

BY-LAW NO. 2007 - 268

A by-law of the City of Ottawa respecting public transit.

The Council of the City of Ottawa enacts as follows:

DEFINITIONS

1. In this by-law:

“Assistant Card” means,

- (a) a serially numbered card, issued by the Director to a person with a disability who requires the assistance of a service animal, which card contains a photograph of the person with a disability and a photograph of the service animal,
- (b) an identification card issued pursuant to section 2 of the Blind Persons’ Rights Act, R.S.O. 1990, C. B.7, as amended, or
- (c) such other form of identification as authorized by the Director;

“authorized vendor” means a person who has entered into an agreement with the City of Ottawa to sell tickets, transit passes or any other fare medium on behalf of the City;

“bicycle” means any device which has one or more wheels and is propelled by human power and upon which any person may ride, and includes a unicycle and a tricycle;

“City” means the municipal corporation of the City of Ottawa or the geographic area of the City of Ottawa, as the context requires;

“crosswalk” or “pedestrian crossover” means that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface; this definition used in both parts of the by-law;

“Director” means the Director of Transit Services of the City of Ottawa, or authorized representative;

“emergency” means a situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life and property;

“exclusive bus lane system” means a portion of a highway or provincial highway designated for exclusive bus travel, either at all times or at certain times of the day;

“front bench seat” means the inward-facing bench or benches at the front of the vehicle;

“light rail facility” means that portion of the passenger transportation system that includes,

- (a) light rail tracks,
- (b) light rail rights-of-way, including tunnels and bridges, and
- (c) areas reserved exclusively for City transit personnel;

“municipal law enforcement officer” means a person appointed by the Council of the City to enforce either the transit fare provisions of this by-law and who is known as a Transit Fare Enforcement Officer or a person appointed by the Council of the City to enforce the transit security, traffic and transit fare provisions of this by-law and who is known as a Transit Special Constable;

“official sign” means a sign approved by the Ontario Ministry of Transportation;

“park” or “parking” when prohibited means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

“Park and Ride Lot” means a parking lot owned, leased or used by the City for the benefit of transit passengers;

“passenger transportation system” means a system that provides, for compensation, transportation for passengers in transit vehicles operated underground, on the ground or above the ground, but not in taxicabs;

“pedestrian” means a person on foot; or a person with a disability, child or other person in a wheelchair, baby carriage, or play vehicle;

“person” includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law;

“person with a disability” means an individual who has a persistent physical, mental, psychiatric or sensory impairment;

“POP vehicle” means those transit vehicles that require production of proof of payment by a passenger;

“POP Zone” means any part of the passenger transportation system designated as a proof of payment zone pursuant to this by-law;

“platform” means that part of the passenger transportation system including shelters used by, or intended for the use of, passengers boarding or alighting from a transit vehicle;

“Priority Seating Card” means a serially numbered card issued to a person with a disability by the Director containing a photograph of the person with a disability;

“proof of payment” or “POP” means a valid transit pass, valid transfer slip or other authorized receipt, a valid transit employee identification card or other valid receipt of fare payment;

“proper authority” means a police officer, a special constable or a municipal law enforcement officer appointed to enforce the conduct, traffic, fare or other provisions of this by-law;

“service animal” means an animal trained by a recognized school for service as a guide dog for the blind or visually impaired, a guide dog for the deaf or hearing impaired, or a special skills dog for other persons with disabilities and includes an animal used in therapy and trained by and registered with a recognized organization for that purpose;

“stand” or “standing” when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;

“transit pass” means either a photo identification card plus a renewable voucher or a one part photo ID card and voucher, both of which are issued by the City and indicate a fare category;

“transit property” means all property owned, leased or used by the City for the purpose of providing a passenger transportation system and includes the transitway, the transit station platform areas, the platforms, the transit stations, the transit vehicles, the transit shelters, the bus stops, the light rail facility and the Park and Ride Lots;

“transit shelter” means a fully enclosed or partially enclosed waiting area which is intended for use by passengers waiting to use the passenger transportation system and which is located at the side of a highway;

“transit station” means any building or structure owned, used, or occupied by the City for transit purposes which is open to the public;

“transit station platform area” means the platform within the transit station set aside for passenger pick-up and drop-off.

“transit vehicle” means a bus, van or light rail vehicle owned by or leased or under contract to the City for use in the passenger transportation system;

“transitway” means that portion of the property owned, leased or used by the City that is designated exclusively for bus travel and includes the transit stations and the transit station platform areas;

“wheelchair” means a chair mounted on wheels driven by muscular or any other kind of power and used for the carriage of a person who has a physical disability.

INTERPRETATION

2. (1) This by-law includes the Schedules annexed hereto and the Schedules are hereby declared to form part of this by-law.
- (2) If any section, subsection or part or parts thereof are declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.
- (3) This by-law is gender-neutral and, accordingly, any reference to one gender includes the other.
- (4) Words in the singular include the plural and words in the plural include the singular.
- (5) Headings are inserted for convenience of reference purposes only, form no part of this by-law and shall not affect in any way the meaning or interpretation of the provisions of this by-law.
- (6) Unless otherwise defined, the words and phrases used in this by-law have their normal and ordinary meaning.

EXCLUSIVE AUTHORITY FOR PASSENGER TRANSPORTATION

3. No person shall operate a passenger transportation system in the City unless the person is authorized to do so by the Director.

