

**BY-LAW CONCERNING TRAFFIC AND PARKING**

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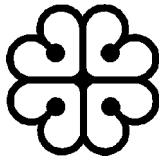
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**R.B.C.M.**

**c. C-4.1**

## **BY-LAW CONCERNING TRAFFIC AND PARKING**

### **CHAPTER I GENERAL PROVISIONS**

#### **SECTION I APPLICATION**

**1.** This by-law applies to:

- (1) traffic on public thoroughfares whose maintenance is under the city's responsibility, in accordance with safety rules in addition to those in the Highway Safety Code (R.S.Q., chapter C-24.2);
- (2) parking on public property and on private lots;
- (3) towing of illegally parked vehicles.

98-049, a. 1.

#### **SECTION II INTERPRETATION**

**2.** In this by-law, the following words mean:

“central office”: station linked by radio waves and by cable to pay stations and terminals, capable of memorizing the information received from pay stations and retransmitting it to terminals;

“Code”: the Highway Safety Code (R.S.Q., chapter C-24.2);

“commercial vehicle”: a commercial vehicle as defined in the Regulation respecting road vehicle registration” (order in council 1420-91, October 16, 1991);

“curbcut”: a depression in the sidewalk in front of the entrance to a property or a lane;

“director”: the director of the Service des travaux publics et de l'environnement;

“lane”: a narrow street open to vehicular traffic, at the rear of properties it serves or between them, and leading to a public thoroughfare at least at one end;

“local delivery”: the local delivery referred to in section 291.1 of the Code;

“parking lane”: a space where more than one road vehicle may be parked in line on the roadway, and that is marked off by continuous or discontinuous white lines on the pavement;

“parking space”: a space to park a road vehicle, covering an area 3 m wide by 7 m long, parallel to the edge of the roadway lengthwise, or marked off by continuous or discontinuous white lines;

“pay station” or “station”: a parking meter designed to:

- (1) register the number of the parking space occupied by the user’s vehicle, as given by the user;
- (2) accept payment only in Canadian money or by credit card;
- (3) display on the screen the time when the transaction begins and, as payment is made by inserting coins or by debit card, the time limit corresponding to the paid parking period;
- (4) issue a ticket for the amount of parking time purchased;
- (5) transmit to the central office the number of the pay station where the transaction was made, the number of the space registered by the user, the date, time and amount of payment, and the time when the paid parking period ends;

“terminal”: portable or vehicular apparatus capable of:

- (1) memorizing the information received from the central station;
- (2) displaying on the screen, by number, the parking spaces for which parking fees were paid, and those for which no payment was made;
- (3) displaying on the screen, as directed, the cutoff time for validity of payment for a parking space;
- (4) checking, as directed, with the central office, the accuracy of stored information;

“total loaded mass”: the mass as defined in paragraph 2 of section 462 of the Code;

“truck”: a road vehicle as defined in section 2 of the Regulation respecting road vehicle registration (order in council 1420-91, October 16, 1991).

The words and expressions defined in section 4 of the Code have, in this by-law, the same meanings as in the Code.

98-049, a. 2; 99-016, a. 1; 99-099, a. 1; 00-036, a. 1; 00-256, a. 1.

### **SECTION III**

#### **POWERS OF THE EXECUTIVE COMMITTEE**

**3.** The executive committee may, by ordinance:

- (1) establish lanes reserved for categories of road vehicles that it determines, bike paths, pedestrian lanes, one-way lanes;
- (2) designate the places where signs prohibiting the stopping of vehicles must be installed for the purposes of this by-law;
- (3) determine the direction of lanes and compulsory or prohibited maneuvers;
- (4) establish school zones, playground zones, loading/unloading zones;
- (5) set up parking spaces reserved for persons with disabilities referred to in section 388 of the Code;
- (6) set up stands for taxis, buses, minibuses and other vehicles;
- (7) prescribe a model of a towing notice for the purposes of paragraph 1 of article 72, as well as its content and all specifications as to form, format, and the way to complete

it and serve it;

- (8) prohibit, with or without exception, vehicular traffic on thoroughfares and for the period it determines, provided road vehicles have access to roads to cross the city territory, and provided the routes are clearly marked by signs;
- (9) designate the thoroughfares or parts of public thoroughfares where a speed limit applies.

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98-049, a. 3.

