



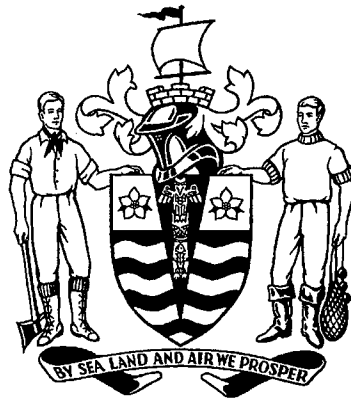
EXPLANATION

By-law Notice Enforcement By-law

On November 4, 2010, Council approved the implementation of a By-law Notice Adjudication system for certain offences under the Parking Meter By-law, Street & Traffic By-law, Granville Mall By-law and Motor Vehicle Noise and Emission Abatement By-law, and directed that the By-law Notice Enforcement by-law be brought forward for consideration by Council. Enactment of this by-law is one of the steps necessary to implement the proposed By-law Notice Adjudication system.

Director of Legal Services
February 1, 2011

**CITY OF VANCOUVER
BRITISH COLUMBIA**



**BY-LAW NOTICE ENFORCEMENT
BY-LAW NO. _____**

BY-LAW NOTICE ENFORCEMENT BY-LAW

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BY-LAW NO. _____

By-Law Notice Enforcement By-law

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

**SECTION 1
CITATION**

Citation

1. The name of this by-law, for citation, is the “By-law Notice Enforcement By-law”.

**SECTION 2
INTERPRETATION**

Definitions

- 2.1 In this By-Law:

“act” means the *Local Government Bylaw Notice Enforcement Act*;

“by-law notice” means a by-law notice referred to in section 4 of the act and issued under this by-law;

“city” means the City of Vancouver;

“Council” means the Council of the City of Vancouver; and

“screening officer” means a person designated and appointed under section 7 of this by-law to act as a Screening Officer I or Screening Officer II.

Schedules

- 2.2 The schedule attached to this by-law forms part of this by-law.

**SECTION 3
BY-LAW CONTRAVENTIONS**

By-law contraventions

3. The by-laws and by-law contraventions designated in Schedule “A” may be enforced by by-law notice.

SECTION 4 PENALTY

Penalty

4. The penalty for a contravention referred to in section 3 is:
- (a) subject to paragraphs (b) and (c), the penalty amount set out in column A1 of Schedule "A";
 - (b) if payment is received by the city within 14 days of the person receiving or being presumed to have received the by-law notice, the penalty set out in column A1 is reduced by the discount amount set out in column A2 of Schedule "A"; or
 - (c) if payment is received by the city more than 21 days after the penalty set out in column A1 becomes due and payable under the Act, the penalty set out in column A1 is increased by the surcharge set out in column A3 of Schedule "A".

SECTION 5 PAYING OR DISPUTING NOTICE

Delivery of by-law notice

- 5.1 A by-law notice may be delivered:
- (a) in person to the named person,
 - (b) by mailing a copy of the by-law notice,
 - (i) if the by-law notice is in respect of a contravention involving a vehicle, to the address for each registered owner of the vehicle involved;
 - (ii) to the actual or last known address of the named person; or
 - (iii) if the named person is a corporation or a business, to the registered office or head office,
 - (c) if the by-law notice is in respect of a parking contravention, by leaving the by-law notice on the vehicle involved.

Deemed receipt by mail

- 5.2 A by-law notice delivered under subsection 5.1(b) is presumed to have been received by the person to whom it is addressed on the 7th day after mailing.

Deemed receipt on vehicle

5.3 A by-law notice delivered under subsection 5.1(c) is presumed to have been received by each registered owner of the vehicle on the day it is left on the vehicle.

Dispute or pay within 14 days

5.4 A person who receives a by-law notice, or their authorized agent, must, within 14 days of the date on which the person received or is presumed to have received the by-law notice:

- (a) pay the penalty; or
- (b) request dispute adjudication;

by following the appropriate instructions on the by-law notice.

No dispute after 14 days

5.5 A person may pay the indicated penalty after 14 days of receiving a by-law notice, subject to the applicable surcharge amount in accordance with section 4(c), but no person may dispute a by-law notice after 14 days of receiving the by-law notice.

SECTION 6 BY-LAW NOTICE DISPUTE FEE

Adjudication system established

6.1 A by-law notice dispute adjudication system is hereby established in order to resolve disputes in relation to by-law notices.