4. Section 3 does not apply with respect to the following types of passenger transportation systems:

- (a) buses used to transport pupils, including buses owned or operated by a school board, private school or charitable organization;
- (b) railways operated by railway companies incorporated under a federal or provincial Act;
- (c) ferries;
- (d) aviation systems; and

- (e) taxicabs.
5. (1) The Director may authorize a person to operate a passenger transportation system for the purpose of sightseeing in the City subject to the following conditions:
- (a) submission of a business plan acceptable to the Director, the Director, Traffic and Parking Operations and the Director, By-law Services that includes but is not limited to,
 - (i) a description of the proposed business including routes, pick-up and drop-off points,
 - (ii) the fare to be charged to the customer,
 - (iii) a description of the vehicle to be used in the business and the number of passengers the vehicle can accommodate,
 - (iv) parking and stopping locations and arrangements,
 - (v) such other information as requested by the Director, and
 - (b) execution of an agreement that shall include but is not limited to the following provisions,
 - (i) routing and hours of operation,
 - (ii) production of a current safety certificate for each vehicle,
 - (iii) provision of insurance to the satisfaction of the City's Risk Management Unit and the City Solicitor,
 - (iv) a payment of \$2,000.00 per vehicle to the City to a maximum of \$10,000.00,
 - (v) an indemnification in accordance with subsection (4), and
 - (vi) such other provisions as considered necessary by the Director.
- (2) The Director may authorize a person to operate a passenger transportation system between the Ottawa Airport and other points in the City subject to the following conditions:
- (a) submission to the Director of a copy of valid agreement for a passenger transportation service between the applicant and the Airport Authority,
 - (b) if a fare is collected for the service, the one-way fare must be higher than the regular Monday to Saturday price of a DayPass offered by the City for its transit system,
 - (c) submission of a business plan acceptable to the Director, the Director, Traffic and Parking Operations and the Director, By-law Services that includes but is not limited to,
 - (i) a description of the proposed business including routes, pick-up and drop-off points,
 - (ii) the fare to be charged to the customer,
 - (iii) a description of the vehicle to be used in the business and the number of passengers the vehicle can accommodate,
 - (iv) parking and stopping locations and arrangements,
 - (v) such other information as requested by the Director, and
 - (d) execution of an agreement that shall include but is not limited to the following provisions,
 - (i) routing and hours of operation,

- (ii) production of a current safety certificate for each vehicle,
 - (iii) provision of insurance to the satisfaction of the City's Risk Management Unit and the City Solicitor,
 - (iv) an indemnification in accordance with subsection (4), and
 - (v) such other provisions as considered necessary by the Director.
- (3) The Director may authorize a person to operate a passenger transportation system for the purpose of private transportation between two points in the City for the employees or clients of a business subject to the following conditions:
- (a) no fare or equivalent to a fare may be collected,
 - (b) the system shall not be the primary business of the person,
 - (c) the system shall not be advertised to the public except as a package with other business services provided by the person and such advertisement shall not characterize the system as an alternative to the transit services provided by the City,
 - (d) submission of a business plan acceptable to the Director, the Director, Traffic and Parking Operations and the Director, By-law Services that includes but is not limited to,
 - (i) a description of the proposed business including a description of the passengers to be served, routes and pick-up and drop-off points,
 - (ii) a description of the vehicle to be used in the business and the number of passengers the vehicle can accommodate,
 - (iii) parking and stopping locations and arrangements,
 - (iv) such other information as requested by the Director, and
 - (e) execution of an agreement that shall include but is not limited to the following provisions,
 - (i) routing and hours of operation,
 - (ii) production of a current safety certificate for each vehicle,
 - (iii) provision of insurance to the satisfaction of the City's Risk Management Unit and the City Solicitor,
 - (iv) an indemnification in accordance with subsection (4), and
 - (v) such other provisions as considered necessary by the Director.
- (4) The person who wishes to operate a passenger transportation system in the City shall indemnify and save harmless the City from any claims, demands, losses, costs, charges, actions and other proceedings arising by any act, omission, negligence or fault by an officer, employee, contractor, subcontractor or agent of such person, made or brought against, suffered or imposed upon the City in respect of any loss, damage or injury (including death or injury resulting in death) to any person or property, including, without limiting the generality of the foregoing, the servants, agents and properties of any of the parties hereto, directly or indirectly arising out of, resulting from, or sustained by reason of such person's passenger transportation system, or any operations ancillary thereto.

6. Nothing in Section 3 prevents a person from operating a passenger transportation system that is used to convey passengers from a point within the City to a point outside the City or from a point outside the City to a point inside the City.

7. Nothing in Section 3 affects any rights existing on January 1, 1972 of a person licensed under the *Public Vehicles Act* to operate a passenger transportation system

FARES AND TRANSFERS

REGULATION OF FARES AND POP TRANSFERS

8. (1) No person shall board, ride upon or otherwise use a transit vehicle of the City unless;
- (a) such person has tendered for payment of the fare the exact amount established by the City;
 - (b) the ride is authorized by a valid POP transfer, transit pass, transit ticket or other fare medium from time to time approved by the City;
 - (c) such person is a member of the Ottawa Police Services and is in uniform; or
 - (d) such person is authorized by an agreement with the City.
- (2) The fees for fares, tickets or transit passes or any other fare medium shall be as described in Schedule "C" to this by-law.

OVERPAYMENT OF FARE

9 Notwithstanding Section 8 above, a person may tender for payment of fare an amount larger than the exact fare, but shall not be entitled to a refund for such overpayment.

REFUSAL TO PAY FARE

10 Any person refusing to tender payment of the fare in accordance with Section 8 shall be deemed to be refusing to pay the fare.

PROOF OF PAYMENT (POP) - TRANSIT VEHICLES

11 No person shall fail to produce proof of payment of the proper fare when requested to do so by a proper authority while travelling upon any transit vehicle designated by the Director as a POP vehicle.

POP ZONE

12. (1) The Director may designate all or any part of the passenger transportation system as a POP Zone by placing signs at the entrances to platforms indicating that the area is restricted to persons carrying valid proof of payment.

- (2) No person shall enter or remain in a POP Zone without a proof of payment.
- (3) No passenger shall fail to keep his or her proof of payment for the entire trip and also while in the POP Zones.

ALTERING OR NON-AUTHORIZED USE OF A TRANSIT PASS, TICKET, POP TRANSFER OR OTHER FARE MEDIUM

- 13. (1) No person shall use, produce or have in his or her possession an altered or unauthorized reproduction of a transit pass, ticket, POP transfer or any other fare medium.
- (2) No person shall sell, exchange or give away a POP transfer, validated ticket or a non-transferable transit pass.

