THE CITY OF WINNIPEG

BY-LAW NO. 125/2008

A By-law of THE CITY OF WINNIPEG to increase certain fines under the Voluntary Payment of Fines By-law No. 789/74 and to amend the Parking Meter By-law No. 6547/95.

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

Voluntary Payment of Fines By-law amended

1(1) The Voluntary Payment of Fines By-law No. 789/74 is amended by this section.

1(2) Section 3 is struck out and the following is substituted:

3(1) Subject to subsection (3), the owner or operator of a vehicle who is alleged to have committed an offence listed in Schedule A may, within 15 days of the date that a parking tag alleging the offence is affixed to the vehicle or handed to the owner or operator, pay the discounted fine for that offence as set out in Schedule A to this By-law and will not thereafter be prosecuted for the offence.

3(2) Subject to subsection (3), the owner or operator of a vehicle who is alleged to have committed an offence listed in Schedule A may, after the expiration of 15 days of the date that a parking tag alleging the offence is affixed to the vehicle or handed to the owner or operator of a vehicle, pay the full fine for that offence as set out in Schedule A to this By-law and will not thereafter be prosecuted for the offence.

3(3) If, within 15 days of the date that a parking tag is affixed to the vehicle or handed to the owner or operator of the vehicle, the owner or operator of the vehicle who is alleged to have committed the offence alleged in the parking tag requests that the Chief Operating Officer of the Winnipeg Parking Authority review the parking tag to determine:

(a) whether the alleged offence occurred;

(b) whether the parking tag contains the information required by The Summary Convictions Act to be included;

(c) whether the parking tag contains accurate information concerning the alleged offence;

(d) whether for another reason a recommendation should be made to stay the prosecution of the alleged offence or to recommend that a justice should exercise his or her powers under section 7 of The Summary Convictions Act;

the 15 day time period referred to in subsection (1) is suspended for a period of four days or until the review is complete, whichever is less.

1(3) The following items in Schedule A are struck out:

Parked on sidewalk	50	35
Park within an intersection	50	35
Park within 3 metres of curb edge point opposite fire hydrant	50	35
Park so as to obstruct traffic	50	35
Park on crosswalk	50	35
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

and the following are substituted:

Parked on a sidewalk	100	70
Parked within an intersection	100	70
Parked within 3 metres of curb edge point opposite fire hydrant	100	70
Park so as to obstruct traffic	100	70
Park on crosswalk	100	70
Parking/stopping on snow emergency route	200	100
Parking/stopping in fire lane	300	150
Parking/stopping in designated disabled parking space without valid permit	300	150

Winnipeg Parking Meter By-law amended

2(1) The Winnipeg Parking Meter By-law No. 6547/95 is amended by this section.

2(2) Section 3 is struck out and the following is substituted:

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.

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.

2(3) Subclause 6(1)(b)(ii) is amended by adding "demonstrating that the fee has been paid to park for that period of time" *after* "a receipt".

2(4) Clause 6(1)(c) is repealed.

2(5) Subsection 6(4) is amended by striking out "The City of Winnipeg" *and substituting* "the Chief Administrative Officer of the City of Winnipeg".

2(6) Section 8 is repealed and the following is substituted:

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

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.

2(7) Section 12 is repealed.

2(8) Schedules A, B, C and D are repealed.

DONE AND PASSED, this day of July, 2008.

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Mayor

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City Clerk

Approved as to form and content:

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Chief Financial Officer

Certified as to form:

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for City Solicitor/Manager of
Legal Services