**4.** In addition to the other powers authorized under the charter by resolution relating to traffic or parking, the executive committee may, by resolution:

- (1) designate the places and determine the periods where parking must be prohibited or restricted for certain purposes by signs; ordain, for special events, for the periods and at the places it determines, that the no parking signs do not apply.
- (2) determine the periods where signs prohibiting parking must be posted before works, special events and road maintenance operations are carried out;
- (3) set a distance different from the one in section 383 of the Code where a road vehicle may be parked from the edge of a sidewalk;
- (4) designate the places where diagonal parking is required;
- (5) designate the streets where parking lanes whose dimensions it sets are provided for;
- (6) designate the streets, public lanes and places, and public or private lots, belonging to the city or used or owned by the city, where parking meters, ticket machines or pay stations will be installed; designate the places where signs will be installed, indicating that parking is controlled by pay stations; set the maximum parking time to be registered by a parking meter, a ticket machine or a pay station; set the fees for parking controlled by a parking meter, ticket machine or pay station; determine the information that must appear on the tickets and receipts issued by ticket machines and pay stations; define the features of pay stations, the central, and terminals, in particular as to the required devices and mechanisms, the directions for use, the storage of information to be transmitted;
- (7) designate the sectors where reserved parking permits may be granted; set the permit conditions and the form of permits; designate the streets or parts of streets and set the days and periods where reserved parking is authorized;
- (8) reserve, at the places it determines, one or more parking spaces for certain categories of vehicles, in particular fire trucks, police vehicles and other emergency vehicles, city vehicles, diplomatic corps vehicles, bicycles and motorcycles, or to ensure safety near certain institutions such as schools and day nurseries;
- (9) temporarily reserve, for the owner, lessee or driver of a road vehicle who so requests under article 41, one or more parking spaces in particular for an activity referred to in paragraph 1, 2 or 3 of the first paragraph of article 33, and that lasts more than 60 minutes.

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98-049, a. 4; 99-099, a. 2; 00-256, a. 2.

**SECTION IV**  
**SIGNS**

**5.** Every person must comply with the signs installed for the purposes of this by-law or a resolution under the charter.

98-049, a. 5.

**6.** The no-parking signs installed near a work area or for special events and road maintenance operations have priority over any other parking signs that apply to the same place in the same period.

98-049, a. 6.

**7.** No person may willfully move, withdraw, conceal, deface or otherwise alter signs installed for the purposes of the Code, this by-law or a resolution under the charter or this by-law.

98-049, a. 7.

**SECTION V**  
**PLAN**

**8.** The plan of schedule 1 applies for the purposes of by-laws concerning fees for the temporary occupancy of thoroughfares.

98-049, a. 8.

**CHAPTER II**  
**TRAFFIC**

**SECTION I**  
**REQUIREMENTS FOR CERTAIN VEHICLES**

**9.** No driver of a substandard vehicle covered by the special class 6 or 7 permit under the Regulation respecting special permits (order in council 1440-90, October 3, 1990) may drive in the city without the director's authorization.

The authorization is issued in writing, on payment of fees set in the annual by-law concerning fees. It prescribes the route to be followed and the days and times when substandard vehicles may be driven on that route. The authorization does not exempt the driver from obtaining the special permit.

98-049, a. 9.

**10.** Every driver of a substandard vehicle must, when driving:

- (1) carry with him the document bearing the director's authorization;

(2) conform to the requirements of the authorization.

98-049, a. 10.

**11.** No person may drive a road vehicle, unless it is an emergency vehicle, on the following bridges where the total loaded mass of the vehicle exceeds the maximum set by the bridge owner, as indicated below:

- (1) the bridge on René-Lévesque Boulevard, between University Street and Mansfield Street:
  - (a) a straight road vehicle: 15 tons;
  - (b) a combination of 2 of more road vehicles: 20 tons;
- (2) the bridge on De La Gauchetière Street, between University Street and Mansfield Street:
  - (a) a straight road vehicle: 15 tons;
  - (b) a combination of 2 of more road vehicles: 25 tons;
- (3) the bridge along the extension of De l'Église Avenue, above the Lachine Canal:
  - (a) a straight road vehicle: 14 tons;
  - (b) a combination of 2 or more road vehicles: 22 tons;
- (4) the bridge along the extension of Charlevoix Street, above the Lachine Canal:
  - (a) a straight road vehicle: 23 tons;
  - (b) a combination of 2 or more road vehicles: 42 tons;
- (5) the bridge along the extension of Notre-Dame Street, above the Des Prairies River:
  - (a) a straight road vehicle: 24 tons;
  - (b) a combination of 2 or more road vehicles: 34 tons;
- (6) the passageway linking Macdonald Road and Chenal-Le Moyne Road, above the Chenal Le Moyne:
  - (a) a straight road vehicle: 18 tons;
  - (b) a combination of 2 or more road vehicles: 33 tons;
- (7) the bridge along the extension of Des Seigneurs Street, above the Lachine Canal:
  - (a) a straight road vehicle: 22 tons;
  - (b) a combination of 2 or more road vehicles: 39 tons.