STUDENT TRANSIT PASS

- 14. (1) No person, other than a student, as defined by the City, shall use a student transit pass.
- (2) No person shall apply for or obtain a student transit pass unless the person,
 - (a) is a full-time student at a recognized educational institution in Ontario; and
 - (b) presents a valid student identification card issued by such educational institution.
- (3) Despite paragraph (a) of subsection (2), where a person is resident in Ontario but attends a recognized educational institution in Quebec, the person may present a valid student identification card from the Quebec educational institution when applying for a student transit pass.

UNAUTHORIZED USE OF TRANSIT PASS OR POP TRANSFER

- 15. (1) No holder of a transit pass or POP transfer shall fail to comply with the conditions of use printed on the back of the pass or POP transfer and failure to do so may result in its confiscation by the City.
- (2) No person shall take or accept more than one POP transfer per fare paid.
- (3) No person shall receive or use for the journey, any POP transfer not issued to them by an authorized City employee when paying the fare.
- (4) A POP transfer shall be valid only until the date and time specified on the transfer.

AUTHORIZED VENDORS

16. No person shall sell tickets, transit passes or any other fare medium established from time to time unless the person is an authorized vendor of the City.

ASSISTANT CARD

17. (1) Any person with a disability who wishes to travel on a transit vehicle or enter a transit property and who requires the assistance of a service animal, shall obtain an Assistant Card.
- (2) No person shall be accompanied on a transit vehicle or on transit property by a service animal unless the person has an Assistant Card and the person maintains full control of the service animal.

PRIORITY SEATING

ENTITLEMENT

18. (1) A person with a disability, an expectant mother, a person with a visible need for priority seating, a person with a child in a carriage or stroller, a person with a Priority Seating Card or a person with an Assistant Card is entitled to priority seating on a front bench seat but is not guaranteed a seat.
- (2) No person, who is not described in subsection (1), shall fail to surrender a front bench seat to a person entitled to priority seating.

CONDUCT

GENERAL PROHIBITIONS

19. (1) No person shall:
- (a) ride on, stand on or hold on to the exterior of any transit vehicle;
 - (b) cross in front of a stationary or moving transit vehicle in circumstances where it is unsafe or impedes the movement of the transit vehicle;
 - (c) lean out of or otherwise project any part of their body or an object beyond the edge of any transit vehicle or any transit platform;
 - (d) enter or leave or attempt to enter or leave any transit vehicle while the transit vehicle is in motion or when declared unsafe to do so by the operator of the transit vehicle;
 - (e) board or leave a transit vehicle except by using the appropriately identified doors or as authorized by an official of the City, except under emergency conditions; or
 - (f) remain in, or on, a transit vehicle, a transit station, a Park and Ride Lot, a transit shelter or other transit property when directed to leave by a proper authority.

- (2) No person shall, in or upon any transit property,
- (a) loiter without due cause;
 - (b) for the purposes of subsection (a), a person “loiters” when such person:
 - (i) idly spends time inside or on transit property without the express purpose of using the transit system; or
 - (ii) lingers, saunters, or remains on transit property without due cause; and
 - (iii) at least thirty (30) minutes have elapsed since initial arrival onto transit property;
 - (c) administer, possess or sell illegal drugs;
 - (d) expectorate;
 - (e) urinate;
 - (f) defecate;
 - (g) use profane, indecent, abusive, foul, insulting or obscene language;
 - (h) molest or willfully interfere with the comfort or convenience of any other person;
 - (i) assault or otherwise use threatening behaviour towards any other person;
 - (j) cause a disturbance or nuisance by disorderly conduct;
 - (k) consume liquor or other alcoholic product;
 - (l) have in his or her possession liquor or other alcoholic product the container for which has been opened;
 - (m) cause a disturbance by being intoxicated;
 - (n) smoke, or ignite a cigarette lighter or match;
 - (o) litter or soil or leave refuse of any kind other than in containers provided for such purpose;
 - (p) place large, bulky or sharp objects in a way that would endanger or cause a threat to other passengers or block the aisles in transit vehicles;
 - (q) bring any explosive, flammable or toxic material;
 - (r) bring any firearm, handgun, or any other similar type of weapon or imitation thereof;
 - (s) bring any sword, cross-bow, switchblade, or similar type of weapon or imitation thereof;
 - (t) wear ice skates;
 - (u) bring any animal unless the person has an Assistant Card for that animal;
 - (v) except with the Director’s permission,
 - (i) play a musical instrument, or
 - (ii) operate any radio, transmitting or receiving device, tape recorder, or similar device in or upon any transit vehicle,
 unless the sound therefrom is conveyed by an earphone at a sound level that does not disturb other passengers;
 - (w) beg, solicit or panhandle funds;
 - (x) except with the Director’s permission,
 - (i) sell or attempt to sell any newspaper, magazine, merchandise or any other article or thing,
 - (ii) distribute any pamphlet or literature, or
 - (iii) solicit members of the public for any purpose whatsoever;

- (y) activate any emergency alarm or device or use any emergency telephone, except in situations of emergency;
 - (z) affix any inscription, sign, drawing, graffiti, or other picture;
 - (aa) fail to wear a shirt or shoes;
 - (ab) use roller skates, in-line skates or skateboards; or
 - (ac) ride a bicycle, unicycle or tricycle.
- (3) No person shall do any act in contravention of instructions indicated on any sign erected on transit property or instructions given by a proper authority who considers them necessary to:
- (a) ensure orderly movement of persons;
 - (b) prevent injury to persons;
 - (c) prevent damage to the transit property; or
 - (d) permit proper action in an emergency.
- (4) No person shall willfully obstruct or interfere with a proper authority in the proper authority's performance of his or her duties or the exercise of his or her rights, powers and privileges under this by-law.
- (5) No person shall knowingly provide any false information in any statement, whether in writing or otherwise, made to a proper authority investigating an offence under this by-law.
- (6) No person shall operate any camera, video recording device, movie camera or any similar device on transit property without the express written permission of the Director.
- (7) Subsection (6) does not apply to the following:
- (a) the operation by a person of any camera, video recording device, movie camera or similar device on a transit vehicle where such operation is for personal use; or
 - (b) the operation by a person of any camera, video recording device, movie camera or similar device on a transit station platform area where such operation is for personal use.
- (8) No person shall enter onto or depart from, or attempt to enter onto or depart from a transit platform except by the steps, escalators, elevators or stairways providing access thereto unless it is unsafe to do so.
- (9) No person shall place or allow their feet, foot or footwear to remain on or against the bottom cushion or seat-back cushion of any seat on a transit vehicle.
- (10) No person shall hold open, block the detection sensors or otherwise impede the operation of the doors of a transit vehicle.

