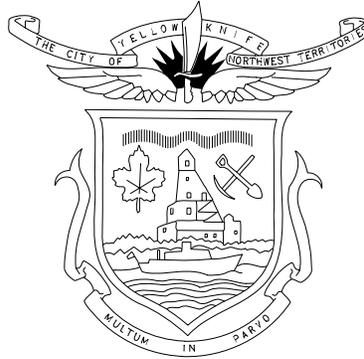


THE CITY OF YELLOWKNIFE

NORTHWEST TERRITORIES



CONSOLIDATION OF PUBLIC TRANSIT BY-LAW NO. 4284

Adopted September 22, 2003

AS AMENDED BY

**By-law No. 4354 – April 11, 2005
Fees and Charges By-law No. 4436, as amended**

**(This Consolidation is prepared for convenience only.
For accurate reference, please consult the City
Clerk's Office, City of Yellowknife)**

**CITY OF YELLOWKNIFE
BY-LAW NO. 4284**

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, to establish, operate and regulate the operation of a public transit system in the City of Yellowknife.

PURSUANT TO Section 114 of the *Cities, Towns, and Villages Act* of the Northwest Territories, R.S.N.W.T., 1988, C-8.

WHEREAS Section 114 of the *Cities, Towns and Villages Act* provides that "A Council may, by by-law,

- (a) establish and operate a public transit system; and
- (b) regulate the operation of a public transit system operated by other persons;"

NOW THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE in the Northwest Territories in regular session duly assembled, hereby enacts as follows:

SHORT TITLE

1. This By-law may be cited as the Public Transit By-law.

DEFINITIONS

2. The following definitions shall apply to this By-law:

"Bus"	means a bus that is authorized by the City for the use in the Public Transit System;
"City"	means the City of Yellowknife;
"Council"	means the Municipal Council of the City of Yellowknife;
"Peace Officer"	includes a member of the Royal Canadian Mounted Police or a Municipal Enforcement Officer;
"Public Transit"	the set of vehicles authorized by the City for the purpose of moving passengers within the City of Yellowknife and within a 24 km radius of the City Limits;

- "Public Transit Vehicle" means any vehicle which is authorized by the City for the use of the passenger public within a 24 kilometer radius of City limits including, without restricting the generality of the foregoing, any public service vehicle, bus or vehicle operated by the City for the passenger public;
- "Transit Manager" means the Director of Public Works and Engineering, or his/her designate, of the City of Yellowknife, responsible for administering Yellowknife Transit;
- "Transit Property" means any building, structure, or material owned, leased, used or occupied by the City for Yellowknife Transit that is frequented by the public;
- "Transit Zone" means a place where passengers are received for transportation or delivered after transportation, marked by a Bus Zone sign and continuing 20 metres from the sign along the curb against the flow of traffic;
- "Yellowknife Transit" means the transit system authorized by the City of Yellowknife;

FARES

Section 3 (a)

as amended by By-law No. 4436 Feb 12/07

3. (a) The fares to be charged within the City limits shall be in accordance with By-law No. 4436 or any successor by-law.
- (b) When boarding a Public Transit Vehicle, passengers shall produce the exact fare, pass or punch-pass. A person may pay a larger amount than the exact fare, but such a person may not be entitled to a refund for such overpayment;
- (c) Any person who refuses to pay the fare when demanded by the operator of the Public Transit Vehicle and/or refuses to leave the Public Transit Vehicle when so requested shall be deemed to be in contravention of this By-law and thereby guilty of an offence under this By-law;

- (d) No person shall sell, exchange, barter or give away an unlimited pass to another person;

CONDUCT

- 4. No person shall, in or upon any Public Transit Vehicle or Transit Zone or any other property owned, occupied or operated by the City for the purpose of Yellowknife Transit:
 - (a) use profane, insulting or obscene language;
 - (b) smoke or carry a lighted cigar, cigarette or pipe, (prohibition indicated by signage);
 - (c) cause a fire by any means;
 - (d) behave in an indecent or offensive manner;
 - (e) litter;
 - (f) behave in a disorderly manner;
 - (g) administer or be in the possession of illegal drugs;
 - (h) fight;
 - (i) molest or willfully interfere with the comfort or convenience or any other person.
- 5. No person, other than the operator, shall listen to a radio, television, tape or disc player other than through headphones, on a Public Transit Vehicle or Transit Property.
- 6. No person shall play a musical instrument on a Public Transit Vehicle or Transit Property without being in possession of the consent in writing of the Transit Manager.
- 7. No person shall bring any animal, other than a guide dog or a small animal secured in an airline approved carrier (within the size restrictions of 'carry-on' baggage), in or upon any Public Transit Vehicle or Transit Property. No person bringing a guide dog shall permit the dog to occupy a seat or allow the dog to move about on the Public Transit Vehicle in an uncontrolled manner.
- 8. No person, other than the operator of a Public Transit Vehicle, shall consume any drink or food while on a Public Transit Vehicle, (prohibition indicated by signage).

