THE CITY OF WINNIPEG

BY-LAW NO. 70/2023

A By-law of THE CITY OF WINNIPEG to amend the Winnipeg Parking By-law No. 86/2016.

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

Winnipeg Parking By-law amended
1 The Winnipeg Parking By-law No. 86/2016 is amended by this by-law.

Table of contents amended
2 The reference to "*removal of abandoned or derelict vehicles*" in the table of contents is deleted and replaced with "*removal of abandoned or inoperable vehicles*".

Definitions amended
3 Section 2(1) is amended by:

(a) Deleting the existing definition of "large vehicle" and replacing it with the following:

*"**large vehicle**" means, except in Part 4 of this By-law:*

(a) a large vehicle or large truck as defined in Part 4; or

(b) a vehicle that, alone or together with any trailer connected to it, is longer than 6.7 m (22ft).

(b) Deleting the definition of "special purpose vehicle";

(c) Adding the following definition of "shoulder" in alphabetical order:

***"shoulder"** means a shoulder as defined in subsection 1(1) of The Off-Road Vehicles Act;*

Section 2(3) replaced
4 Section 2(3) is deleted and replaced with the following:

***2(3)** If one vehicle, such as a truck or trailer, has a second vehicle placed in or on it, or attached to it, this by-law applies to the first vehicle but not the second vehicle.*

Section 12(7) amended
5 Section 12(7) is amended by deleting the reference to "*other than a large vehicle*".

Section 13 amended
6 Section 13 is amended by

(a) Deleting the header and replacing it with "***One-hour limit for large vehicles and trailers***";

(b) Deleting clause 13(1)(c);

(c) Deleting the reference to "*or*" in clause 13(2)(a); and

(d) Deleting the period at the end of clause 13(2)(b) and replacing it with "*; or*".

(e) Adding the following to clause 13(2)(c)

(c) a Winnipeg Transit bus parked at a bus stop.

Section 14 amended

7 Section 14 is amended by

(a) Deleting the reference to "*or*" in subclause 14(1)(b)(ii);

(b) Deleting the period at the end of subclause 14(1)(b)(iii) and replacing it with "*, or*";

(c) Adding subclause 14(1)(b)(iv) as follows:

(iv) a virtual parking permit.

(d) Deleting subsection 14(2) and replacing it with the following:

14(2) *Clause 14(1)(b) does not apply if the owner or operator of the vehicle uses a method of payment approved by the General Manager to charge the parking fee to a credit card or other type of account by means of an electronic communication that identifies*

(a) by reference to the meter number or otherwise, the area or location at which the vehicle is parked;

(b) the plate number of the vehicle; and

(c) the period or the expiration time of the period for which the fee is paid

and the vehicle is parking within the period for which the fee has been paid.

(e) Deleting subsection 14(3);

(f) Deleting subsection 14(4) and replacing it with the following:

14(4) *Despite a traffic control device that indicates that paid parking applies, this section does not apply to any vehicle parked in an on-street space on a holiday as determined by* The Interpretation Act, CCSM c. I80, *but sections 12 and 13 do apply on such a holiday*.

(g) Deleting the footnote to subsection 14(4).

Section 15 amended

8 Section 15 is amended by

(a) deleting the header and replacing it with "***Temporary parking or stopping restrictions***";

(b) deleting the reference to "*during specified hours in order to accommodate work within the street*".

Section 17 amended

9 Section 17 is amended by

(a) Adding the following references to subsection 17(1):

(i) "*or stopped*" immediately following the reference to "*vehicle parked*"; and

(ii) "*or stopped*" immediately following the reference "*must be parked*".

(b) Deleting subsection 17(3) and replacing it with the following:

17(3) *Subsection (2) does not apply*

(a) in areas to which a Use of Street Permit issued under the Streets By-law applies, or in a work area, as defined in the Manual of Temporary Traffic Control approved by Council, so long as the Manual of Temporary Traffic Control is being followed, or

(b) to a vehicle whose driver holds a permit that allows them to stop, stand or park the vehicle on the left side of a highway with the left-hand wheels thereof parallel to that side, in accordance with s. 124.2(1)(b) of The Highway Traffic Act.

