



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 82-2008

**By-law to regulate the operation and control of a
Passenger Transportation system within the City of Brampton**

WHEREAS Section 69 of the *Municipal Act, 2001* (S.O. 2001, c.M.25, as amended) authorizes a municipality to establish, operate and maintain a passenger transportation system; and

WHEREAS Sections 8, 9 and 11(2) of the *Municipal Act, 2001* (S.O. 2001, c.M.25, as amended) enable Council to pass by-laws to regulate and prohibit in respect of public transit vehicles and facilities;

NOW THEREFORE the Council of The Corporation of The City of Brampton ENACTS as follows:

1. DEFINITIONS

1.1 In this by-law:

- a) "authorized officer" includes an operator, a Brampton Transit Coordinator or Supervisor, a police officer or police cadet, or other persons as designated by Council from time to time;
- b) "applicable fare" means the fares outlined in "Schedule G" of the City of Brampton User Fee (Municipal Act) By-law 380-2003 called the Fee By-law;
- c) "Brampton Transit" means the passenger transportation system operated by or on behalf of the City, and includes co-operative arrangements with other transit authorities operating within the boundaries of the City;
- d) "by-law enforcement officer" means a person authorized by City Council to enforce this by-law;
- e) "City" means The Corporation of the City of Brampton;
- f) "emergency" means a situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes, in the opinion of an authorized officer, a significant danger to the safety or well being of persons or property;
- g) "fare category" means a category of transit fares established by the City from time to time and which may include adult, student, child or senior categories;
- h) "fare media" means any tickets, passes or transfers, or any other fare product, used for fare payment on Brampton Transit;
- i) "operator" means a person authorized by the City to operate a transit vehicle;

- j) "pass" means fare media issued by the City that permits the holder to travel on a transit vehicle during the time period indicated on the pass;
- k) "passenger" means any person who rides on a transit vehicle;
- l) "peak hours" means 6:00 a.m. to 9:30 a.m. and 3:00 p.m. to 6:30 p.m. Monday to Friday inclusive, except for statutory holidays;
- m) "Presto" means the common electronic fare payment system jointly operated by participating public transit systems in the Greater Toronto Area;
- n) "service animal" means any guide dog, signal dog, or other animal individually trained to provide assistance to a person with a disability.
- o) "ticket" means fare media issued by the City that permits the holder to make a single trip on a transit vehicle;
- p) "transfer" means a receipt obtained from an operator or an electronic transaction record from the Presto system, that permits the holder to travel on a transit vehicle during the time period indicated on the transfer or in the Presto transaction record;
- q) "transit facility" means any land or structure owned, leased or occupied by the City for the purpose of operating Brampton Transit, and includes bus stops, bus shelters, transit garages, transit terminals and bus loops;
- r) "transit system" means the public transportation system operated by or on behalf of the City;
- s) "transit vehicle" means a vehicle operated by or on behalf of the City;
- t) "valid identification card" means an identification card that includes the holder's photograph and date of birth, and includes any identification card issued by the federal or provincial government, and a student identification card.

2 AUTHORIZATION AND ADMINISTRATION

- 2.1 Authorization is hereby given to the Director, Brampton Transit to develop and implement rules and regulations pertaining to the operation of Brampton Transit.
- 2.2 Where anything in this by-law is subject to authorization by the City, such authorization may be given by the Director, Brampton Transit or by his or her designate.
- 2.3 Brampton Transit shall be responsible for the administration of this by-law.

3 EXCLUSIVITY

- 3.1 No person except the City shall establish, operate and maintain all or any part of a passenger transportation system within the City except those stated in Section 69 part 1 of the *Municipal Act, 2001* (S.O. 2001, c.M.25, as amended) and any other public transit authorities, commissions or agencies of other municipalities, which have been authorized by the City.

4 FARE PAYMENT

- 4.1 No person shall be a passenger on a transit vehicle except where:
 - a) the applicable fare has been paid either by:
 - (i) depositing in the farebox, if one is provided, or as otherwise directed by posted signs, posted notices or an authorized officer, the exact cash fare, or a ticket for the applicable fare category; or
 - (ii) obtaining in advance of boarding the transit vehicle, and displaying to the operator a valid pass, or a valid transfer; or
 - (iii) an approved electronic transaction through the Presto system; or

- b) such person has been exempted from fare payment by the City.
- 4.2 Any person entitled to a reduced fare shall present his or her valid identification card upon payment of the reduced fare. In the event that such person fails to present a valid identification card, a full adult fare will be payable.
- 4.3 Every holder of Brampton Transit fare media shall comply with the conditions of use set out in such document.
- 4.4 No person shall sell, trade, barter or attempt to sell, trade, barter any Brampton Transit Fare Media to any person without the prior authorization of the City.
- 4.5 No person shall use or produce an altered or counterfeit pass.
- 4.6 No person shall:
 - a) obtain more than one transfer for each fare paid; or
 - b) receive or use any transfer other than one which has been duly issued to him or her in advance of boarding the transit vehicle or vehicles for which the transfer is sought to be used.
- 4.7 A transfer shall be valid only on the date issued and for the time period indicated on the transfer.