98-049, a. 11; 99-099, a. 5.

## **SECTION II**

### **DRIVING RULES**

#### **SUBSECTION I**

##### **DIRECTION**

**12.** No person may drive a road vehicle in the opposite direction of traffic unless it is to pass or back up in accordance with the Code.

98-049, a. 12.



**13.** No vehicle may be backed up:

- (1) more than 30 m;
- (2) by encroaching on an intersection.

98-049, a. 13.

**14.** No person may drive a road vehicle on a lane for the sole purpose of going from one street to another.

98-049, a. 14.

**15.** No person may drive a road vehicle on a sidewalk unless it is to cross it by the curbcut.

98-049, a. 15.

**16.** No driver of a road vehicle may change direction on a public thoroughfare by entering or backing up on a lane or a curbcut.

98-049, a. 16.

## **SUBSECTION 2**

### **SPEEDS**

**17.** No person may drive a road vehicle at a speed of more than 20 km/h:

- (1) on a lane;
- (2) in a park;
- (3) on a public or private parking lot.

98-049, a. 17.

**18.** No person may drive a road vehicle at a speed of more than 30 km/h on part of a public thoroughfare where the speed limit is 30 km/h.

98-049, a. 18; 99-099, a. 6.

**19.** No person may drive a road vehicle at a speed of more than 40 km/h on the part of a public thoroughfare where signs set the speed limit at 40 km/h.

98-049, a. 19.

**20.** No person may drive a road vehicle at a speed of more than 60 km/h on the part of a public thoroughfare where signs set the speed limit at 60 km/h.

98-049, a. 20.

**21.** No person may drive a road vehicle at a speed of more than 70 km/h on the part of a public thoroughfare where signs set the speed limit at 70 km/h.

98-049, a. 21.

**SUBSECTION 3**

**RESERVED LANES**

**22.** On a lane reserved for buses, no person may drive any other type of vehicle except:

- (1) over a maximum distance of 30 m, but only to reach or leave a private lot;
- (2) to turn right at an intersection, at the place marked off by a diagonal and discontinuous single line on the roadway.

The first paragraph is not intended to limit taxi traffic on lanes that are also reserved for taxis.

98-049, a. 22.

**23.** The exceptions provided for in paragraphs 1 and 2 of article 22 do not apply to the reserved lane of Pie-IX Boulevard.

98-049, a. 23.

**24.** No person may ride on bike paths other than on a bicycle or on in-line skates.

Every person riding on in-line skates on a bike path must comply with the provisions of the Code concerning bicycles.

98-049, a. 24.

**SUBSECTION 4**

**OTHER DRIVING RULES**

**25.** Every driver of a road vehicle or every rider of a bicycle who leaves a lane to cross or enter a public thoroughfare must yield the right of way to any vehicle or pedestrian moving on the public thoroughfare.

98-049, a. 25.

**SECTION III**

**STOPPING OF VEHICLES**

**26.** No person may stop a road vehicle on a roadway where stopping is prohibited by a sign.

98-049, a. 26.

**27.** Signs authorizing parking at places where stopping is prohibited under the Code are intended to otherwise regulate the stopping of road vehicles, as provided for in paragraph 7 of section 295 of the Code.

98-049, a. 27.

**28.** Despite article 26, the driver of a taxi may stop his vehicle on a lane reserved for taxis to allow passengers to get on or get off.

The first paragraph does not authorize the stopping of a taxi contrary to paragraph 5 of section 386 of the Code.

98-049, a. 28.

**29.** Any driver of a road vehicle who stops as follows obstructs traffic:

- (1) except to carry out parking maneuvers in accordance with the Code, stops his vehicle on a public thoroughfare:
  - (a) when one or more vehicles are following him on the same public thoroughfare;  
or
  - (b) along a parked vehicle;
- (2) stops his vehicle on a public thoroughfare by encroaching on a lane entrance or exit.