By-law notice dispute fee

6.2 Every person who is unsuccessful in a dispute adjudication in relation to a by-law notice under the dispute adjudication system established under this section shall pay an administrative fee of \$25.00, in addition to any other penalty amount imposed under this By-law.

**SECTION 7
SCREENING OFFICERS**

Position of screening officers

7.1 The positions of Screening Officer I and Screening Officer II are hereby established.

Appointment of Screening Officers I

7.2 Council hereby designates all persons employed by the city as a Customer Services Representative - Parking Enforcement, as persons that may be appointed as a Screening Officer I, and hereby appoints them as a Screening Officer I.

Appointment of Screening Officers II

7.3 Council hereby designates all persons employed by the city as an Operations Supervisor - Parking Enforcement, Superintendent II - Parking Enforcement, Supervisor By-law Fines - Revenue Services, Supervisor Customer Service - Revenue Services, Manager Customer Service and Collections - Revenue Services and Manager Revenue Services - Revenue Services as persons that may be appointed as a Screening Officer II, and hereby appoints them as a Screening Officer II.

Powers of screening officers

7.4 Every Screening Officer I and Screening Officer II has the power to review disputed by-law notices, including the power to cancel a by-law notice if in the opinion of the screening officer:

- (i) the contravention did not occur as alleged;
- (ii) the by-law notice does not comply with section 4(4) of the act; or
- (iii) cancellation is otherwise in accordance with the city's policy entitled "Screening Officer Policy".

**SECTION 8
BY-LAW ENFORCEMENT OFFICERS**

By-law enforcement officers

8. Council appoints parking enforcement officers and police officers as by-law enforcement officers for the purposes of this by-law.

**SECTION 9
ENACTMENT**

Severability

9.1 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Force and effect

9.2 This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk

SCHEDULE "A"

**DESIGNATED BY-LAWS,
BY-LAW CONTRAVENTIONS AND PENALTIES**

| By-law and By-law Section | Description | A1 Penalty | A2 Discount | A3 Surcharge |
|---|---------------------------|-----------------------|------------------------|-------------------------|
| Street and Traffic By-law No. 2849 | | | | |
| 17.1 | Stop where prohibited | 100 | 50 | 50 |
| 17.2(a) | Stop close to stop sign | 100 | 50 | 50 |
| 17.2(b) | Stop near firehall | 100 | 50 | 50 |
| 17.2(c) | Stop near hydrant | 100 | 50 | 50 |
| 17.2(d) | Stop near crossing | 100 | 50 | 50 |
| 17.2(e) | Stop near garbage | 100 | 50 | 50 |
| 17.2(f) | Stop near excavation | 100 | 50 | 50 |
| 17.2(g) | Stop on bridge | 100 | 50 | 50 |
| 17.2(h) | Stop alongside median | 100 | 50 | 50 |
| 17.2(i) | Stop on narrow road | 100 | 50 | 50 |
| 17.2(j) | Stop in reserved portion | 100 | 50 | 50 |
| 17.3 | Stop at bus stop | 100 | 50 | 50 |
| 17.4(a) | Stop on crosswalk | 100 | 50 | 50 |
| 17.4(b) | Stop near crosswalk | 100 | 50 | 50 |
| 17.4(c) | Stop on sidewalk | 100 | 50 | 50 |
| 17.4(d) | Stop on sidewalk crossing | 100 | 50 | 50 |
| 17.4(e) | Stop on boulevard | 100 | 50 | 50 |
| 17.4(f) | Stop within intersection | 100 | 50 | 50 |