- (11) No person using transit vehicles or transit facilities shall fail to comply with all rules and regulations which are either posted on transit property or are printed on transit vehicle tickets , transfers or transit passes.

OPERATION BY UNAUTHORIZED PERSONS

20. (1) No person shall handle any equipment at transit stations or operate any transit vehicle or any part of the mechanism or equipment of any transit vehicle or any other transit equipment or device unless authorized by the Director to do so.
- (2) Subsection (1) does not apply to those devices intended for passenger use and used in accordance with posted regulations.

DAMAGE TO TRANSIT PROPERTY

21. No person shall cause or attempt to cause any damage to any transit property.

LOST PROPERTY

22. No person shall remove from any transit vehicle or transit station any article left thereon through apparent inadvertence, but such article shall be left in the possession of the City or its employees for disposition according to City policy.

TRANSITWAY

OPERATION OF VEHICLES

23. No person shall operate or cause or permit to be operated any vehicle on a transitway save and except the following:
- (a) a vehicle owned or operated by the City and authorized by the Director;
 - (b) a vehicle owned or operated by a public utility provided that prior approval has been obtained from the Director and the vehicle is carrying out its respective utility service on a utility located on a transitway;
 - (c) any bus line or other transportation system within the City of Ottawa, or any part of the City of Ottawa including but not limited to,
 - (i) shuttle bus services,
 - (ii) charter bus services,
 - (iii) special event public transit services,
 - (iv) park and ride services,
 - (v) regular scheduled Transit services, and
 - (vi) Para Transpo,
 provided that the prior consent of the Director pursuant to Section 26 has been obtained;
 - (d) an emergency vehicle described as follows:

- (i) a fire department vehicle while proceeding to a fire or responding to a fire alarm or other emergency call, but not while returning therefrom,
- (ii) a vehicle while used by a person in the lawful performance of his duties as a Police Officer while proceeding to an emergency call, or responding to a situation on, or immediately adjacent to a transitway requiring police assistance, but not while returning therefrom, or
- (iii) an ambulance while responding to an emergency call or being used to transport a patient or injured person in a life threatening situation, but not while returning therefrom;
- (e) any use pursuant to subsections (a), (b), (c) or (d) hereof, by a person or body other than the City is conditional upon obtaining the Director's consent and the prior execution of an indemnity agreement in a form satisfactory to the Director and the City Solicitor.

RULES FOR THE OPERATION OF VEHICLES

- 24. (1) No person shall operate a vehicle on a transitway except in accordance with the rules and regulations established and set forth in Schedule "A" to this by-law.
- (2) The City may, from time to time, modify or amend the regulations set forth in Schedule "A" whenever in its opinion such an amendment is required having due regard to the efficient and safe operation of vehicles and the overall needs of the passenger transportation system.

PEDESTRIAN AND VEHICLE ACCESS TO A TRANSITWAY OR LIGHT RAIL FACILITY

- 25. No person shall:
 - (a) without the permission of the Director, enter on a transitway or light rail facility, except on areas set aside and clearly identified as being for the use of the general public;
 - (b) cross any transitway, exclusive bus lane or light rail facility except by way of crosswalk or pedestrian crossover;
 - (c) obstruct or otherwise interfere with the operation of a transitway or light rail facility; or
 - (d) permit or cause to permit any animal to wander on, use or interfere with the operation of a transitway or light rail facility.

CONSENT OF DIRECTOR

- 26. (1) Every person who enters on areas of a transitway or light rail facility not available to members of the general public, with or without a vehicle, shall obtain the consent of the Director in writing prior to such entry.

- (2) The consent of the Director may include, but is not limited to, the following conditions:
 - (a) a detailed description of the reason why entry is required;
 - (b) the time period for which entry is required;
 - (c) a plan for ensuring the safety of the general public;
 - (d) a traffic management plan to the satisfaction of the Director;
 - (e) provision and maintenance of insurance to the satisfaction of the City's Risk Management Unit and the City Solicitor;
 - (f) an indemnification as provided in subsection (4); and
 - (g) such other conditions that in the opinion of the Director are deemed necessary.
- (3) The Director is authorized to conclude and execute agreements with respect to consent provided that the agreement contains provisions that address the conditions detailed in subsection (2).
- (4) The person who is requesting entry shall indemnify and save harmless the City from all actions, causes of action, claims, damages and losses of whatever kind that such person may cause or incur resulting from the use of a transitway or a light rail facility.

TRANSIT SECURITY VEHICLES

27. (1) Pursuant to subsection 62(15) of the *Highway Traffic Act*, those motor vehicles used by the City for transit security purposes may carry roof-mounted lights that cast a red light to the front.
- (2) Such lights shall only be activated and used on a transitway and exclusive bus lane systems of the City.

PARK AND RIDE PARKING LOTS

ESTABLISHMENT

28. The parking lots indicated on Schedule "B" to this Part are hereby designated as Park and Ride Lots.

DESIGNATED PARKING SPACES AND HOURS OF OPERATION

29. (1) No person shall park a vehicle in a Park and Ride Lot unless it is in a clearly designated parking space.
- (2) No person shall park a vehicle in a Park and Ride Lot in a parking space designated as a disabled parking space unless the person is displaying a disabled parking permit in the vehicle.

- (3) No person shall park a vehicle in a Park and Ride Lot unless it is within the hours of operation indicated in Schedule “B” for each Park and Ride Lot.

PERMIT

30. No person shall park a vehicle in areas in a Park and Ride Lot that are designated for reserved parking unless they have first obtained a parking permit from the City.

