

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 28

BY-LAW NO. R-1415-2005-028

A by-law to regulate the use of public transit vehicles and facilities
in The Regional Municipality of York

The Council of The Regional Municipality of York enacts as follows:

1. DEFINITIONS

1.1 In this by-law:

- a) “assistance dog” means a dog trained for the purpose of accompanying a person with a disability, including a visually impaired or hearing impaired person;
- b) “authorized officer” means an operator, a by-law enforcement officer, a special constable, a York Region Transit inspector or an officer with the York Regional Police;
- c) “by-law enforcement officer” means a person authorized by Regional Council to enforce this by-law;
- d) “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 wellbeing of persons or property;
- e) “fare category” means a category of transit fares established by the Region from time to time and which may include adult, student, child or senior categories;
- f) “operator” means a person authorized by the Region to operate a transit vehicle;
- g) “pass” means fare media issued by the Region that permits the holder to travel on a transit vehicle during the time period marked on the face of the pass;
- h) “passenger” means any person who rides on a transit vehicle;
- i) “peak hours” means 6:30 a.m. to 9:30 a.m. and 3:30 p.m. to 6:30 p.m. Monday to Friday inclusive, except for statutory holidays;

- j) “proof of payment” means the authorization to a person to travel on a transit vehicle, and includes a valid pass, a ticket validated within the time period permitted, a valid transfer, or other authorization;
- k) “Rapid Transit (VIVA)” means the rapid transit system operated by or on behalf of the Region;
- l) “Region” means The Regional Municipality of York;
- m) “special constable” means a person who has been granted the powers of a special constable by the Province of Ontario, and is authorized to enforce this by-law;
- n) “ticket” means fare media issued by the Region that permits the holder to make a single trip on a transit vehicle;
- o) “transfer” means a receipt obtained from an operator that permits the holder to travel on a transit vehicle during the time period indicated on the transfer;
- p) “transit facility” means any land or structure owned or occupied by the Region for the purpose of operating the Rapid Transit (VIVA) or York Region Transit (YRT) systems, and includes bus stops, bus shelters, transit garages, transit terminals and bus loops;
- q) “transit system” means the public transportation system operated by or on behalf of the Region and includes Rapid Transit (VIVA) and York Region Transit (YRT);
- r) “transit vehicle” means a vehicle operated by or on behalf of the Region, and includes vehicles in the Rapid Transit (VIVA) and York Region Transit (YRT) fleets;
- s) “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, a student identification card, and an identification card issued by the Toronto Transit Commission;
- t) “validated ticket” means a pre-purchased ticket validated at a York Region Transit ticket validator with the date and time stamp;
- u) “York Region Transit (YRT)” means the conventional transit system operated by or on behalf of the Region, and includes co-operative arrangements with other transit authorities operating within the boundaries of the Region;
- v) “York Region Transit inspector” means a person who is authorized to ensure that passengers on transit vehicles are carrying a valid proof of payment;
- w) “zone” means a geographic area within which a fare is payable.

2. FARE PAYMENT

requirement to pay

- 2.1 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 a valid pass, a ticket validated within the specified time period, or a valid transfer; or
 - b) such person has been exempted from fare payment by the Region.

proof of payment

- 2.2 Every person shall produce a proof of payment or evidence of exemption from payment in accordance with section 2.1 of this by-law when requested to do so by an authorized officer.

valid identification for reduced fare

- 2.3 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.

conditions of use

- 2.4 Every holder of a ticket, transfer or pass shall comply with the conditions of use set out in such document.

selling proof of payment

- 2.5 No person shall sell, trade, barter or otherwise transfer or attempt to sell, trade, barter or otherwise transfer any proof of payment to any person without the prior authorization of the Region.

use of proof of payment

- 2.6 No person shall use a proof of payment unless it was purchased for his or her use at the fare required of him or her by the Region.

altered or counterfeit pass

- 2.7 No person shall use or produce an altered or counterfeit pass.

zones

- 2.8 Any person travelling in more than one zone shall have proof of payment for each zone.

use of transfers

- 2.9 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.

