THE CITY OF WINNIPEG

BY-LAW NO. 92/2012

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

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

Traffic By-law amended

1 The Traffic By-law No. 1573/77 is amended by this By-law.

Definition added

2 The following definition is added to subsection 2(2):

"disabled loading zone" means that portion of the roadway adjacent to the curb designated as such by traffic control devices.

"loading zone" means that portion of the roadway adjacent to the curb designated as such by traffic control devices.

Clause 26(b) amended

3 Clause 26(b) is amended by replacing "*Where*" with *"Subject to section 26.1, where*".

Section 26.1 replaced

4 Section 26.1 is replaced with the following:

PARKING PERMITS

26.1 (1) The Chief Operating Officer of the Winnipeg Parking Authority is authorized, in accordance with Schedules 10 and 12 of this By-law, to issue Residential Parking Permits, Visitor's Residential Parking Permits, Contractor's Permits and Social Services Provider's Permits.

(2) Notwithstanding clause 26(b) but subject to clause 26(a) and subsection 26.1(3), a vehicle that has been issued and is displaying so that it is visible from outside the vehicle

(a) a Residential Parking Permit,
(b) a Visitor's Residential Parking Permit,
(c) a Contractor's Parking Permit, or
(d) a Social Services Provider's Parking Permit

and is parked or stopped on a portion of a street where a traffic control device has been placed that limits the length of time during which a vehicle may be parked on all or a portion of the street, is not subject to the limitation or prohibition on parking or stopping signified by that traffic control device.

(3) Notwithstanding that a vehicle has been issued and is displaying a Contractor's Parking Permit or a Social Services Provider's Parking Permit, the exemptions from limitations or prohibitions on parking or stopping granted by subsection (2) do not apply to the vehicle if it has been parked on that block for a total of 72 hours or more during the course of a calendar year.

Section 28 amended

5 Section 28(b) is replaced with the following:

(b) in a loading zone, unless

(i) the vehicle is standing for a period of time no longer than the time period specified on the traffic control devices designating the loading zone or, where no time period is specified on the traffic control devices designating the loading zone, for longer than 15 minutes; and

(ii) the vehicle is actually being loaded or unloaded;

(c) in a disabled loading zone, unless

(i) a permit issued pursuant to Section 124.3 of The Highway Traffic Act *for that vehicle is displayed within the vehicle so that it is visible from outside the vehicle*; *and*

(ii) the vehicle is standing for a period of time no longer than the time period specified on the traffic control devices designating the loading zone or, where no time period is specified on the traffic control devices designating the disabled loading zone, for longer than 30 minutes; and

(iii) the vehicle is actually being loaded or unloaded;

Section 32.1 added

6 The following is added after section 32:

LIFTING OF RESTRICTIONS

32.1 (1) Subject to this section and the provisions of this Schedule 13, in response to an application or on his or her own initiative, the Chief Operating Officer of the Winnipeg Parking Authority may in writing issue a temporary

exemption from restrictions on the length of time a vehicle may be parked. The temporary exemption may be issued with respect to:

(a) a particular vehicle; or

(b) all vehicles within a specified area during the happening of a particular event.

(2) Notwithstanding clause 26(b) but subject to clause 26(a), a traffic control device that limits the length of time during which vehicles may be parked on all or a portion of the street is not applicable to

(a) a particular vehicle to which a temporary exemption has been issued under clause (1)(a) and displaying a valid permit denoting this fact; or

(b) any vehicle parked in a specified area with respect to which a temporary exemption has been issued under clause (1)(b).

32.1 (3) A temporary exemption does not apply to a vehicle that weighs more than 3700 kilograms.

32.1 (4) A person who applies for a temporary exemption must pay any application fee or other fee established by Council with respect to the temporary exemption. However, where a designated employee considers that the event with respect to which a temporary exemption granted is of benefit to the community, he or she may waive the fee with respect to the temporary exemption.

Schedules 12 and 13 added

7 The following schedules are added following Schedule 11:

SCHEDULE 12 TO THE TRAFFIC BY-LAW NO. 1573/77 OF THE CITY OF WINNIPEG

CONTRACTOR PARKING PERMITS AND SOCIAL SERVICE PROVIDER 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 a parking permit for any vehicle registered in the name of an individual or company engaged in the business of the provision of

(a) contractor services, including carpentry, plumbing, gas fitting, roofing and electrical work; or

(b) social services, including home care, occupational therapy and speech therapy.

2. The Chief Operating Officer may not issue a contractor permit for a vehicle that weighs more than 3700 kilograms.

B. Application Procedure

3. In order to obtain a Contractor or Social Services Provider permit, the applicant must provide to the Chief Operating Officer of the Winnipeg Parking Authority:

(a) a copy of the vehicle registration;

(b) evidence that the vehicle is used for the provision of contractor services or social services; and

(c) payment of an annual permit fee.

C. Improper Use of the Permit

4. Where a Contractor or Social Services Provider permit has been issued for a vehicle but is not displayed so that it is clearly visible from outside the vehicle, the person to whom the permit was issued is guilty of an offence and is liable, upon summary conviction, to a fine set out in the Voluntary Payment of Fines By-Law.

5. Where a Contractor or Social Services Provider permit is displayed so that it is clearly visible from outside the vehicle but the vehicle to which the permit is issued has been parked on that block for a total of 72 hours or more during the course of a calendar year, the person to whom the permit was issued is guilty of an offence and is liable, upon summary conviction, to a fine set out in the Voluntary Payment of Fines By-Law.

SCHEDULE 13 TO THE TRAFFIC BY-LAW NO. 1573/77 OF THE CITY OF WINNIPEG

TEMPORARY EXEMPTION FROM PROVISIONS REGULATING TIME-LIMITED PARKING

A. Eligibility

1. When considering whether to issue a temporary exemption under section 32.1 of this By-law, the Chief Operating Officer must:

(a) take into account the purposes for which the restrictions from which a temporary exemption is proposed were instituted and the extent to which the temporary exemption is likely to undermine these purposes; and

(b) weigh the reasons for the proposed temporary exemption against the importance of the purposes for which the restrictions from which a temporary exemption is proposed were instituted.

B. Application Procedure

2. In order to obtain a temporary exemption referred to in section 1 with respect to a particular vehicle, the applicant must provide to the Chief Operating Officer of the Winnipeg Parking Authority:

(a) a copy of the vehicle registration;

(b) the reasons for the proposed temporary exemption; and

(c) payment of a permit fee.

C. Improper Use of a Permit

3. Where a written temporary exemption has been issued for a vehicle, the Chief Operating Officer may issue a permit indicating this fact.

4. Where a permit referred to in section 4 has been issued for a vehicle but the permit is not displayed so that it is clearly visible from outside the vehicle, the person to whom the permit was issued is guilty of an offence and is liable, upon summary conviction, to a fine set out in the Voluntary Payment of Fines By-Law.

Voluntary Payment of Fines By-law amended

8 Schedule A of the Voluntary Payment of Fines By-law No. 789/74 is amended by adding the following**:**

Failing to display Contractor's Permit or Social Services Provider Permit under Schedule 12, Traffic By-law	*10*	*5*
Exceed 72 hour annual maximum under Schedule 12, Traffic By-law	*70*	*35*
Failing to display Temporary Lifting of Parking Restrictions Permit under Schedule 13, Traffic By-law	*10*	*5*

DONE AND PASSED, this 27th day of June, 2012.

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Mayor

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City Clerk

Approved as to content:

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Chief Operating Officer
Winnipeg Parking Authority

Approved as to form:

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For Director of Legal Services and City Solicitor