FEES

31. Fees for the parking permit shall be established by City Council from time to time and shall be as indicated on Schedule “B”.

ENFORCEMENT

REFUSAL OF SERVICE

32. (1) In this Section, “objectionable conduct” includes but is not limited to the conduct described in Section 19.
- (2) A proper authority may refuse passage on the transit system to:
 - (a) a person in possession of explosives, a firearm, a dangerous weapon, flammable material or any other dangerous thing or material;
 - (b) a person in a state of intoxication, under the influence of drugs and/or alcohol, or otherwise in an unfit or improper condition, who acts in a manner detrimental to the public;
 - (c) a person whose conduct is or is likely to be objectionable to other passengers or the operator of the transit vehicle; or
 - (d) a person carrying hand luggage, a parcel or any object or thing that does inconvenience or is likely to inconvenience other passengers.
- (3) This refusal of passage may be for a single trip, or for a longer period as defined by the City.
- (4) No person shall remain in or upon any transit property after having been refused service by a proper authority.

NON-COMPLIANCE

33. Any person who fails to comply with this by-law, or who is otherwise disturbing the peace, forfeits the right to remain in, or on the transit vehicle or transit property and shall, when directed so to do by the proper authority, immediately leave the transit vehicle or other transit property. In default of so doing, a proper authority, may use such force as is reasonably necessary to remove such person or persons from the transit vehicle or other transit property.

REMOVAL OF ILLEGALLY PARKED VEHICLES

34. If a vehicle is parked, remains, or is left on a transitway without the express authority of the City, a proper authority may cause the vehicle to be moved or taken to and placed or stored in a suitable place and all costs and charges for the removal, care and storage thereof, if any, shall be paid by the owner of the vehicle and such costs and charges shall be a lien on the vehicle which may be enforced in the manner provided by the *Repair and Storage Liens Act*, R.S.O. 1990, c. R. 25, as amended.

OFFENCES AND PENALTY

35. (1) Any person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine pursuant to the *Provincial Offences Act*.
- (2) When a person has been convicted of an offence under this part of the by-law,
(a) the Ontario Court (Provincial Division) of the Province of Ontario, or
(b) any court of competent jurisdiction thereafter,
may, in addition to any penalty imposed on the person convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted that is deemed to be directed toward the continuation or repetition of the offence.

SHORT TITLE

36. This by-law may be referred to as the “Transit By-law”.

REPEAL

37. Chapter 3 entitled “Public Transit” of the Regional Regulatory Code of the old Regional Municipality of Ottawa-Carleton, as amended, is repealed.

EFFECTIVE DATE

38. This by-law shall come into force and take effect on July 1, 2007.

ENACTED AND PASSED this 13th day of June, 2007.

CITY CLERK

MAYOR

SCHEDULE "A"

REGULATIONS FOR OPERATION OF VEHICLES ON A TRANSITWAY

DEFINITIONS

1. In this Schedule:

“centre line” means,

- (a) in the case of a transitway on which traffic is permitted to move in opposing directions, the marked line or median that divides traffic moving in opposing directions on the transitway or, where there is no marked line or median, the centre of the roadway; or
- (b) in the case of a transitway designated for the use of one-way traffic, the left curb or edge of the roadway;

“driver” means a person who drives a vehicle on a transitway;

“stop” or “stopping” when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a proper authority or of a traffic control sign or signal;

“one-way traffic” means movement by vehicles upon a transitway in one direction only;

“U-turn” means the turning of a vehicle within the transitway so as to proceed in the opposite direction to that in which the vehicle was traveling immediately prior to making the turn.

DIRECTION OF TRAFFIC BY PROPER AUTHORITY

2. Where a proper authority authorized to enforce this Part considers it reasonably necessary,

- (a) to ensure orderly movement of traffic;
- (b) to prevent injury or damage to persons or property; or
- (c) to permit proper action in an emergency,

such person may direct traffic according to their own discretion, and no person shall fail to obey such directions.

RIGHT-OF-WAY

3. No driver of a vehicle approaching an intersection shall fail to yield the right-of-way to a vehicle that has entered the intersection from a different highway or transitway and, when two vehicles enter an intersection from different highways or transitways at approximately the same time, the driver on the left shall yield the right-of-way to the vehicle on the right.

YIELD RIGHT-OF-WAY SIGNS

4. (1) No driver of a vehicle approaching a yield right-of-way sign shall fail to slow down to a speed reasonable for the existing conditions or shall fail to stop if necessary.
- (2) No driver of a vehicle shall fail to yield the right-of-way to traffic in the intersection or to traffic approaching on the intersecting transitway so closely that it constitutes an immediate hazard.
- (3) Having so yielded as provided in subsections (1) and (2), the driver of a vehicle may proceed with caution.

PEDESTRIAN CROSSOVER, DUTIES OF DRIVER

5. No driver of a vehicle shall fail to yield the right-of-way to a pedestrian or a person in a wheelchair when the pedestrian or the person in a wheelchair,
 - (a) is crossing the transitway within an authorized pedestrian crossover, and
 - (b) is upon the half of the roadway upon which a vehicle is traveling; or
 - (c) is upon half of the roadway and is approaching the other half of the roadway on which a vehicle is approaching so closely to the pedestrian crossover as to endanger him or her.

WHERE VEHICLE STOPPED AT PEDESTRIAN CROSSOVER

6. When a vehicle is stopped at a pedestrian crossover, no driver of any other vehicle overtaking the stopped vehicle shall fail,
 - (a) to bring the vehicle to a full stop before entering the crossover, or
 - (b) to yield the right-of-way to a pedestrian or a person in a wheelchair, who is within the crossover upon the half of the roadway upon which the vehicle is stopped.

PASSING MOVING VEHICLES WITHIN 30 METRES OF PEDESTRIAN CROSSOVER

7. When a vehicle is approaching a pedestrian crossover and is within thirty metres (30 m) thereof, no driver of any other vehicle approaching from the rear shall allow the front extremity of his vehicle to pass beyond the front extremity of the other vehicle.

