THE CITY OF WINNIPEG

BY-LAW NO. 86/2008

A By-law of THE CITY OF WINNIPEG to amend the Private Parking By-law.

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

Private Parking By-law amended

1. The Private Parking By-law No. 6549/95 is amended by this By-law.

Definition amended

2. The definition *"Vehicle Poundkeeper"* in section 1 is amended by adding *"and includes an employee, agent or representative of a vehicle poundkeeper"* at the end of the definition.

Subsections 6(2) and (3) replaced

3. Subsection 6(2) and (3) are repealed and the following is substituted:

6. (2) Where a vehicle is claimed by the owner or operator of the vehicle before any preparation for removal has been undertaken, including attachment of the hoist mechanism, the vehicle poundkeeper must immediately release the vehicle to the owner or operator without any fee being charged.

(3) Where a vehicle is claimed by the owner or operator of the vehicle after the hoist mechanism has been attached or other preparation for removal has begun, the vehicle poundkeeper must release the vehicle to the owner or operator upon payment of one-half of the removal costs applicable to that vehicle as set out in section 11.

(4) Where a vehicle is claimed by the owner or operator of the vehicle after the towing vehicle has moved under power with the vehicle in tow, the vehicle poundkeeper must release the vehicle to the owner or operator upon payment of the removal costs applicable to that vehicle as set out in section 11.

(5) Where a vehicle is claimed by the owner or operator of the vehicle after the vehicle has been removed to a place of impoundment but before it has been placed in storage, the vehicle poundkeeper must release the vehicle to the owner or operator upon payment of the removal costs applicable to that vehicle as set out in section 11.

(6) For greater certainty, where this section requires that the vehicle poundkeeper release a vehicle to the owner or operator, any towing apparatus that has been attached to the vehicle must be removed and the vehicle must be placed in a position where it can be removed by the owner or operator and no additional fee may be charged for this work.

Subsection 11(1) replaced

4. Subsection 11(1) is repealed and the following is substituted:

11. (1) Subject to section 6, a vehicle poundkeeper must release a vehicle that has been removed and stored pursuant to this By-law to an individual who provides appropriate identification which corresponds to the vehicle's registration and who provides payment to the vehicle poundkeeper of the applicable removal and storage costs for the vehicle set out in subsection (1.1).

(1.1) The maximum costs of removal and storage that may be charged by a vehicle poundkeeper pursuant to this By-law are as follows:

(a) Removal Costs

(i) $59.00 in removal costs for vehicles with a gross vehicle weight not exceeding 4500 kilograms;

(ii) $74.00 in removal costs for vehicles with a gross vehicle weight greater than 4500 kilograms but not exceeding 6500 kilograms;

(iii) $132.00 in removal costs for vehicles with a gross vehicle weight exceeding 6500 kilograms;

(b) Storage Costs

(i) $12.00 for each 24 hour period of time or portion thereof that a vehicle with a gross vehicle weight not exceeding 6500 kilograms has been stored at a place of impoundment;

(ii) $27.00 for each 24 hour period of time or portion thereof that a vehicle with a gross vehicle weight exceeding 6500 kilograms has been stored at a place of impoundment.

DONE AND PASSED, in Council assembled, this day of , 2008.

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Mayor

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City Clerk

Approved as to content:

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Chief of the Winnipeg Police Service

Certified as to form:

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For City Solicitor/Manager of Legal Services