The first paragraph is not intended to limit the application of section 382 of the Code to the cases referred to in paragraph 1 and 2 of that paragraph.

98-049, a. 29.

## **CHAPTER III**

### **PARKING**

#### **SECTION I**

##### **GENERAL REQUIREMENTS**

#### **SUBSECTION 1**

##### **BANS**

**30.** No road vehicle may be parked:

- (1) at a place and time where signs prohibit parking;
- (2) at a place where signs prohibit parking except for certain purposes, unless it is expressly for that purpose;
- (3) at a place and time where signs indicate that parking is reserved for other vehicles under paragraphs 5 and 6 of article 3 or under section II;
- (4) on a lane, unless signs expressly allow parking;
- (5) along the median of a roadway, unless signs expressly allow parking;
- (6) off-street, at a place that is not accessible by a curbcut;
- (7) in a park, elsewhere than at a place where signs indicate that the place is reserved for parking;
- (8) in a parking space whose access is prohibited by a gate, an amber light system, a removable sign or an inscription on a cover or panel fixed to a parking meter;
- (9) at a place where stopping is prohibited under the Code or this by-law.

98-049, a. 30.

**31.** No road vehicle may be parked, at a place on a public thoroughfare where parking is

allowed:

- (1) more than 24 hours running;
- (2) for a truck or special mobile equipment, on a public thoroughfare in a prohibited zone marked off by signs in accordance with the By-law concerning trucks and special mobile equipment (R.B.C.M., chapter C-4.01), except the time required for a local delivery;
- (3) longer than necessary to allow passengers to get on or get off, on the part of a public thoroughfare marked off at each end by signs indicating that it is a loading/unloading zone;
- (4) longer than the prescribed period when a limited period is indicated on signs.

98-049, a. 31; 99-099, a. 7; 00-036, a. 2.

**32.** No trailer or semi-trailer that is not attached to a motor vehicle may be parked on a public thoroughfare, except in accordance with a permit for the temporary occupancy of public property issued under the By-law concerning the occupancy of public property (R.B.C.M., chapter O-0.1).

98-049, a. 32.

## **SUBSECTION 2**

### **EXCEPTIONS**

**33.** Despite paragraph 1 of article 30 and despite signs indicating that parking is reserved for residents, no driver of a road vehicle may park:

- (1) more than 60 minutes:
  - (a) to load or unload goods from or into a vehicle, unless:
    - (i) the vehicle is a truck or a commercial vehicle;
    - (ii) the operations are carried out continuously;
  - (b) while carrying out work on a bordering property, unless:
    - (i) the vehicle is special mobile equipment, a truck or a commercial vehicle required to carry out the work;
    - (ii) the work is carried out continuously;
  - (c) unless he drives a vehicle bearing a sticker or a plate for persons with disabilities, issued by the Office des personnes handicapées du Québec, the Société de l'assurance-automobile du Québec, or any other administrative authority in Canada or the United States;
- (2) more than 15 minutes, to pick up or deliver mail or small parcels by means of that vehicle, unless the vehicle is a commercial vehicle.
- (3) more than 15 minutes, to pick up or deliver mail or small parcels with that vehicle if it is a taxi.

The exceptions provided for in the first paragraph do not apply counter to signs that prohibit parking:

- (1) near a work area or for special events or for road maintenance operations;

(2) near a school, a playground or a park.

Any driver of a road vehicle may park for 30 minutes without paying the fees required under articles 46 and 55, provided he meets the conditions in subparagraph (a) of paragraph 1 of the first paragraph, and for 15 minutes, provided he meets the conditions of paragraph 2 or 3 of that paragraph.

Despite paragraph 1 of article 30, any driver of a hearse transporting a casket may park near the funeral home or religious establishment during the funeral ceremony.

98-049, a. 33; 98-154, a. 1; 99-099, a. 8.

**34.** Despite article 30, a peace officer may park a police vehicle:

- (1) in derogation of paragraphs 1 to 7 in the performance of his duties;
- (2) in derogation of paragraphs 8 and 9 when dealing with emergencies.

98-049, a. 34.

**35.** Despite paragraph 4 of article 30, the driver of a road vehicle may park on a lane to load or unload goods from his vehicle, provided the operations are carried out continuously.