5 CONDUCT ON TRANSIT VEHICLES AND IN TRANSIT FACILITIES

- 5.1 Every person travelling on a transit vehicle or using a transit facility shall comply with all rules and regulations posted on such vehicle or facility or printed on Brampton Transit fare media.
- 5.2 Every person travelling on a transit vehicle or using a transit facility shall comply with the instructions of an authorized officer.
- 5.3 No person shall travel on a transit vehicle or be within a transit facility unless the person is in compliance with the requirements of this by-law.
- 5.4 No person shall do any of the following on a transit vehicle or in a transit facility:
 - 5.4.1 carry, without lawful authority, any of the following:
 - a) a firearm;
 - b) any item which is dangerous, toxic, flammable or explosive in nature; or
 - c) any item which an authorized officer has reasonable grounds to believe may cause harm, damage or discomfort to any person or property;
 - 5.4.2 occupy a position which is likely to obstruct the operator's vision, or interfere with the operator's ability to safely operate the transit vehicle;
 - 5.4.3 interfere with the operation of a window, door, apparatus or any other equipment of a transit vehicle so as to delay or prevent the departure of the transit vehicle or cause a concern for safety;
 - 5.4.4 without authorization, handle or operate a transit vehicle or any part of the mechanical, electrical or electronic equipment of any transit vehicle or any part of the transit system, except devices which are intended for passenger use, and in accordance with posted instructions;
 - 5.4.5 project any part of his or her body or any object through any window or closed door of a transit vehicle, whether the transit vehicle is in motion or stationary;
 - 5.4.6 ride or stand on any exterior portion of any transit vehicle, nor hold on to any exterior part of a transit vehicle, whether the transit vehicle is in motion or stationary;
 - 5.4.7 board or leave or attempt to board or leave any transit vehicle while the transit vehicle is in motion or when prohibited by an authorized officer for safety reasons;

- 5.4.8 board or leave a transit vehicle except by using the appropriately identified doors or as instructed by an authorized officer;
- 5.4.9 be accompanied by any animal other than the following:
 - a) a service animal, which may accompany a passenger at any time; or
 - b) a small non-exotic bird or mammal, provided that it shall be leashed or caged at all times and shall not be permitted during peak hours or emergencies or if the transit vehicle is heavily loaded;
- 5.4.10 despite subsection 5.4.9 (b), no person may be accompanied on a transit vehicle or within a transit facility by any animal which an authorized officer has reasonable grounds to believe may be likely to cause harm, damage or discomfort to any person or property;
- 5.4.11 attempt to sell or solicit anything on a transit vehicle or within a transit facility without the prior written authorization of the City and in accordance with the terms of such authorization;
- 5.4.12 distribute any materials or articles, or solicit any money or public support for any cause or purpose, on a transit vehicle or within a transit facility, without the prior written authorization of the City and in accordance with the terms of such authorization;
- 5.4.13 dispose of litter, waste or refuse of any kind on a transit vehicle or within a transit facility except in marked receptacles provided for that purpose;
- 5.4.14 play, except with the prior written permission of Brampton Transit, a musical instrument or operate any device for the amplification of music or other sound on a transit vehicle or within a transit facility unless the sound is conveyed from the device by an earphone at a volume which cannot be heard by any other person;
- 5.4.15 loiter ;
- 5.4.16 damage property or jeopardize the safety of any person;
- 5.4.17 disturb the privacy or comfort of any other person;
- 5.4.18 urinate or defecate except in designated washroom facilities;
- 5.4.19 expectorate;
- 5.4.20 on a transit vehicle or within a transit facility:
 - a) consume liquor or any other alcoholic beverage; or
 - b) have in his or her possession any liquor or other alcoholic beverage except where contained within its original sealed bottle, can or container;
- 5.4.21 bring on to a transit vehicle any large, bulky, or sharp object during peak hours or emergencies or if the transit vehicle is heavily loaded;
- 5.4.22 bring onto a transit vehicle, an article of any kind that could obstruct the aisle or that prevents a seat from being used by a passenger or that in any way hinders the safety of other passengers, unless permission to do so is first received by an authorized officer;
- 5.4.23 operate any audio or visual recording device on a transit vehicle or within a transit facility unless the person has obtained prior written authorization from the City allowing him or her to do so and is operating the device in accordance with the terms of such authorization;
- 5.4.24 remove from any transit vehicle or transit facility any article left thereon through apparent inadvertence, but such article shall be delivered to an authorized officer;
- 5.4.25 ride a bicycle on a transit vehicle or in a transit facility;