DUTY OF PEDESTRIAN OR PERSON IN WHEELCHAIR

8. No pedestrian or person in a wheelchair shall leave the curb or other place of safety at a pedestrian crossover and walk, run or move the wheelchair into the path of a vehicle that is so close that it is impracticable for the driver of the vehicle to yield the right-of-way.

URNS, RIGHT AT INTERSECTION

9. Where a driver of a vehicle intends to turn to the right into an intersecting transitway, such driver shall, where the transitway has marked lanes for traffic, approach the intersection within the right-hand lane, or where it has no such marked lanes, by keeping immediately to the left of the right curb or edge of the roadway and the driver shall make the right turn by entering the right-hand lane of the intersecting transitway where such lane is marked, by keeping immediately to the left of the right curb or edge of the roadway being entered.

URNS, LEFT ACROSS PATH OF APPROACHING VEHICLE

10. No driver of a vehicle in an intersection shall turn left across the path of a vehicle approaching from the opposite direction unless such driver has afforded a reasonable opportunity to the driver of the approaching vehicle to avoid a collision.

LEFT AT INTERSECTION

11. Where a driver of a vehicle intends to turn to the left into an intersecting transitway, such driver shall, where the transitway has marked lanes for traffic, approach the intersection within the left-hand lane provided for the use of traffic moving in the direction in which the vehicle is proceeding or, where it has no such marked lanes, by keeping immediately to the right of the centre line of the transitway and such driver shall make the left turn by entering the intersection to the right of the centre line or its extension and by leaving the intersection in the left-hand lane provided for the use of traffic moving in the direction in which the vehicle is proceeding where such lane is marked or, where no such lane is marked, by passing immediately to the right of the centre line of the intersecting transitway.

SIGNAL FOR LEFT OR RIGHT TURN

12. (1) No driver of a vehicle upon a transitway, before turning to the left or right at any intersection or into a private road or driveway or from one lane for traffic to another lane for traffic or to leave the roadway, shall fail to first see that such movement can be made in safety.
- (2) If the operation of any other vehicle may be affected by the movement described in subsection (1), no driver shall fail to give a signal plainly visible to a driver or operator of such other vehicle of the intention to make such movement.

SIGNAL WHEN MOVING FROM PARKED POSITION

13. (1) Before setting the vehicle in motion, no driver of a vehicle parked or stopped on a transitway at a station shall fail to first see that the movement can be made in safety.

- (2) When the operation of any other vehicle may be affected by the movement described in subsection (1), no driver shall fail to give a signal plainly visible to the driver of such other vehicle of the intention to make such movement.

SIGNALLING

14. The signals required in Sections 12 and 13 shall be given either by means of the hand and arm in the manner described in Section 15 or by a mechanical or electrical signal device as described in Section 16.

HOW TO SIGNAL MANUALLY

15. When the signal is given by means of the hand and arm, the driver shall indicate his intention to turn;
- (a) to the left, by extending the hand and arm horizontally and beyond the left side of the vehicle; or
 - (b) to the right, by extending the hand and arm upward and beyond the left side of the vehicle.

REQUIREMENTS FOR SIGNALLING DEVICE

16. No driver of a vehicle shall fail to provide and maintain a mechanical or electrical signal device in the vehicle that:
- (a) clearly indicates the intention to turn,
 - (b) is visible and understandable during day time and night time from the front and from the rear of the vehicle for a distance of thirty metres (30 m),
 - (c) is self-illuminated when used at any time from one-half hour after sunset to one-half hour before sunrise.

WHEN SIGNALLING DEVICES TO BE USED

17. No person while operating or in control of a vehicle upon a transitway shall activate the mechanical or electrical device referred to in Section 16 for any purpose other than to indicate a movement referred to in Sections 12 or 13.

SIGNAL FOR STOP

18. No driver of a vehicle upon a transitway, before stopping or suddenly decreasing the speed of the vehicle, shall fail to give a signal plainly visible to the driver of such other vehicle of the intention to stop or decrease speed,
- (a) by means of the hand and arm extended downward beyond the left side of the vehicle, or
 - (b) by means of a stop lamp or lamps on the rear of the vehicle which shall emit a red or yellow light,
- if the operation of any other vehicle may be affected by such stopping or decreasing of speed.

AUTHORIZED UNMARKED VEHICLES - LIGHTS

19. (1) No driver of an authorized unmarked vehicle shall fail to activate four-way flashers or roof light(s) when driving on the transitway.
- (2) Subsection (1) does not apply to the driver of a bus.

ARRANGEMENT OF LIGHTS

20. (1) Green arrow, green, amber or red lights may be used for signal-light traffic control systems and such lights shall be arranged vertically or horizontally in the following order commencing at the bottom or left side green arrow, green, amber and red.
- (2) When a green signal light is shown at an intersection, the driver of a vehicle that is approaching the intersection and facing such light may proceed across the intersection or turn left or right.

FLASHING GREEN

21. When a green light illuminated by rapid intermittent flashes is shown at an intersection, the driver of a vehicle that is approaching the intersection and facing such light may, notwithstanding Section 20, proceed across the intersection or turn left or right.

RED

22. (1) When a red signal light is shown at an intersection, no driver of a vehicle that is approaching the intersection and facing such light shall fail to bring his or her vehicle to a full stop:
 - (a) at a clearly marked stop line,
 - (b) immediately before entering the nearest crosswalk if there is not clearly marked stop line, or
 - (c) immediately before entering the intersection if there is no clearly marked stop line or crosswalk.
- (2) No driver of a vehicle that has come to a full stop as described in subsection (1) shall proceed until a green light is shown, but the driver may, after bringing the vehicle to a full stop, turn to the right or to the left if operating from a one-way transitway to a one-way street or transitway.

EXCEPTION

23. Notwithstanding Section 20, where an emergency vehicle, upon which a siren is continuously sounding and upon which a lamp is producing intermittent flashes of red light visible from all directions is brought to a full stop at a red signal light, the driver of the

emergency vehicle may, after ascertaining that such movement can be made in safety, proceed through the intersection without waiting for a green signal light to be shown.