98-049, a. 35.

**36.** A peace officer in the performance of his duties may park a police vehicle in a space where parking is controlled by a parking meter or a ticket machine or in a place where parking is controlled by a pay station, without paying the fees under articles 46, 51 and 55, when he is in the vehicle or when dealing with emergencies.

98-049, a. 36.

### **SUBSECTION 3**

#### **MODES OF PARKING**

**37.** Subject to article 39, no road vehicle may be parked more than 15 cm from the edge of the roadway or, as the case may be, from the continuous or discontinuous white line parallel to the edge of the roadway and whose sign indicates that it is a reference mark for that purpose. The distance is measured from the outer side of tires of the vehicle.

98-049, a. 37; 99-099, a. 9.

**38.** A road vehicle may be parked diagonally only where signs so require.

Every road vehicle parked diagonally must be in the direction of traffic.

98-049, a. 38.

**39.** The wheels of a road vehicle parked on a parking lane must be within the limits marked off by a continuous or discontinuous white line, if any, and may not encroach on that line.

Any driver who parks on a parking lane a road vehicle whose width is such that it does not

conform to the first paragraph contravenes that paragraph.

98-049, a. 39.

**40.** Every driver of a vehicle authorized to park on part of a public thoroughfare marked off at each end by signs indicating that it is a stand must conform to the following requirements:

- (1) park his vehicle within the limits of the stand;
- (2) move up in the line to the next available space;
- (3) not leave his vehicle.

98-049, a. 40.

## **SECTION II**

### **RESERVED PARKING**

#### **SUBSECTION 1**

##### **TEMPORARY PARKING**

**41.** Every owner, lessee or driver of a road vehicle wishing to reserve one or more parking spaces on a public thoroughfare must apply to the director.

The director issues every applicant a reserved parking permit specifying the time and place of parking, on payment of fees set in the annual by-law concerning fees.

Every holder of a reserved parking permit must place a copy of the permit behind the windshield of every vehicle covered by the permit so that it is legible from the outside, and keep it there for the full parking period.

Where one or more spaces are reserved at a place where parking is authorized, every holder of a permit must install, no less than 12 hours but no more than 14 hours before parking there, a no parking sign in accordance with the Code, to be placed, as the case may be, at each end of the reserved parking space or at each end of the total space occupied by reserved parking spaces.

98-049, a. 41; 99-099, a. 10.

#### **SUBSECTION 2**

##### **RESIDENT PARKING**

**42.** Any driver of a passenger vehicle for which a reserved parking permit was issued under a resolution referred to in paragraph 7 of article 4 may park the vehicle in a space reserved for residents in a sector designated under that resolution.

The reserved parking permit is issued as a sticker. It must be placed on the vehicle covered by the permit, as specified in the resolution referred to in paragraph 4 of article 4, and be fully visible at all times.

98-049, a. 42; 99-099, a. 11; 00-180, a. 1.

**43.** No vehicle may be parked in a space reserved for residents:

- (1) without a sticker;
- (2) bearing a sticker corresponding to another vehicle, to another sector, or to an expired or a cancelled permit;
- (3) bearing a sticker that is incomplete, invisible, or affixed contrary to the second paragraph of article 42.

A permit is cancelled where the holder no longer meets the permit conditions under a resolution referred to in paragraph 7 of article 4, or where the information or documents submitted to be granted a permit are false.

98-049, a. 43; 00-180, a. 2.

**44.** *(Repealed)*

98-049, a. 44; 00-180, a. 3.

**45.** *(Repealed)*

98-049, a. 45; 00-180, a. 3.

### **SUBSECTION 3**

#### **PARKING IN A DELIVERY AREA**

99-099, a. 12.

**45.1.** Any driver of a truck or a commercial vehicle may park in a parking space reserved for those vehicles for delivery purposes, the time required to load or unload goods or to pickup or deliver a small parcel.

99-099, a. 12.

### **SECTION III**

#### **METERED PARKING**

##### **SUBSECTION 1**

##### **PARKING CONTROLLED BY PARKING METERS**

**46.** No road vehicle may be parked in a parking space controlled by a parking meter unless the parking time for that space has been paid.

The payment is made by depositing in the parking meter Canadian coins whose face value corresponds to the numbers indicated on the parking meter.

Where no payment is made, a visual signal linked to a mechanical or electronic clock will appear.