9. No person shall bring a baby carriage aboard a Public Transit Vehicle other than a baby carriage of the type that is capable of being folded for the purpose of storage.
10. No person shall place a baby carriage or other obstruction in the aisle of any Public Transit Vehicle.
11. No person shall beg or solicit on a Public Transit Vehicle or Transit Property.
12. No person, other than a Peace Officer, shall carry a firearm while on a Public Transit Vehicle.
13. No person shall sell, offer or post any newspapers, magazines, pamphlets, leaflets, printed matter or other merchandise of any kind for any purpose on a Public Transit Vehicle or Transit Property without being in possession of the consent in writing of the Transit Manager.
14. No person shall interfere with the windows, apparatus, or equipment of any Public Transit Vehicles of Yellowknife Transit, except to open or close the same for the need of reasonable ventilation in cases where such windows are provided with manual operation thereof for the passenger use. This subsection shall not apply to the proper and reasonable use of any signal device provided for the passengers for the purpose of warning the operator of a Public Transit Vehicle that a person desires to leave a vehicle.
15. Any person who causes damage to a Public Transit Vehicle or Transit Property or any equipment on or used in connection with the Public Transit Vehicles shall be in contravention of this By-law and thereby guilty of an offense under this By-law.
16. No person shall engage in soliciting or political campaigning of any kind whatsoever, or any activities incidental thereto, in or upon any Public Transit Vehicle or Transit Property.
17. Any person who obstructs or prevents the use of designated courtesy seating by physically or mentally disabled passengers, or other passengers with reduced mobility on Transit Vehicles shall be in contravention of this By-law and thereby guilty of an offense under this By-law.

ENFORCEMENT AND PENALTIES

18. (a) Any person who contravenes any section of this By-law is guilty of an offense.
- (b) The Public Transit Operator may demand that persons in contravention of this by-law leave the Transit Vehicle and/or stop transit service and call Municipal Enforcement or the RCMP to deal with the person in contravention of this by-law.
- (c) Every person who is found guilty of an offence under this by-law is liable to a fine not exceeding \$2,000 or to imprisonment of a term not exceeding six months, or to both.
- (d) The Transit Manager may, in writing, refuse service to any person in contravention of this by-law.
- (e) Pursuant to the *Summary Conviction Procedures Act*, a Peace Officer may issue a Summary Offence Ticket Information to any person who violates any provision of this by-law and such person may pay the City a fine as outlined in Schedule B attached to and forming part of this by-law prior to the court date specified on the ticket.

GENERAL

19. This By-law shall provide for the prohibition of any person, partnership, association or corporation, other than a person, partnership, association or corporation authorized by the City, from operating a vehicle or vehicles as a Public Transit Vehicle within the City limits and will provide for penalties sufficient to prevent the continuing breaches of such prohibitions; PROVIDED THAT, nothing herein contained shall be so construed as to interfere with the normal operation of school bus services, chartered and inter-city buses, buses operated by Medical, Social Welfare, or Charitable Institutions, or a taxi service provided for in the Livery Licence By-law.
20. The City shall have the right of acquiring a municipal transit system through any one or more of the following methods:
 - (a) By purchasing vehicles and contracting with an individual or corporation to provide certain services including drivers.

- (b) By contracting with a bus or taxi company to provide transit service.
 - (c) By establishing a municipal transit department or agency.
21. The City may undertake to provide municipal public transit service to serve both the City and other communities provided that the other communities agree to pay for any deficit incurred on a cost recovery basis.
22. Yellowknife Transit shall make its services available equally to all persons without discrimination on the basis of race, national or ethnic origin, color, religion, sex or age.
23. Designated seating referred to as 'courtesy seating' for physically and mentally disabled riders, pregnant women, elderly persons, and others with reduced mobility shall be provided.

REPEALS

24. By-law Nos. 3490 and 3714 are hereby repealed.

EFFECT

25. This By-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 57 of the *Cities, Towns and Villages Act*.

Schedule "A"
deleted by By-law No. 4436 Feb 12/08

BF 224

CITY OF YELLOWKNIFE
BY-LAW NO. 4284
SCHEDULE "A"

CITY OF YELLOWKNIFE
BY-LAW NO. 4284
SCHEDULE "B"

VOLUNTARY FINES

Damaging Passenger Shelters	\$1,000.00
Defacing Transit Facilities/Vehicles	\$250.00
Tampering with Bus Stops	\$250.00
Misconduct on a Transit Vehicle	\$100.00
Misconduct at a Bus Stop	\$100.00
All other offences	\$100.00