| | | | | |
|----------|-----------------------------------|-----|----|----|
| 17.5(a) | Stop near intersecting lane | 100 | 50 | 50 |
| 17.5(b) | Stop near intersecting sidewalk | 100 | 50 | 50 |
| 17.5(c) | Stop near intersecting street | 100 | 50 | 50 |
| 17.6(a) | Park where prohibited | 100 | 50 | 50 |
| 17.6(b) | Park where restricted | 100 | 50 | 50 |
| 17.6(c) | Park on narrow curbless street | 100 | 50 | 50 |
| 17.6(d) | Park opposite vehicle | 100 | 50 | 50 |
| 17.6(e) | Park longer than permitted | 70 | 35 | 35 |
| 17.6(f) | Park longer than 3 hours | 70 | 35 | 35 |
| 17.6(g) | Park near entrance | 100 | 50 | 50 |
| 17.7 | Move to avoid time limit | 100 | 50 | 50 |
| 18.1 (a) | Park not parallel | 100 | 50 | 50 |
| 18.1 (b) | Park wrong direction | 100 | 50 | 50 |
| 18.1 (c) | Park too far from curb | 100 | 50 | 50 |
| 18.2 | Park contrary to markings | 100 | 50 | 50 |
| 18.3 | Improper parking on grade | 100 | 50 | 50 |
| 19.1 (a) | Stop near lane intersection | 100 | 50 | 50 |
| 19.1 (b) | Stop near intersecting sidewalk | 100 | 50 | 50 |
| 19.1 (c) | Stop near lane intersection | 100 | 50 | 50 |
| 19.1 (d) | Stop leaving too little lane | 100 | 50 | 50 |
| 19.1 (e) | Stop and obstruct vehicles | 100 | 50 | 50 |
| 19.1 (f) | Stop near fire door | 100 | 50 | 50 |
| 19.1 (g) | Stop near driveway | 100 | 50 | 50 |
| 19.1 (h) | Stop abutting commercial property | 100 | 50 | 50 |

| | | | | |
|----------|----------------------------------|-----|-----|-----|
| 19.1 (i) | Stop on lane in prohibited area | 100 | 50 | 50 |
| 19.1 (j) | Stop in West End or Robson North | 100 | 50 | 50 |
| 20.1 (a) | Stop too long abutting area | 100 | 50 | 50 |
| 20.1 (b) | Stop overnight | 100 | 50 | 50 |
| 20.2 | Stop near park, school or church | 100 | 50 | 50 |
| 20.3 | Park trailer on street | 250 | 125 | 125 |
| 21.1 | Stop in passenger zone | 100 | 50 | 50 |
| 21.3 | Stop in loading zone | 100 | 50 | 50 |
| 21.5 | Stop in commercial loading zone | 100 | 50 | 50 |
| 21.7 | Stop in tour bus zone | 100 | 50 | 50 |
| 72A (1) | Derelict vehicle on street | 250 | 125 | 125 |

| By-law and By-law Section | Description | A1 Penalty | A2 Discount | A3 Surcharge |
|--|----------------------------|---------------|----------------|-----------------|
| Parking Meter By-law No. 2952 | | | | |
| 4(1) | Park outside metered space | 70 | 35 | 35 |
| 4(2) | Park at improper angle | 70 | 35 | 35 |
| 4(3) | Park against traffic flow | 70 | 35 | 35 |
| 5(3)(a) | Park longer than limit | 70 | 35 | 35 |
| 5(4)(a)(ii) | Expired meter with zeros | 70 | 35 | 35 |
| 5(4)(a)(iii) | Meter out of order | 70 | 35 | 35 |
| 5(4)(b) | Expired meter time | 70 | 35 | 35 |

| By-law and By-law Section | Description | A1 Penalty | A2 Discount | A3 Surcharge |
|---|--|-----------------------|------------------------|-------------------------|
| Motor Vehicle Noise and Emission Abatement By-law No. 9344 | | | | |
| 2.7 (i) | Idle more than 3 minutes | 100 | 50 | 50 |
| 2.7 (ii) | Idle unattended and unlocked | 100 | 50 | 50 |
| 2.7.A (i) | Idle truck or bus more than 3 minutes | 250 | 125 | 125 |
| 2.7.A (ii) | Idle truck or bus unattended and unlocked | 250 | 125 | 125 |
| Granville Mall By-law No. 9978 | | | | |
| 10 | Load or unload vehicle | 250 | 125 | 125 |
| 11(a) | Stop taxi more than 3 minutes | 250 | 125 | 125 |
| 11(b) | Stop vehicle more than 30 minutes | 250 | 125 | 125 |
| 11(c) | Stop vehicle more than 120 minutes | 250 | 125 | 125 |
| 15 | Fail to display permit | 250 | 125 | 125 |
| 17.1 | Drive on transitway | 250 | 125 | 125 |
| 17.2 | Stop on transitway | 250 | 125 | 125 |
| 18 | Stop obstructing transitway | 250 | 125 | 125 |

apl A By-law to amend Parking Meter By-law No. 2952
to approve parking meter rate changes
and other consequential amendments

Enactment of the attached by-law will fully implement Council's resolution of December 14, 2010 to approve parking meter rate changes and boundary changes from and after January 1, 2011, by correcting an error in the schedule. As well, Council approved the adoption of consequential amendments to the Parking Meter By-law on November 4, 2010 for the purposes of the by-law forum and enactment of this by-law will implement that resolution.