- 5.4.26 wear ice skates, roller skates or in-line skates or operate a skateboard;
- 5.4.27 place his or her footwear, socks or bare feet on the seat of any transit vehicle or transit facility;
- 5.4.28 fail to wear shoes at all times; or
- 5.4.29 be permitted to board a transit vehicle, and an authorized officer shall refuse to allow any person to board a transit vehicle or require the person to leave the transit vehicle promptly if the person has already boarded, in any of the following circumstances:
 - a) the person refuses to pay the applicable fare or proof of exemption from fare payment in accordance with section 4.1 of this by-law;
 - b) the authorized officer has reasonable grounds to believe that the person might be endangering the health or safety of any other person or disturbing the privacy or comfort of any other person; or
 - c) the person is conducting himself or herself in a disorderly, profane or boisterous manner.
- 5.6 Any person travelling on a transit vehicle with a child in a collapsible carriage or stroller shall remove the child and collapse the carriage or stroller upon the request of an authorized officer. The authorized officer shall require the person to leave the transit vehicle if the person fails or refuses to comply with such a request.

6 LOST PROPERTY

- 6.1 The City assumes no responsibility for passengers' personal belongings, which shall remain at all times the responsibility of passengers.
- 6.2 Only a Brampton Transit employee may remove any article left in or on a Brampton Transit vehicle, or a Brampton Transit facility, by a person as a result of inadvertence or otherwise.
- 6.3 Any article so removed shall be kept for a time period of 14 days from the date it was removed subject to the following exceptions:
 - a) The owner of the article may retrieve the article within this 14-day period;
 - b) Any perishable item may be disposed of immediately;
 - c) The police shall be contacted immediately to pick up any item that creates a safety hazard or may be evidence of a crime; and
 - d) Any animals removed shall be kept, treated, or otherwise disposed of pursuant to the City's applicable by-laws regarding animal control and care.
- 6.4 Any person seeking to retrieve an article left in or on a Brampton Transit vehicle, or Brampton Transit facility, and that has been removed from the said vehicle, or facility, may retrieve the article within 14 days of its removal if:
 - (a) the article has not been disposed of pursuant to section 6.3; and
 - (b) the person provides proper identification to demonstrate that she/he is the owner of the article or that she/he has written consent from the property owner to redeem the article.
- 6.5 Any article that is not retrieved by the owner within 14 days is the property of the City and may be used, sold, or otherwise disposed of, by Brampton Transit.

7 PENALTIES

- 7.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*.

8 REPEAL OF BY-LAW

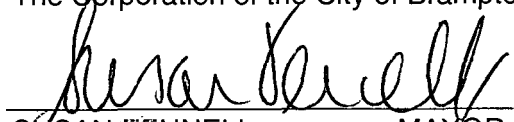
- 8.1 City of Brampton By-law 177-77 is hereby repealed.

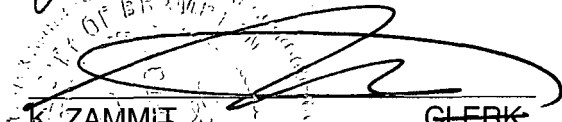
9 EFFECTIVE DATE

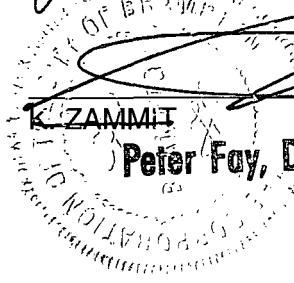
9.1 This by-law takes effect on the day of its enactment by Council.


READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 9 day of April, 2008.

The Corporation of the City of Brampton


SUSAN FENNELL MAYOR


K. ZAMMIT CLERK
Peter Foy, Deputy City Clerk



Approved
as to form

March 20/08

Approved
as to
content
