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**CONSOLIDATION UPDATE: JULY 13, 2023**

**THE CITY OF WINNIPEG**

**BY-LAW NO. 76/2011**

A By-law of THE CITY OF WINNIPEG to enable rapid and effective removal of snow on streets within the City of Winnipeg

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

**Short title**

1 This By-law may be cited as the **Winter Parking Ban By-law**.

**Definitions**

2 In this By-law

“**authorized person**” means the person authorized to

- (a) designate winter routes under section 3;  
*amended 116/2022*
- (b) make a declaration under sections 4, 5, 6 or 7; or  
*amended 72/2023*
- (c) assign a street or portion of a street to a zone under subsection 6(1);

“**Director**” means the Director or Acting Director of the Public Works Department of the City of Winnipeg;

“**enforcement officer**” means any employee of the City of Winnipeg or other individual appointed as a special constable under section 176 of *The City of Winnipeg Charter* whose special constable appointment authorizes him or her to enforce this By-law;

“**parking ban**” means a parking ban declared under sections 4, 5, 6, or 7;  
*amended 72/2023*

“**residential street**” means any street or any portion of a street that is not a winter route;  
*amended 116/2022*

“**snow route**” *repealed 116/2022*

**“winter route”** means a street or the portion of a street designated by the Director as a winter route under section 3 and marked as such by winter route or snow route signs erected on the street;

*added 116/2022*

**“winter season”** means the period between November 1st and April 30th of the subsequent calendar year; and

*added 116/2022*

**“zone”** means one of several snow clearing zones to which streets in the City have been assigned by the Director in compliance with subsection 6(1).

### **Designation of winter routes**

**3** After taking into account existing or future infrastructure, bus routes and traffic data, the Director is authorized, in compliance with subsection 8(1), to designate regional and non-regional streets or portions of them as winter routes in order to assist in efficient and effective snow clearing and ice control operations. When the Director determines that a street or a portion of a street is no longer required to be designated as a winter route, he or she may remove its designation in compliance with subsection 8(1).

*amended 116/2022*

### **Annual Winter Route Parking Bans**

*replaced 116/2022*

**4(1)** When he or she considers it to be necessary for effective snow removal or ice control operations, the Director may declare an annual winter route parking ban once per winter season.

*amended 72/2023*

**4(2)** The annual winter route parking ban will come into effect

- (a) seven days after the annual winter route parking ban is declared; or
- (b) on a date specified by the Director

whichever is later.

**4(3)** No person may stop, stand or park a vehicle, and the owner of a vehicle must not permit it to be stopped, stood or parked, on a winter route between the hours of 2:00 a.m. and 7:00 a.m. while an annual winter route parking ban is in effect.

*amended 72/2023*

**4(4)** Subject to section 4(5), annual winter route parking bans will expire at the end of the winter season.

**4(5)** The Director may revoke the annual winter route parking ban at any time prior to the end of the winter season if, in his or her opinion, that ban is no longer necessary for snow clearing or ice control operations.

**4(6)** The revocation of the annual winter route parking ban comes into effect

- (a) immediately; or
- (b) on a date specified by the Director.

### **Suspension of Annual Winter Route Parking Bans**

**4.1** Notwithstanding section 4, annual winter route parking bans will be suspended for the duration of any residential parking ban.

*added 72/2023*

### **Extended Winter Route Parking Bans**

**5(1)** When he or she considers it necessary for effective snow clearing operations or ice control operations, the Director is authorized, in compliance with subsection 8(2), to declare an Extended Winter Route Parking Ban which prohibits stopping, standing or parking vehicles on winter routes between the hours of 12:00 midnight and 7:00 a.m. on the dates specified in the declaration.

*amended 80/2019; 116/2020; 116/2022*

**5(2)** No person may stop, stand or park a vehicle, and the owner of a vehicle must not permit it to be stopped, stood or parked, in contravention of an Extended Winter Route Parking Ban declared pursuant to subsection (1).

*amended 80/2019; 116/2020*

### **Residential Parking Bans**

**6(1)** For the purposes of this By-law, in order to assist in the efficient and effective snow clearing operations, the Director must, in compliance with subsection 8(1), assign every street or portion of a street in the City to a snow clearing zone and may reassign previously-assigned streets or portions of streets to different zones.

**6(2)** When he or she considers it necessary for effective snow clearing operations, the Director is authorized, in compliance with subsection 8(2), to declare a Residential Parking Ban which prohibits stopping, standing or parking a vehicle in one or more of the snow clearing zones at a time or times and on a date or dates specified in the declaration.

**6(3)** No person may stop, stand or park a vehicle, and the owner of a vehicle must not permit it to be stopped, stood or parked, in contravention of a Residential Parking Ban declared pursuant to subsection (2).

### **Snow Emergency Parking Bans**

**7(1)** When the Mayor of the City of Winnipeg, or another member of the Council of the City of Winnipeg designated for this purpose by the Mayor, considers that

- (a) a transportation emergency caused by snowfall or drifting snow has occurred or is imminent; and
- (b) a prohibition on stopping, standing, or parking vehicles on winter routes is necessary for effective snow clearing operations or the maintenance of emergency and other essential services,

*amended 116/2022*

he or she may, in compliance with subsection 7(1), declare a Snow Emergency Parking Ban which prohibits stopping, standing or parking a vehicle on winter routes in the City of Winnipeg on dates and times specified in the declaration.