98-049, a. 46.

**47.** The fact of leaving a road vehicle parked in a space controlled by a parking meter beyond the period for which fees were paid constitutes a violation of article 46.

Where the period for which parking fees were paid has expired, a signal of default of payment is visible on the parking meter.

98-049, a. 47.

**48.** It is prohibited to:

- (1) deposit anything other than Canadian coins in a parking meter;
- (2) tamper with or attempt to tamper with a parking meter in any way.

98-049, a. 48.

**49.** Every person who parks a motor vehicle in a space controlled by a parking meter must:

- (1) where the parking meter requires the activation of a mechanism, immediately and properly activate the mechanism to the end of its travel to start the meter;
- (2) position the vehicle so that its end or accessory parts are within the perimeter of the parking space.

Despite paragraph 2 of the first paragraph, where a motor vehicle is too wide or too long to be parked in a single space, more than one space may be used provided the fees for every parking meter are paid.

98-049, a. 49.

**50.** No more than one road vehicle at a time may be parked in a space controlled by a parking meter.

98-049, a. 50.

## **SUBSECTION 2**

### **PARKING CONTROLLED BY TICKET MACHINES**

**51.** No road vehicle may be parked in a parking space controlled by a parking ticket machine unless the parking fees for that space have been paid for the parking period.

The payment is made by depositing in the ticket machine Canadian coins whose face value corresponds to the numbers indicated on the parking meter.

As proof of payment, the parking ticket issued by the ticket machine and specifying the period for which parking fees were paid must be placed inside the vehicle, on the left side of the front windshield, so that it is fully visible and legible from the outside.

98-049, a. 51.

**52.** The fact of leaving a road vehicle parked in parking space controlled by a parking ticket machine beyond the period indicated on the ticket constitutes a violation of article 51.

98-049, a. 52.



**53.** Every person who parks a road vehicle in a space controlled by a ticket machine must position the vehicle so that its end or accessory parts are within the perimeter of the parking space.

Despite the first paragraph, where a road vehicle is too wide or too long to be parked in a single space, more than one space may be used provided the prescribed fees are paid by taking as many tickets as the number of spaces used and placing the tickets side by side, on the left side of the front windshield, inside the vehicle, so that they are fully visible and legible from the outside.

98-049, a. 53.

**54.** It is prohibited to:

- (1) deposit anything other than Canadian coins in a ticket machine;
- (2) tamper with or attempt to tamper with a ticket machine in any way.

98-049, a. 54.

### **SUBSECTION 3**

#### **PARKING CONTROLLED BY PAY STATIONS**

**55.** No road vehicle may be parked in a place where parking is controlled by a pay station unless the parking fees at that place have been paid for the parking period.

The payment is made at the pay station, for the parking period that the user intends to reserve for his vehicle at the space whose number was registered at the pay station, under one of the following modes:

- (1) by depositing Canadian coins for the amount corresponding to the fees for the full period;
- (2) by inserting a credit card for which the user enters the amount corresponding to the fees debited for the full period.

98-049, a. 55; 00-256, a. 3.

**56.** The fact of leaving a road vehicle parked at a place where parking is controlled by a pay station beyond the period for which fees were paid at that place constitutes a violation of article 55.

98-049, a. 56; 00-256, a. 4.

**57.** It is prohibited to tamper with or attempt to tamper with a pay station in any way.

98-049, a. 57.

### **SECTION IV**

#### **PARKING ON PRIVATE LOTS**

**58.** No driver of a road vehicle may park on a private lot without the authorization of the

owner or occupant of the lot.

For the purposes of this article, the words “private lot” mean a site that is not part of public property of the city.

98-049, a. 58.

**59.** In a parking lot accessible to the public by express or tacit invitation, every driver of a road vehicle must conform to signs prohibiting or limiting parking of vehicles or restricting it to persons or categories of persons.

98-049, a. 59.

**60.** In a parking lot accessible to the public by express or tacit invitation, no driver of a road vehicle may park in a part that has not been developed or laid out for that purpose, or in such a way as to hold up or obstruct traffic or the movement of other vehicles.

98-049, a. 60.

## **CHAPTER IV**

### **TOWING**

#### **SECTION I**

##### **GENERAL RULES**

**61.** Subject to articles 62 and 63, any road vehicle parked where the stopping or parking of vehicles is prohibited under the Code or this by-law may be moved or towed.