AMBER

24. When an amber signal light is shown at an intersection, the driver of a vehicle that is approaching the intersection and facing such light shall bring his vehicle to a full stop at a clearly marked stop line, or if none, then immediately before entering the intersection, provided that, where any such vehicle cannot be brought to such a stop in safety, it may be driven cautiously across the intersection.

FLASHING RED

25. Where a red signal light illuminated by rapid intermittent flashes is shown at an intersection, no driver of a vehicle that is approaching the intersection and facing such light shall fail:

- (a) to bring the vehicle to a full stop at a clearly marked stop line or,
- (b) if no stop line exists, then immediately before entering the intersection, to yield the right of way to traffic in the intersection or approaching the intersection on another transitway so that it does not constitute an immediate hazard, and

having so yielded the right of way, the driver may proceed with caution and the traffic approaching the intersection on another transitway shall yield the right of way to the vehicle so proceeding in the intersection.

FLASHING AMBER

26. When an amber light illuminated by rapid intermittent flashes is shown at the intersection, no driver of a vehicle which is approaching the intersection and facing such light, shall fail to proceed with caution through the intersection.

GREEN ARROW

27. When a red signal light with a green arrow is shown at an intersection, the driver of a vehicle, which is approaching the intersection and facing such light, may proceed with caution into the intersection only to make the movement indicated by such arrow, but shall yield the right of way to pedestrians lawfully using the intersection.

28. Where a signal light traffic control system shows a green arrow without the red signal light illuminated at an intersection, the driver of a vehicle that is approaching the intersection and facing the arrow may proceed into the intersection only to follow the direction indicated by the arrow.

RULES SUBJECT TO SIGNS AT INTERSECTIONS

29. (1) The provisions of this Schedule are subject to any sign forbidding a left or right turn or both that is conspicuously posted at any intersection.
- (2) No driver of a vehicle shall fail to obey a sign as described in subsection (1).

VEHICLES MEETING OTHERS

30. (1) Where the driver of a vehicle on a transitway meets another vehicle, no driver shall fail to turn to the right from the centre of the roadway, allowing to the vehicle so met one-half of the roadway free.
- (2) Subsection (1) does not apply to a vehicle, road-building machine or apparatus while engaged in the construction, maintenance or marking of a transitway.

DRIVING TO LEFT OF CENTRE OF ROADWAY UNDER CERTAIN CONDITIONS PROHIBITED

31. (1) No person shall drive or operate a vehicle to the left of the centre of a roadway designed for one or more lines of traffic in each direction.
- (2) Subsection (1) does not apply to a transitway designated for the use of one-way traffic or to a transitway divided into clearly marked lanes where there are more such lanes for traffic in one direction than in the other direction.

PASSING TO RIGHT OF VEHICLE

32. No driver of a vehicle shall overtake and pass to the right of another vehicle unless:
- (a) such movement can be made in safety, and
 - (b) the vehicle overtaken is making or about to make a left turn, or
 - (c) its driver has signalled his intention to make a left turn.

DRIVING OFF ROADWAY PROHIBITED

33. No driver of a vehicle shall overtake and pass another vehicle by driving off the travelled portion of a transitway.

TRANSITWAY DESIGNATED FOR ONE-WAY TRAFFIC

34. Where a transitway has been designated for the use of one-way traffic only and official signs have been erected accordingly, no person shall operate or drive a vehicle on or along the transitway unless it is in the direction so designated.

MOVING FROM ROADWAY TO ROADWAY ON DIVIDED TRANSITWAYS

35. Where a transitway is divided into two separate roadways, no person shall operate or drive a vehicle along or on such transitway unless it is on the roadway on the right hand side, having regard to the direction in which the vehicle is being operated or driven.

NO STOPPING

36. (1) No driver of a bus shall stop the bus on the transitway other than in station areas to load and unload passengers.
- (2) Subsection (2) does not apply in the case of an emergency or a vehicle breakdown.

NO STOPPING - TRAVELLED PORTION

37. (1) No driver of a vehicle shall stop on the travelled portion of a transitway.
- (2) Subsection (1) does not apply to buses and authorized maintenance vehicles in designated station areas.
- (3) Subsection (1) does not apply in the case of an emergency.

NO PASSING

38. No driver of a vehicle shall permit his or her vehicle to overtake other moving vehicles on the transitway except where more than one lane of traffic is provided for this purpose.

BACKING PROHIBITED

39. No driver of a vehicle shall back the vehicle upon the roadway or shoulder of any transitway without the assistance of a guide at the exterior left rear.

U-TURNS PROHIBITED

40. No driver of a vehicle upon a transitway shall turn the vehicle on the transitway so as to proceed in the opposite direction.

DISABLED VEHICLE

41. In the case of a vehicle breakdown, the driver shall attempt to park his vehicle as close to the right shoulder of the roadway as is practical and safe to do so, and so as not to obstruct traffic.

PARKING ON TRANSITWAY

42. No person shall park, stand or stop an unauthorized vehicle on the travelled portion of the transitway.

STATION AREAS - PARKING

43. No driver shall fail to park his or her vehicle at his or her assigned service stop when in station areas.

LAY-UP AREAS

44. No driver of a transit vehicle shall fail to park his or her vehicle within a designated lay-up area at or near a transit station when waiting between scheduled trips or before the first scheduled trip.

REGULATIONS, PARKING, ETC.

45. The Director may regulate the parking, standing or stopping of vehicles upon a transitway or any part of the transitway.

HEADWAY OF MOTOR VEHICLES

46. No driver of a motor vehicle shall follow another vehicle more closely than is reasonable and prudent having due regard for the speed of such vehicle and the traffic on and the conditions of the transitway.

UNNECESSARY SLOW DRIVING PROHIBITED

47. (1) No driver of a motor vehicle on the transitway shall drive such a slow rate of speed as to impede or block the normal and reasonable movement of traffic thereon except when such slow rate of speed is necessary for the safe operation having regard to all the circumstances.
- (2) No driver of a disabled vehicle traveling at a slow rate of speed shall fail to leave the transitway at the first possible intersection.