- expired transfer* 2.10 A transfer shall be valid only on the date issued and for the time period indicated on the transfer, and no person shall travel on a transit vehicle with an expired transfer.
- 3. CONDUCT ON TRANSIT VEHICLES**
- rules and regulations* 3.1 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 tickets, transfers or passes.
- duty to follow instructions* 3.2 Where an authorized officer considers it reasonably necessary to issue instructions in order to ensure orderly movement of persons, or to prevent injury or damage to any person or property, or to permit proper action in any emergency, all passengers shall follow that officer's instructions.
- firearms, dangerous items* 3.3 No person shall carry on a transit vehicle or in a transit facility 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.
- interfere with operator* 3.4 No person shall 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.
- interfere with equipment* 3.5 No person shall 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.
- operate transit vehicle or equipment* 3.6 No person shall, 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.
- projection of objects* 3.7 No person shall 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.
- hold on to exterior of vehicle* 3.8 No person shall hold on to any exterior part of a transit vehicle, whether the transit vehicle is in motion or stationary.

- vehicles in motion* 3.9 No person shall 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.
- use of identified doors* 3.10 No person shall board or leave a transit vehicle except by using the appropriately identified doors or as instructed by an authorized officer.
- animals* 3.11 No person may be accompanied on a transit vehicle or within a transit facility by any animal other than the following:
- a) an assistance dog, which may accompany a passenger at any time; or
 - b) a small 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.
- 3.12 Despite subsection 3.11(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.
- soliciting/selling* 3.13 No person shall attempt to sell or solicit anything on a transit vehicle or within a transit facility.
- distribution of materials* 3.14 No person shall 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 Region and in accordance with the terms of such authorization.
- littering* 3.15 No person shall 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.
- operation of audio devices* 3.16 No person shall 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.
- loitering* 3.17 No person shall loiter on a transit vehicle or within a transit facility.
- cause damage* 3.18 No person shall damage property or jeopardize the safety of any person on a transit vehicle or within a transit facility.
- disturb the peace* 3.19 No person shall disturb the peace, commit an act of nuisance or disturb the privacy or comfort of any other person on a transit vehicle or within a transit facility.

- urinate, defecate* 3.20 No person shall urinate or defecate or expectorate on a transit vehicle or within a transit facility.
- smoking* 3.21 No person shall smoke or chew any tobacco product on a transit vehicle or within a transit facility.
- liquor* 3.22 No person shall, 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.
- large, bulky, or sharp objects* 3.23 No person shall 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.
- transportation of bicycles* 3.24 No person shall transport a bicycle on a transit vehicle during peak hours or emergencies or if the transit vehicle is heavily loaded.
- refuse permission to board* 3.25 No person shall 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 furnish proof of payment or proof of exemption from fare payment in accordance with section 2.1 or 2.2 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.
- roller skates, in-line skates, skate boards* 3.26 No person shall wear roller skates or in-line skates or operate a skateboard on a transit vehicle or within a transit facility.
- use of cameras* 3.27 No person shall operate for a commercial purpose 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 Region allowing him or her to do so and is operating the device in accordance with the terms of such authorization.
- lost property* 3.28 No person shall 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.

- strollers* 3.29 Any person travelling on a transit vehicle with a child in a foldable or collapsible carriage or stroller shall remove the child and fold or collapse the carriage or stroller upon the request of an authorized officer, where the authorized officer has reasonable grounds to believe that the carriage or stroller is likely to interfere with other standing passengers or with the safe movement of passengers within the transit vehicle. The authorized officer shall have the right to require the person to leave the transit vehicle if the person fails or refuses to comply with such a request.
- accessibility devices* 3.30 Wheelchair, kneeling and ramp systems may be deployed only by an operator and only at accessible transit vehicle stops, and at the prior request of a passenger.
- feet on seat* 3.31 No person shall place his or her footwear, socks or bare feet on the seat of any transit vehicle.
- 4. AUTHORIZATION**
- 4.1 Where anything in this by-law is subject to authorization by the Region, such authorization may be given by the General Manager, York Region Transit (YRT) or by his or her designate.
- 5. PENALTIES AND ENFORCEMENT**
- contravention of by-law* 5.1 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*.
- require identification* 5.2 Where an authorized officer has reasonable grounds to believe that an offence has been committed by a person, the authorized officer may require the name, address and proof of identity of that person, and the person shall supply the required information.
- compliance with by-law* 5.3 No person shall have the right to travel on a transit vehicle or be within a transit facility unless the person is in compliance with the requirements of this by-law and all other applicable law.

ENACTED AND PASSED this 21st day of April, 2005.

Denis Kelly
Regional Clerk

Bill Fisch
Regional Chair