98-049, a. 61.

**62.** Any road vehicle parked on a private lot, other than a parking lot accessible to the public by express or tacit invitation, without the authorization of the owner or occupant of the lot, may be moved or towed.

98-049, a. 62.

**63.** Any road vehicle parked in contravention of article 59 or 60 in a parking lot accessible to the public by express or tacit invitation may be moved or towed.

98-049, a. 63.

**64.** No person may move or tow, or have moved or towed a road vehicle parked in accordance with the Code or this by-law, without the owner’s or driver’s consent.

98-049, a. 64.

**65.** Despite article 63, in a parking lot accessible to the public by express or tacit invitation, no person may tow or have an illegally parked road vehicle towed unless the parking lot is provided, at every access, with a sign:

- (1) fully visible and legible from the public thoroughfare where towing applies, and properly lighted at night;
- (2) having an area of no less than 0.75 m<sup>2</sup>;
- (3) specifying:
  - (a) that any illegally parked vehicle will be towed at the owner's expense;
  - (b) the name of the towing company;
  - (c) the maximum towing and storage fees under this by-law, marked "All-inclusive";
  - (d) a telephone number to call at any time to find out exactly where a towed vehicle may be recovered, marked "Towing Information:".

98-049, a. 65.

**66.** Despite article 63, in a parking lot accessible to the public by express or tacit invitation, no person may tow or have an illegally parked road vehicle towed before having called the number indicated on the sign to provide the following information:

- (1) a description of the vehicle being towed, specifying the make, color, and licence plate number;
- (2) the time of towing;
- (3) the place where the vehicle may be recovered.

98-049, a. 66.

**67.** Every person who tows a road vehicle under article 63 must ensure that the vehicle may be recovered at any time within 60 minutes of the towing.

98-049, a. 67.

**68.** No illegally parked vehicle that is towed may be driven more than 5 km from the place where it was illegally parked, or be driven outside the city territory.

The distance referred to in the first paragraph is calculated by following the shortest route, taking into account traffic regulations, between the point of departure and the point of arrival of the towed vehicle.

98-049, a. 68.

## **SECTION II**

### **TOWING AND STORAGE FEES**

**69.** Every owner of a vehicle that is moved or towed in accordance with the law or this by-law must pay fees of \$50.

The maximum fees cover all towing operations and all accessories used for that purpose. No additional fees may be charged.

98-049, a. 69.

**70.** No storage fees charged to the owner of a towed vehicle may exceed \$10 a day or fraction

of a day, and no additional fees may be charged.

98-049, a. 70.

**71.** Where the owner or driver of a road vehicle claims possession of the vehicle before it was removed from the place where he was stopped or parked in contravention of the law or this by-law, no fees are payable even if the vehicle is already attached or hooked up to the towing vehicle. No additional fees may be charged.

For the purposes of the first paragraph, the word “place” means, for parking on private lots, the lot or the parking lot.

98-049, a. 71.

### **SECTION III**

#### **TOWING IN PARKING LOTS**

**72.** In a parking lot accessible to the public by express or tacit invitation, no person may tow or have an illegally parked vehicle towed at any time between April 1 and November 30 and, the rest of the year, during business hours of the parking lot or establishment it serves, without following these procedures:

- (1) before the towing, the owner or occupant of the parking lot, or one of the authorized representatives, must complete, sign and issue a towing notice in accordance with the specifications, model and procedure prescribed by ordinance;
- (2) the towing notice referred to in paragraph 1 must be prepared in 3 copies;
- (3) the original and a copy must be placed by the issuer on the windshield of the illegally parked vehicle, for the benefit of the owner or driver of that vehicle, and for the towing firm;
- (4) the towing firm must submit the original of the notice to the owner or driver of the towed vehicle on delivery of the vehicle; no owner or driver claiming his vehicle may be asked to renounce receiving that document;
- (5) the owner or occupant of the parking lot, and the towing firm involved must keep their copy of the towing notice for 90 days, and allow the director to examine it on request during that period.

98-049, a. 72.

**73.** No owner or occupant of a parking lot may designate as a representative, for the purposes of paragraph 1 of article 72, a person employed by a towing firm or paid in any way or in any capacity by that firm, or having a financial interest in it, or a person who already acts, for the same purposes, as the representative of another owner or occupant of a parking lot.

98-049, a. 73.