USE OF PASSING BEAM

48. When on a transitway at any time when lighted lamps are required to be displayed on vehicles, no driver of a motor vehicle equipped with multiple beam headlamps shall fail to use the lower or passing beam when,
- (a) approaching an oncoming vehicle within 150 metres; or
 - (b) following another vehicle within 60 metres, except when in the act of overtaking and passing a disabled or parked vehicle.

REMOVAL OF VEHICLE PARKED AT PROHIBITED PLACE

49. Whenever a proper authority appointed for carrying out the provisions of this by-law finds a vehicle on a transitway in contravention of the provisions of this by-law, he may move the vehicle or require the driver or operator or other person in charge of the vehicle to move it.

SIGNS AND MARKINGS

50. The Director may make regulations providing for the erection of signs and the placing of markings on the transitway and prescribing the type of such signs and markings and the location on the transitway of each type of sign and marking.

SIGNS TO BE OBEYED

51. No driver of a vehicle shall fail to obey the instructions or directions indicated on any sign erected pursuant to Section 50.

WHERE TRANSITWAY DIVIDED INTO LANES

52. (1) Where the transitway has been divided into clearly marked lanes for traffic, no driver of a vehicle shall:
- (a) fail to drive the vehicle as nearly as may be practicable entirely within a single lane, or
 - (b) move the vehicle from such a lane.
- (2) Subsection (1) does not apply to a vehicle passing another vehicle which is parked, standing or disabled on the transitway providing such movement can be made with safety.

OPENING OF DOORS OF MOTOR VEHICLES

53. No person shall:
- (a) operate a vehicle on a transitway with an open door;
 - (b) open the door of a service vehicle or bus on a transitway without first making due precautions to ensure that his act will not interfere with the movement of or endanger any other person or vehicle; or
 - (c) leave a door of a motor vehicle on a transitway open on the side of the vehicle available to moving traffic for a period of time longer than is necessary to load or unload passengers.

TRANSITWAY RATE OF SPEED

54. No person shall drive a vehicle at the rate of speed greater than:
- (a) 80 kilometres per hour on the transitway unless otherwise posted to the contrary;

- (b) 50 kilometres per hour on the transitway within the station areas;
- (c) 50 kilometres per hour when approaching an intersection controlled by a signalling device.

ACCIDENTS ON TRANSITWAY

55. Every person in charge of a vehicle who is directly or indirectly involved in an accident shall report the accident forthwith to the Control Room Supervisor, Operations Supervisor or a proper authority and shall follow the instructions given.

STOP FOR POLICE, TRANSIT LAW ENFORCEMENT OFFICER

56. A proper authority in the lawful execution of his or her duties and responsibilities, may require the driver of a motor vehicle to stop and the driver of a motor vehicle, when signalled or requested to stop shall immediately come to a safe stop.

RIGHT-OF-WAY FOR EMERGENCY VEHICLES

57. No person in charge of a vehicle shall fail to yield the right-of-way to police, fire, ambulance or the vehicle of a proper authority when such vehicles are activating red emergency lighting systems.

SCHEDULE “B”**PARK AND RIDE LOTS AND ASSOCIATED FEES**

Name of Lot	Address	Monthly Fee	Hours of Operation
Trim	1201 Trim Road	no charge*	05:00 – 01:00
Place d’Orleans	900 Champlain Street	no charge*	04:00 – 03:45
Telesat	1582 Telesat Court	no charge*	04:00 – 03:45
Greenboro	2120 Bank Street	no charge*	05:00 – 03:30
Fallowfield	3325 Fallowfield Road	no charge*	03:45 – 03:40
Baseline	1420 Woodroffe Avenue	\$17.50*	03:45 – 03:30
Eagleson (West)	102 Eagleson Road	no charge*	04:00 – 03:30
Eagleson (East)	101 Eagleson Road	no charge*	04:00 – 03:30
Terry Fox	195 Roland Michener Drive	no charge*	04:00 – 03:30
Jeanne d’Arc	1490 Youville Drive	no charge*	04:00 – 03:45
Strandherd	3680 Strandherd Drive	no charge*	05:00 – 01:00

- * does not guarantee a space unless the person purchases a Gold Permit at a cost of \$40.25 per month where available which Gold Permit guarantees a space in the lot for which it was issued.

SCHEDULE "C"

FARES FOR TRANSIT SERVICES

Passenger Fares	Rate (\$)
Regular Adult Pass/month	73.00
Express Adult Pass/month	90.00
Rural Adult Pass/month	114.00
Regular Student Pass/month	59.75
Express Student Pass/month	70.00
Regular Student Semester Pass	221.50
Express Student Semester Pass	259.00
Rural Student Pass/month	91.00
Senior Pass/month	29.00
Community pass	29.00
Day Pass (on the bus)	7.25
Day Pass (If pre-purchased)	6.50
Cash Adult/trip	3.00
Cash Express Route/trip	4.00
Cash Rural Express/trip	5.00
Cash Child (6-11 yrs.)/trip	1.50
Ticket Adult/trip	1.90
Ticket Express Route/trip	2.85
Ticket Rural Express/trip	3.80
Ticket Child (6-11 yrs.)/trip	0.95
Regular Student Annual Pass	573.60
Express Student Annual Pass	672.00
Adult Regular Annual Pass	788.40
Adult Express Annual Pass	972.00
Adult Regular Ecopass/month	62.05
Adult Express Ecopass/month	76.50
Rural Ecopass/month	96.90
Senior Ecopass/month	24.65
O-Train Ticket/trip	2.25
Adult Photo I.D.	7.25
Student Photo I.D.	5.25
Charter Service	
First Hour	250.00
Each Additional Hour	125.00

BY-LAW NO. 2007 - 268

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A by-law of the City of Ottawa respecting public transit.

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Enacted by City Council at its meeting of June 13, 2007.

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LEGAL SERVICES
AMP:ec - G04-01-TRAN

COUNCIL AUTHORITY:
City Council June 13, 2007
Transit Committee Report , Item