Section 22 amended

10 Section 22 is deleted and replaced with the following:

22(1) *No vehicle may be parked on a street unless it is currently registered under* The Drivers and Vehicles Act *or a similar law of another jurisdiction and has attached to it a valid and current number plate issued under that law.*

22(2) *Subsection (1) does not apply to a vehicle that is excepted from registration requirements under* The Drivers and Vehicles Act*.*

Section 35 amended

11 Section 35 is amended by

(a) Deleting clause 35(1)(a) and replacing it with the following:

(a) the City is entitled to take collection proceedings in respect of an administrative penalty or fine payable by:

(i) the applicant or permit holder; or

(ii) the owner of the vehicle to which the permit applies, or to which the permit would apply if issued

for stopping or parking a vehicle in contravention of this by-law or any other City by-law;

(b) Adding "*; or*" to the end of clause 35(1)(b);

(c) Adding the following as clause 35(1)(c):

(c) the owner of the vehicle to which the permit applies, or to which the permit would apply if issued, is also the registered owner of another vehicle that has been repeatedly stopped or parked in contravention of this by-law or any other City by-law.

(d) Deleting subsection 35(5) and replacing it with the following:

35(5) *The General Manager may refuse to issue a permit for a period of up to one year if the applicant has had a similar permit revoked under this section.*

Section 38 amended

12 Section 38 is amended by

(a) Adding a reference to "*subsection 12(6),"* in subsection 38(1) immediately following the reference to "*subsection 12(1) (parking time limits),*";

(b) Deleting the reference to "*more than a total of 72 hours in that year*" from clause 38(4)(a) and replacing it with "*more than 48 consecutive hours*".

Subsection 39(1) amended

13 Subsection 39(1) is amended by adding a reference to "*and subsection 12(6),"* immediately following the reference to "*subsection 12(1) (parking time limits),*".

Section 40 amended

14 Section 40 is amended by

(a) Deleting all references to "*street or portion of*" and replacing them with "*area, street, or portion of*";

(b) Adding a reference to "*and subsection 12(6)"* in subsection 40(1) immediately following the reference to "*subsection 12(1) (parking time limits)*";

(c) Deleting the reference to "*only for a*" in subsection 40(2) and replacing it with "*only for an*".

Subsection 41(1) amended

15 Subsection 41(1) is amended by adding a reference to "*and subsection 12(6)"* immediately following the reference to "*subsection 12(1) (parking time limits)*".

Section 43 amended

16 Section 43 is amended by

(a) Deleting the reference to “must” in subsection (1) and replacing it with “may”;

(b) Deleting subsection (2) and replacing it with the following:

43(2) *Such a permit exempts the vehicle specified in the permit from the parking restrictions in subsection 12(1) (parking time limits), subsection 12(6), and section 13 (one-hour limits for large vehicles, trailers, etc.) on the streets or portions of streets specified in the permit for the period or periods specified in the permit.*

(c) Deleting subsection (3) and replacing it with the following:

43(3) *A permit under this section:*

(a) must not be issued if four such permits have already been issued to the applicant in that calendar year in respect of one or more recreational vehicles;

(b) must not exempt a vehicle for a period exceeding 72 consecutive hours, or exempt a vehicle for more than four such periods in a single calendar year.

Subsection 44(1) amended

17 Subsection 44(1) is amended by adding the following as clause (a.1):

(a.1) the parking restrictions in subsection 12(6);

Subsection 45(1) amended

18 Subsection 45(1) is amended by adding a reference to “*subsection 12(6)”* immediately following the reference to “*subsection 12(1) (parking time limits)*”.

Section 63 amended

19 Section 63 is amended by

(a) deleting subsection (1) and replacing it with the following:

63(1) Upon application or on his or her own initiative, the General Manager may, in order to facilitate parking for a particular event, issue a written order that exempts all vehicles from the restrictions in section 12 (parking time limits) and section 13 (one-hour limits for large vehicles).

(b) deleting the reference to “*the permit*” in subsection (3) and replacing it with a reference to “*the order*”.

Section 72 deleted
20 Section 72 is deleted in its entirety.

Coming into force
21 This by-law comes into force upon being given third reading by Council.

DONE AND PASSED this 13th day of July, 2023.

Mayor

City Clerk

Approved as to content:

General Manager of the Winnipeg Parking Authority

Legally reviewed and certified as to form:

for Director of Legal Services
and City Solicitor