Director of Legal Services
February 1, 2011

BY-LAW NO. _____

**A By-law to amend Parking Meter By-law No. 2952
to approve parking meter rate changes
and other definitional changes and consequential amendments**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

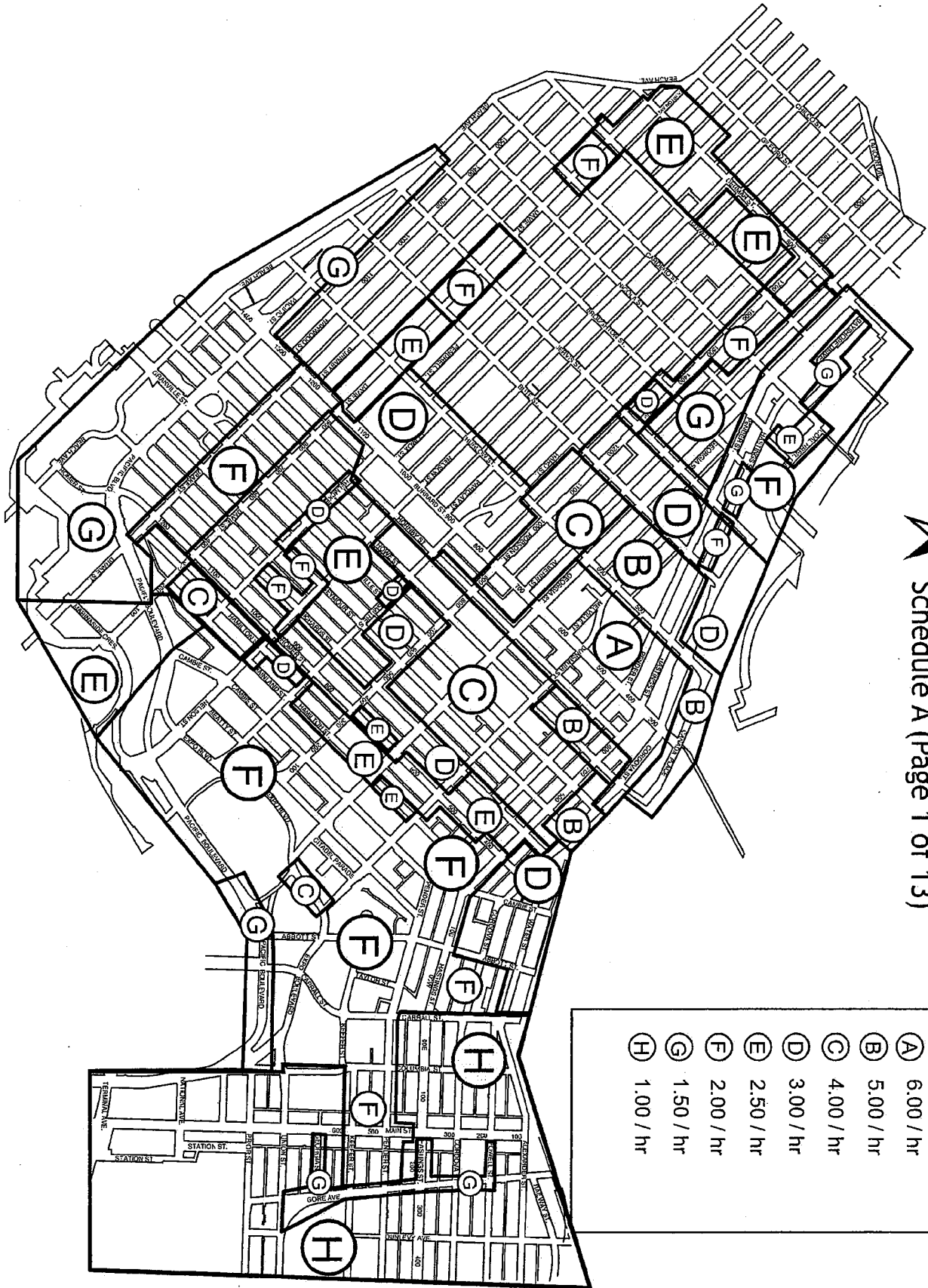
1. This By-law amends the indicated provisions of the Parking Meter By-law.
2. Council strikes section 4 and replaces it with:
 - (1) A person must park a vehicle entirely within a metered space.
 - (2) In metered spaces parallel to the closest curb or sidewalk, a person must park a vehicle parallel to the curb or sidewalk, except motorcycles or motor assisted vehicles can park at an angle.
 - (3) In metered spaces that are not parallel to the closest curb or sidewalk, a person must park a vehicle in the same direction as the general direction of traffic.
3. Council strikes the word "operator's" from 5(1)(d) and replaces it with the word "person's".
4. Council strikes the word "operator's" from 5(1)(e)(i) and replaces it with the word "person's".
5. Council strikes the word "cycles" from 5(3)(b)(iiii) and replaces it with the word "vehicles".
6. Council repeals page 1 of Schedule "A" of the Parking Meter By-law, and substitutes the Schedule "A" attached to this By-law as the new page 1 of Schedule "A".
7. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
8. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk

Schedule "A"



N
 Downtown Vancouver
 Schedule A (Page 1 of 13)

EXPLANATION

uph

**Street and Traffic By-law
amending by-law regarding lessees and other amendments
related to the By-law Notice Dispute Adjudication system**

Enactment of the attached by-law will implement Council's resolution of November 4, 2010 to amend the by-law regarding lessees and other consequential amendments related to the By-law Notice Dispute Adjudication system.

Director of Legal Services
February 1, 2011

BY-LAW NO. _____

**A By-law to amend Street and Traffic By-law No. 2849
regarding owners and lessees of vehicles**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the Street and Traffic By-law.
2. In section 17.1, Council strikes out the words “No person shall stop a vehicle” and substitutes: “An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop”.
3. In section 17.2, Council strikes out the words “No person shall stop a vehicle:” and substitutes: “An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop:”.
4. In section 17.3, Council strikes out the words “No person shall stop a vehicle” and substitutes: “An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop”.
5. In section 17.4, Council strikes out the words “No person shall stop a vehicle:” and substitutes: “An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop:”.
6. In section 17.5, Council strikes out the words “No person shall stop a vehicle” and substitutes: “An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop”.
7. In section 17.6, Council strikes out the words “No person shall park a vehicle:” and substitutes: “An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to park:”.
8. In section 17.7, Council strikes out the words “no person shall move a vehicle” and substitutes: “an owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to move”.
9. In section 18.1, Council strikes out the words “no person shall stop or park a vehicle” and substitutes: “an owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop or park”.
10. In section 18.2, Council strikes out the words “the driver of a vehicle shall park such vehicle” and substitutes: “an owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to park in any manner other than”.

11. Council repeals section 18.3 and substitutes: "An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stand unattended on any perceptible grade on any street unless the front or rear wheels are turned to the curb or side of the roadway".

12. In section 19.1, Council strikes out the words "No person shall stop a vehicle on a lane:" and substitutes: "An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop on a lane:".

13. In section 20.1, Council strikes out the words "no person shall park a vehicle on a street" and substitutes: "an owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to park on a street:".

14. In section 20.2, Council strikes out the words "no person shall park a vehicle on a street" and substitutes: "an owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to park on a street".

15. In section 20.3, Council strikes out the words "No person shall park a trailer or semi-trailer on any street" and substitutes: "An owner, registered owner, lessee or operator of a trailer or semi-trailer must not cause, allow or permit that vehicle to park on a street".

16. In section 21.1, Council strikes out the words "A person must not stop a vehicle" and substitutes: "An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop".

17. In section 21.3, Council strikes out the words "A person must not stop a vehicle" and substitutes: "An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop".

18. In section 21.5, Council strikes out the words "No person shall stop a vehicle" and substitutes: "An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop".

19. In section 21.7, Council strikes out the words "No person shall stop a vehicle" and substitutes: "An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit that vehicle to stop".

20. Council repeals section 72A and substitutes:

"72A. (1) An owner, registered owner, lessee or operator of a vehicle must not cause, permit or allow that vehicle to be left or abandoned on a street.

(2) A vehicle on a street which is:

(i) unlicensed;

(ii) uninsured;

- (iii) not displaying current and valid number plates as required by the Motor Vehicle Act;
- (iv) in a derelict condition;
- (v) inoperable; or
- (vi) parked for more than 14 days on a street other than the street recorded as the address of the registered owner in the vehicle registration records kept by the Insurance Corporation of British Columbia;

is deemed to be left or abandoned on a street in contravention of this By-law.”