**74.** No person employed by a towing firm or paid in any way or in any capacity by that firm, or having a financial interest in it, or any person who already acts, for the same purposes, as the representative of another owner or occupant of a parking lot, may act as the representative

of the owner or occupant of a parking lot for the purposes of paragraph 1 of article 72.

98-049, a. 74.

**75.** Where the towing is carried out by the city or by a third person paid directly by the city, by order of a peace officer or an authorized city employee, the procedures in paragraphs 1 to 5 of article 72 are replaced by the issue of a statement of offence that includes towing fees.

98-049, a. 75.

## **CHAPTER V**

### **PENAL PROVISIONS**

#### **SECTION I**

##### **TRAFFIC OFFENCES**

**76.** The following persons are guilty of an offence and are liable to a fine of \$15 to \$30:

- (1) any person other than the driver of a road vehicle who contravenes article 5;
- (2) any pedestrian who contravenes the first paragraph of article 24 and any person on rollerskates or in-line skates who contravenes the second paragraph of that article;
- (3) any driver of a bicycle who contravenes article 25.

98-049, a. 76.

**77.** Any driver of a road vehicle who contravenes article 13 or, elsewhere than on a reserved lane, article 26, is guilty of an offence and is liable to a fine of \$30 to \$60.

98-049, a. 77.

**78.** The following persons are guilty of an offence and are liable to a fine of \$100 to \$200:

- (1) any person who contravenes article 7, 22 or 23;
- (2) any person, other than a pedestrian, who contravenes the first paragraph of article 24;
- (3) any driver of a road vehicle who contravenes article 5, 12, 14, 15, 16 or 25 or, on a reserved lane, article 26.

98-049, a. 78.

**79.** Any driver of a road vehicle who contravenes article 9, 10 or 11 is guilty of an offence and is liable to the fine under section 315.2 of the Code.

98-049, a. 79; 00-036, a. 3.

**80.** Any person who contravenes article 17, 18, 19, 20 or 21 is guilty of an offence and is liable to the fines under section 516 of the Code.

98-049, a. 80.

**81.** Any person who contravenes article 29 is guilty of an offence and is liable to the fine

under section 506 of the Code.

98-049, a. 81.

**SECTION II**  
**PARKING OFFENCES**

**82.** Any driver of a road vehicle who contravenes article 46, 51 or 55 is guilty of an offence and is liable to a fine of \$25.

98-049, a. 82.

**83.** Any driver of a road vehicle who contravenes paragraphs 1 to 3 or 5 to 8 of article 30, articles 31, 37 to 40, the third paragraph of article 41 or articles 43, 49, 50, 53, 58 to 60, is guilty of an offence and is liable to a fine of \$30 to \$60.

98-049, a. 83; 99-099, a. 14; 00-180, a. 4.

**84.** Any driver of a road vehicle who contravenes paragraph 4 of article 30 is guilty of an offence and is liable to a fine of \$60 to \$100.

98-049, a. 84.

**85.** Any person who contravenes paragraph 9 of article 30 is guilty of an offence and is liable to the penalty under the Code or this by-law for parking where stopping is prohibited.

98-049, a. 85.

**86.** Any person who contravenes article 32 is guilty of an offence and is liable to the fine under article 46 of the By-law concerning the occupancy of public property (chapter O-0.1).

98-049, a. 86.

**87.** Any person who contravenes article 48, 54 or 57 is guilty of an offence and is liable to a fine of \$100 to \$200.

98-049, a. 87; 00-180, a. 5.

**SECTION III**  
**TOWING OFFENCES**

**88.** Any person who contravenes articles 64 to 66, article 67 or 68, the second paragraph of article 69, or article 70, 71, 72, 73 or 74, is guilty of an offence and is liable:

- (1) in the case of an individual:
  - (a) for a first offence, to a fine of \$100 to \$300;
  - (b) for a second offence, to a fine of \$300 to \$500;
  - (c) for as subsequent offence, to a fine of \$500 to \$1000;
- (2) in the case of a corporation:

- (a) for a first offence, to a fine of \$200 to \$600;
- (b) for a second offence, to a fine of \$600 to \$1000;
- (c) for a subsequent offence, to a fine of \$1000 to \$2000.

98-049, a. 88.

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**SCHEDULE A**

**PLAN OF PUBLIC THOROUGHFARES** *(See file S98 0166006)*

(a. 8)

98-049, schedule 1.

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