

By-Law No. 2018-058

A by-law of the City of Ottawa to amend By-law 2007-268 respecting public transit

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Enacted On: 2018-03-28

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BY-LAW NO. 2018 – 58

A by-law of the City of Ottawa to amend By-law No. 2007-268 respecting public transit.

The Council of the City of Ottawa enacts as follows:

1. The definitions of “authorized vendor”, “Smartcard”, “transit property”, “Director”, “service animal”, “U-Pass”, “proof of payment or POP”, and “pedestrian” in Section 1 of By-law No. 2007-268 entitled “A by-law of the City of Ottawa respecting public transit”, as amended, are repealed and the following definitions are substituted therefor:

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

“Director” means the General Manager of the Transportation Services Department of the City of Ottawa, or authorized representative;

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

“proof of payment” or “POP” means a valid transit pass, valid transfer slip or other authorized receipt, a valid transit employee identification card, a valid U-Pass, a Smartcard with a valid period pass or a record of a valid e-purse deduction for the trip, an Attendant Card, or other card, receipt for fare payment, or fare instrument acceptable to the Director, and does not include a photograph, scan or other reproduction, whether hard copy or digital, of any of the aforementioned;

“service animal” means:

(a) an animal that can be readily identified as one that is being used by the person for reasons relating to the person’s disability, as a result of visual indicators such as the vest or harness worn by the animal; or

(b) an animal for which the person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:

- i. A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
- ii. A member of the College of Chiropractors of Ontario.
- iii. A member of the College of Nurses of Ontario.
- iv. A member of the College of Occupational Therapists of Ontario.
- v. A member of the College of Optometrists of Ontario.

- vi. A member of the College of Physicians and Surgeons of Ontario.
- vii. A member of the College of Physiotherapists of Ontario.
- viii. A member of the College of Psychologists of Ontario.
- ix. A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario;

“Smartcard” means the Presto card or other fare instrument in the form of a card onto which funds or period passes of varying classes can be loaded electronically and used to pay the fare for a trip on a transit vehicle by means of tapping the card on an electronic reader provided for the purpose on the transit vehicle, on fare gates, or at other designated locations;

“transit property” means all property owned, leased, or used by the City for the purposes of providing a passenger transportation system and includes the Transitway, the O-Train lines, the O-Train rights of way, the transit station platform areas, the platforms, the transit stations, the transit vehicles, the transit shelters, the bus stops, the park and ride lots, and the properties and buildings located at 1500 St-Laurent Boulevard including the North and South garages, 645, 681, 707, 731, 747, 767, 799, 805, 875, 899 and 925 Belfast Road, 2550 Queensview Drive, 164 Colonnade Road, 3101 Albion Road, and 745 and 755 Industrial Road;

“U-Pass” means the fare instrument used in the form of a card approved by the Director and issued to eligible students of applicable post-secondary educational institutions as part of the Council-approved Universal Transit Pass program.

2. The definitions of “Assistant Card”, “light rail facility”, and “wheelchair” in Section 1 of said By-law No. 2007-268 are repealed.

3. Section 1 of said By-law 2007-268 is amended by adding the following definitions thereto:

“fare gate” means a device that opens to allow a customer to enter a fare-paid area after a Smartcard or other permitted fare payment device has been tapped or scanned onto it;

“mobility aid” means a device used to facilitate the transport, in a seated posture, of a person with a disability.

“O-Train 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; and includes the O-Train lines and rights of way;

“Service Animal 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 4 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.

4. The said By-law 2007-268 is amended by striking out, where they appear in the by-law:

- (a) the words “ticket” and “tickets”, and substituting the words “ticket or voucher” and “tickets or vouchers” in their place;
- (b) the words “light rail facility”, and substituting the words “O-Train facility” in their place;
- (c) the word “wheelchair”, and substituting the words “mobility aid” in its place;
- (d) the words “in a wheelchair” and “in wheelchair” and substituting the words “with a mobility aid” and “with mobility aid” in their place.

5. The heading “STUDENT AND SENIOR TRANSIT PASS AND SMARTCARD” and Section 14 of said By-law 2007-268 are repealed in their entirety and the following heading and section are substituted therefor:

YOUTH AND SENIOR TRANSIT FARES

14. (1) No person shall apply for, obtain or use a transit pass, Smartcard or other fare product of a fare category for youth unless the person is not older than nineteen (19) years of age.

(2) No person shall apply for, obtain, or use a transit pass, Smartcard or other fare product of a fare category for seniors unless the person is at least sixty-five (65) years of age.

6. Subsection 15(5) of said By-law 2007-268 is repealed and the following subsection is substituted therefor:

(5) Failure to comply with subsections (1) to (4) may result in the confiscation of the transit pass or POP transfer.

7. The heading "ASSISTANT CARD" and Section 17 of said By-law 2007-268 are repealed and the following heading and section are substituted therefor:

SERVICE ANIMAL CARD

17. 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, may obtain a Service Animal Card.

8. Subsection 18(1) of said By-law 2007-268 is repealed and the following subsection is substituted therefor:

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 a Service Animal Card is entitled to priority seating on a front bench seat but is not guaranteed a seat.

9. Paragraph (u) of subsection 19(2) of said By-law 2007-268 is repealed and the following paragraph is substituted therefor:

(u) bring any animal, unless:

- (i) the animal is a service animal; or
- (ii) the animal is transported in an enclosed handheld container, such as an animal carrier or crate, that is secured at all times, such that the animal does not inconvenience or jeopardize the safety of other persons or transit property, and subject to any other conditions as may be imposed by the Director;

10. Section 19 of said By-law 2007-268 is amended by adding the following subsections thereto:

(2.1) No person shall board a light rail vehicle with a bicycle, except through a door of the light rail vehicle designated by the Director for such a purpose.

(2.2) No person shall place a bicycle in a light rail vehicle except in the area designated by the Director for such a purpose.

11. Subsection 27(1) of said By-law 2007-268 is repealed and the following subsection is substituted therefor:

(1) Pursuant to subsection 62(15) of the *Highway Traffic Act*, those motor vehicles used by the City for transit law enforcement purposes may carry roof-mounted lights that cast a red and blue light to the front.

12. This By-law comes into force on April 2, 2018.

ENACTED AND PASSED this 28th day of March, 2018.

CITY CLERK

MAYOR