21. After section 102 and before section 103, Council inserts:

“102. (1) The owner or lessee of a vehicle shall incur the penalties provided for any violation of this by-law with respect to the vehicle unless at the time of such violation the vehicle was in the possession of some person other than the owner or lessee without the consent of the owner or lessee; but nothing in this section shall relieve an operator of a vehicle who is not the owner or lessee from incurring the penalties provided for any violation.”

22. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

23. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2011

Mayor

City Clerk

EXPLANATION



**Granville Mall By-law
amending by-law regarding lessees and other amendments
related to the By-law Notice Dispute Adjudication system**

Enactment of the attached by-law will implement Council's resolution of November 4, 2010 to amend the by-law regarding lessees and other consequential amendments related to the By-law Notice Dispute Adjudication system.

Director of Legal Services
February 1, 2011

BY-LAW NO. _____

**A By-law to amend Granville Mall By-law No. 9978
regarding miscellaneous amendments**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the Granville Mall By-law.
2. In section 10, Council:
 - (a) strikes out the words "A person must not load or unload a vehicle" and substitutes: "An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit loading or unloading of that vehicle"; and
 - (b) from subsection 10(b), strikes out the words "if such person has stopped or parked the vehicle" and substitutes: "a vehicle stopped or parked".
3. In section 11, Council strikes out the words "A person must not stop or park a vehicle" and substitutes: "An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit stopping or parking of that vehicle".
4. Council repeals section 17 and substitutes:
 - "17.1 A person must not drive a vehicle displaying a current permit issued under this By-law on the transit way between 7 a.m. to 9:30 a.m. or 3 p.m. to 6 p.m.
 - 17.2 An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit stopping or parking of that vehicle on Granville Mall between 7 a.m. to 9:30 a.m. or 3 p.m. to 6 p.m."
5. In section 18, Council strikes out the words "A person must not stop or park a vehicle" and substitutes: "An owner, registered owner, lessee or operator of a vehicle must not cause, allow or permit stopping or parking of that vehicle".
6. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

7. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk



EXPLANATION

**Motor Vehicle Noise and Emission Abatement By-law
amending by-law regarding lessees and other amendments
related to the By-law Notice Dispute Adjudication system**

Enactment of the attached by-law will implement Council's resolution of November 4, 2010 to amend the by-law regarding lessees and other consequential amendments related to the By-law Notice Dispute Adjudication system.

Director of Legal Services
February 1, 2011

BY-LAW NO. _____

A By-law to amend
Motor Vehicle Noise and Emission Abatement By-law No. 9344

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the Motor Vehicle Noise and Emission Abatement By-law.

2. In subsection 1.2 Council strikes all the definitions and replaces them with the following:

““bus” means a motor vehicle having a seating capacity of more than 12 persons, including the driver, operated for hire or for public transportation.

“idle” or “idling” means the operation of the engine of a motor vehicle that is not in motion.

“motor vehicle” means a vehicle which is self-propelled or propelled by electric power obtained from overhead wires but does not include a motorized wheelchair or a vehicle operated upon rails or tracks.

“truck” means a motor vehicle or combination of motor vehicles having a gross vehicle weight in excess of 10,000 kilograms.”

3. Council strikes section 2.7 and replaces it with:

“2.7 An owner, registered owner, lessee, or operator of a motor vehicle that is not a bus or a truck must not cause, allow or permit that vehicle to idle:

- (i) for more than three consecutive minutes in a 60 minute period; or
- (ii) while unattended and unlocked.”

4. Council inserts as section 2.7 A, the following:

“2.7.A An owner, registered owner, lessee, or operator of a bus or a truck must not cause, allow or permit that vehicle to idle:

- (i) for more than three consecutive minutes in a 60 minute period; or
- (ii) while unattended and unlocked.”

5. Council strikes the phrase “Section 2.7(a) does not apply to a” from section 2.8 and replaces it with “Section 2.7(i) and section 2.7.A (i) do not apply to a”.

6. Council strikes Section 3.2 and replaces it with the following:

"3.2 Every person who commits an offence against this By-law is punishable on conviction by a fine of not less than \$250.00 and not more than \$2,000.00 for each offence, except that the fine under section 2.7 is not to be less than \$50.00."

7. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

8. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2011

Mayor

City Clerk