*	*50*
No parking/No stopping – fire lane	*100*	*50*
No parking/No stopping designated disabled parking space	*200*	*100*
Failing to display a physically disabled person's parking permit	*10*	*5*
Failing properly to display a Parking Permit under the Parking Meter By-law	*10*	*5*

Failing properly to display a Residential Parking Permit or Visitor's Residential Parking Permit under the Traffic By-law	*10*	*5*

Traffic By-law amended

2. The Traffic By-law No. 1573/77 is amended:

(a) in section 26.1, by

(i) striking out *"Director"* and substituting *"Chief Operating Officer of the Winnipeg Parking Authority"*; and

(ii) adding "*or Visitor's Residential Parking Permit"* immediately after "*residential parking permit"*;

(b) by repealing Schedule 10 and substituting the following:

SCHEDULE 10 TO THE CITY OF WINNIPEG
TRAFFIC BY-LAW 1573/77

RESIDENTIAL PARKING PERMITS AND
VISITOR'S RESIDENTIAL PARKING PERMITS

A. <u>Eligibility</u>

1. Subject to the provisions of this schedule, the Chief Operating Officer of the Winnipeg Parking Authority may issue an annual Residential Parking Permit for any vehicle registered in the name of a person whose residence fronts on a street

(a) not referred to in Schedule E of the Streets By-law;

(b) described in subsection 26.1(2); and

(b) on which parking is not prohibited during specific periods of the day.

2. The Chief Operating Officer may not issue a Residential Parking Permit for a vehicle that weighs more than 3700 kilograms.

3. A person whose vehicle qualifies for a Residential Parking Permit under #1 may apply for a Visitor's Residential Parking Permit for a period of up to 30 days for a vehicle that is being used by a person residing temporarily at the residence.

4. A Visitor's Residential Parking Permit may be issued by the Chief Operating Officer where:

(a) allowing an additional vehicle to be parked on the street would not unduly inconvenience or adversely affect residents;

(b) the Chief Operating Officer is satisfied that the Visitor's Residential Parking Permit will in fact be used by a person residing temporarily at the residence.

5. Where the Chief Operating Officer cannot issue a Visitor's Residential Parking Permit because allowing an additional vehicle to be parked on the street would unduly inconvenience or adversely affect residents, he or she may issue a Visitor's Residential Parking Permit for that vehicle to be parked on an nearby street where allowing an additional vehicle to be parked on the street would not unduly inconvenience or adversely affect residents.

B. Application Procedure

1. In order to obtain a Residential Parking Permit, the applicant must provide to the Chief Operating Officer of the Winnipeg Parking Authority:

(a) a copy of the vehicle registration; and

(b) evidence that the vehicle qualifies for a permit;

(c) an annual permit fee in the amount of $25.00.

2. In order to obtain a Visitor's Residential Parking Permit, the applicant must provide to the Chief Operating Officer of the Winnipeg Parking Authority:

(a) the licence plate number of the vehicle that requires the Visitor's Residential Parking Permit;

(b) evidence that the applicant qualifies for a Residential Parking Permit; and

(c) evidence that the person for whom the permit is sought will be temporarily residing at the residence.

C. Fine for failing to display permit

1. Where a Residential Parking Permit or a Visitor's Residential Parking Permit has been issued for a vehicle but is not displayed so that it is clearly visible from outside the vehicle, the person who applied for the permit is guilty of an offence and is liable, upon summary conviction, to a fine set out in the Voluntary Payment of Fines By-law.

Winnipeg Parking Meter By-law amended

3. The Winnipeg Parking Meter By-law No. 6547/95 is amended

(a) in subsection 2(2), by repealing the definition ***"Meter"*** *or* ***"Parking Meter"*** and substituting the following:

> ***"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;*

(b) in subsection 2(2), by repealing the definition *"****Metered Space****"* and substituting the following:

> ***"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.*

(c) in section 3, by striking out *"Director of Public Works"* and substituting *"Chief Operating Officer of the Winnipeg Parking Authority"*.

(d) by repealing subsections 6(1), 6(2), and 6(3), and substituting the following:

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 is not clearly displayed within or on the vehicle;

(c) the vehicle has been parked in the metered space longer than the maximum time that a vehicle may be parked in that metered space;

(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.

(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.

(e) by repealing 7(1) and 7(3);

(f) by renumbering section 8 as subsection 8(1);

(g) in section 8(1), by adding *"and this section"* immediately after *"Subject to Section 5"*;

(h) by adding the following immediately after subsection 8(1):

(2) Subject to this section, the fee or fees that must be paid to park for an increment of time in metered spaces may be established by Council by resolution.

(3) Notwithstanding subsections (1) and (2), the Chief Administrative Officer of the City of Winnipeg may establish

(a) the amount of the fee or fees that must be paid to park for an increment of time in a metered space;

(b) the number of consecutive minutes that a vehicle may be parked in a metered space;

in particular areas of the City.

(4) In order to avoid doubt,

(a) the fee or fees established by Council pursuant to subsection (2);

(b) the number of consecutive minutes that a vehicle may be parked at metered spaces referred to in subsection (1) as well as Schedules "A", "B", "C" and "D";

do not apply where they are inconsistent with the Chief Administrative Officer's exercise of an authority under subsection (3).

(5) In exercising an authority under subsection (3), 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.

(6) The authority of the Chief Administrative Officer under subsection (3) 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) decisions of the Standing Policy Committee on Infrastructure Renewal and Public Works and the Director of Public Works pursuant to the City's powers as a traffic authority.

(7) Notwithstanding the Chief Administrative Officer's authority under subsection (3), the Council of the City of Winnipeg may by resolution establish 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.

(i) by repealing sections 1 and 2 of Schedule "F" and substituting the following:

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.

Snow Emergency Route By-law amended

4. Subsection 7(1) of the Snow Emergency Route By-law No. 6548/95 is amended by striking out "*of $25.00*" and substituting "*set out in the Voluntary Payment of Fines By-law*".

Disabled Persons Parking By-law amended

5. Section 2 of the Disabled Persons Parking By-law No. 7171/98 is amended by renumbering it as subsection 2(1) and adding the following after it:

> *2(2) Notwithstanding subsection (1), where a permit is not displayed in the vehicle but would have been used in accordance with* The Highway Traffic Act *and regulations under that Act if it had been displayed, the person is guilty of an offence and liable, upon summary conviction, to a fine set out in the Voluntary Payment of Fines By-law.*

DONE AND PASSED, in Council assembled, this day of , 2006.

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Mayor

_____
City Clerk

Approved as to content:

_____
for the Chief Administrative Officer

Certified as to form:

_____
for City Solicitor/Manager of
Legal Services