*amended 116/2022*

**7(2)** A Snow Emergency Parking Ban declared under subsection (1) may be extended by the person authorized to declare the Snow Emergency Parking Ban in compliance with subsection 8(2).

**7(3)** Where a Snow Emergency Parking Ban has been declared under subsection (1), an enforcement officer or any person given this authority by the Director may take any action or measure necessary to remove vehicles stopped, standing or parked on a winter route.

*amended 116/2022*

### **Mechanisms for designations of winter routes, declarations and assignment of streets to zones**

**8(1)** The designation of a winter route under section 3 or the assignment of a street or portion of a street to a zone under subsection 6(1) takes effect at the point when all of the following actions have been taken:

*amended 116/2022*

- (a) the authorized person has signed the designation or assignment;
- (b) the City Clerk has been notified in writing of the designation or assignment;
- (c) the designation or assignment has been posted on the City of Winnipeg website;
- (d) lists or maps of winter routes and snow clearing zones on the City of Winnipeg website have been updated to show the new designation or assignment.

*amended 116/2022*

**8(2)** A parking ban declared under sections 4, 5 or 6 takes effect at the point when all of the following actions have been taken:

*amended 116/2022*

- (a) the authorized person has signed the declaration;
- (b) the City Clerk has been notified in writing of the declaration;
- (c) the declaration has been posted on the City of Winnipeg website;
- (d) the authorized person has released a communiqué to the media that
  - (i) states that a parking ban has been declared; and
  - (ii) provides details of the parking ban.

**8(3)** For the purposes of this section

- (a) “designation” includes the removal of the designation of a street or portion of a street as a winter route;  
*amended 116/2022*
- (b) “assignment” includes the re-assignment of a street or portion of a street to another zone; and
- (c) “declaration” includes the extension of a Snow Emergency Parking Ban under subsection 7(2).

#### **Towing of vehicles parked in contravention of bans**

**9(1)** Where an enforcement officer has reasonable and probable grounds to believe that an unattended vehicle is stopped, standing or parked

- (a) on a street designated as a winter route and marked as such by winter route signs or snow route signs erected on the street; and  
*amended 116/2022*
- (b) in contravention of a parking ban declared under sections 4 (annual winter route parking bans) or 5 (extended winter route parking bans);  
*amended 116/2022; 153/2022*

the enforcement officer may cause the vehicle to be taken to and stored in a suitable place under subsection 243(2) of *The Highway Traffic Act*. Subsection 243(3) of *The Highway Traffic Act* applies to the costs of the moving and storage of the vehicle.

**9(2)** A vehicle that is standing or parked in violation of a parking ban imposed under section 6 (Residential Parking Ban) is hereby determined to be in a position that causes it to interfere with the removal of snow from a street by a person authorized by the City of Winnipeg to remove the snow. A peace officer or an enforcement officer is authorized to move such a vehicle or cause it to be moved to a place where it will not interfere with the removal of snow from the street pursuant to subsection 243(1) of *The Highway Traffic Act*.

### Public notification

**10** The Director must ensure that the following information is posted on the City of Winnipeg website and is communicated to individuals who telephone the City of Winnipeg seeking this information:

- (a) the streets or portions of streets currently designated as winter routes under section 3;  
*amended 116/2022*
- (b) the snow clearing zone into which a street or portion of a street has been assigned under subsection 6(1);
- (c) the existence of winter route parking bans under sections 4 or 5;  
*amended 116/2022*
- (d) the existence of a residential parking ban declared under section 6.  
*amended 153/2022*

### Consequential amendments

**10(1)** The Snow Emergency By-law No 6548/95 is hereby repealed.

**10(2)** Sections 29, 29.1 and 29.2 of the Traffic By-law No. 1573/77 are repealed.

**10(3)** The Voluntary Payment of Fines By-law No. 789/74 is amended by striking out the following:

<i>Parking/stopping on snow emergency route</i>	<i>200</i>	<i>100</i>
<i>Park/stop on winter route 02:00 TO 06:00 (December to February) <i>amended 116/2022</i></i>	<i>100</i>	<i>50</i>
<i>Park/stop on winter route (overnight parking ban) <i>amended 116/2022</i></i>	<i>100</i>	<i>50</i>
<i>Park/stop on non-winter route (residential parking ban) <i>amended 116/2022</i></i>	<i>100</i>	<i>50</i>

and substituting the following:

<i>Stand/stop/park on winter route 2:00 to 7:00 (Annual Winter Route Parking Ban, December to February) amended 116/2022</i>	<i>100</i>	<i>50</i>
<i>Stand/stop/park on winter route 12:00 to 7:00 (Declared Winter Route Parking Ban) amended 116/2022</i>	<i>100</i>	<i>50</i>
<i>Stand/stop/park in residential zone subject to parking ban (Residential Parking Ban)</i>	<i>150</i>	<i>75</i>

**Coming into force**

11 This By-law comes into force on July 1, 2011.

**DONE AND PASSED**, this 22nd day of June, 2011.