



**THE CORPORATION OF THE CITY OF MISSISSAUGA
TRANSIT BY-LAW 425-03**

(Amended by 373-05, 250-07, 380-07, 239-08, 285-09)

WHEREAS Sections 8, 9 and 11(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, enable Council to pass by-laws to regulate and prohibit in respect of matters relating to bus passenger transportation systems;

NOW THEREFORE the Council of the Corporation of the City of Mississauga ENACTS as follows:

Definitions

1. In this by-law,

“City” means the City of Mississauga in the Regional Municipality of Peel;

“Corporation” means the Corporation of the City of Mississauga;

“Enforcement Officer” means any one of the Corporation's By-law Enforcement Officer, or an officer with the Mississauga Transit Enforcement Services; (380-07)

“exact fare” means the fare prescribed by the Corporation from time to time for a passenger's use of and transportation by the Corporation's public bus transportation system;

“Mississauga Transit” means the division within the Transportation and Works Department of the Corporation which is responsible for the operation and control of the City's public bus transportation system;

“Mississauga Transit Vehicle” means any vehicle which is used as part of the Corporation's public bus transportation system and falls under the operation and control of Mississauga Transit.

“pass” means a pass voucher, valid for a specific time period, issued by Mississauga Transit together with appropriate identification verifying the validity thereof;

“person” includes individuals, partnerships, corporations, associations, and any other entities; (239-08)

“senior” means any person who is 65 years of age or more; (380-07)

“senior’s pass” means a pass issued to a senior;

“student” means a full-time student of a school or a private school as defined in the *Education Act*, R.S.O. 1990, c. E.2, as amended, or a full-time student of a post-secondary institution established under the *Post-secondary Education Choice and Excellence Act, 2000*, S.O. 2000, c. 36, as amended, or the *Ontario Colleges of Applied Arts and Technology Act, 2002*, S.O. 2002, c. 8, as amended;

“student’s pass” means a pass issued to a student but shall not include a U-Pass; (250-07)

“ticket” means a voucher sold to a passenger which will permit the passenger to use and be transported by one bus on one particular and specific route only at any one time;

“transfer” means a voucher issued to a passenger after the payment of the applicable exact fare which will permit the passenger to use and be transported by a bus of another route without payment of an additional fare, subject to the conditions of use found on the reverse side of the voucher;

“Transit Supervisor” means a Transit Supervisor or an Acting Transit Supervisor of Mississauga Transit, or any person appointed by Mississauga Transit from time to time to carry out the duties of a Transit Supervisor;

“U-Pass” means a pass issued to a full-time student of the University of Toronto at Mississauga, which shall be comprised of two (2) parts: (250-07)

- (i) a current and valid student identification card issued to a student by the University of Toronto at Mississauga; and
- (ii) a current and valid transit fare U-Pass Card issued by the City to a full-time student of the University of Toronto at Mississauga. (285-09)

Administration of By-Law

- 2. Mississauga Transit shall be responsible for the administration of this by-law.

Exclusivity

- 2.1 (1) No person other than the City shall establish, operate, or maintain a passenger transportation system in the City except for other public transit agencies or entities as authorized by the Director of Mississauga Transit to operate within the City. (239-08)

- (2) Subsection (1) does not apply to the GO Transit, the Regional Municipality of Peel for its Transhelp Service, or any other persons who establishes, operates or maintains a passenger transportation system that is exempted from the application of this by-law under section 69 of the *Municipal Act, 2001*, as may be amended from time to time, or other applicable legislation. (239-08)

Regulation of Fares and Transfers

3. (1) No person shall board, ride upon or otherwise use or be transported on a bus operated and controlled by Mississauga Transit unless:
 - (a) he or she has tendered the applicable exact fare for payment; or
 - (b) he or she produces an applicable pass, valid ticket, valid transfer, valid Mississauga Transit employee security pass, or other documentation approved by the Corporation.
- (2) Notwithstanding subsection 3(1), no Police Officer, Enforcement Officer, or Mississauga Transit employee while on duty or in the performance of their duties, and no person who is legally blind, shall be required to pay for boarding, riding upon or otherwise using or being transported by a bus operated and controlled by Mississauga Transit. (380-07)
- (3) Notwithstanding subsection 3(1)(a), a person may tender for payment of a fare an amount greater than the applicable exact fare and, when such an amount is tendered, the tenderer will provide identification to the bus operator and the bus operator will submit an incident report to his or her manager about any such overpayment.
- (4) Mississauga Transit will refund an overpayment referred to in subsection 3(3) when the tenderer attends at the offices of Mississauga Transit and provides identification to the appropriate Mississauga Transit representative.
4. Any person who refuses either to tender payment of the applicable exact fare as provided in subsection 3(1), or to tender a greater amount as provided in subsection 3(3), or, to produce either a valid pass, ticket, transfer, or other documentation approved by the Corporation, shall be deemed to have refused to pay the required fare and shall not be allowed to use the Corporation's public bus transportation system.
5. No person shall:
 - (a) use or produce a revoked, expired, fictitious, invalid or altered pass, ticket or transfer; or
 - (b) lend, give or sell a transfer issued to him or her by Mississauga Transit or an agent of Mississauga Transit; or

- (c) use or produce, as his or her own, a pass, ticket or transfer which was issued to someone else by Mississauga Transit or an agent of Mississauga Transit; or use a pass or ticket that is being used by another person at the same time.

Conditions Governing Issuance of All Passes

- 6. The issuance of every pass is subject to the following conditions:
 - (a) the pass is valid on regular scheduled Mississauga Transit service for the period of time shown on the pass;
 - (b) the pass is not transferable;
 - (c) if lost, a duplicate pass will not be issued, except in respect of a U-Pass as provided in section 6.1 or a senior's pass as provided in subsection 7(2)(b) below; (250-07)
 - (d) the pass shall be sold by authorized vendors only and shall not be reproduced in any fashion; and
 - (e) the pass is not refundable, except in respect of senior's pass as provided in subsection 7(2)(c) below;
 - (f) the holder of the pass shall comply with the terms and conditions set out in Section 7.
- 6.1 If a student requires a replacement of a U-Pass, the student may be issued a replacement U-Pass Card by the University of Toronto at Mississauga upon payment of the appropriate placement fee as provided in the applicable City of Mississauga Fees and Charges By-law and any University administrative fee. (250-07, 285-09)

Use of a Pass

- 7. (1) The holder of a pass shall comply with all of the following terms and conditions in order to retain the use of the holder's pass:
 - (a) the pass holder shall show the entire pass to the operator;
 - (b) the pass shall be retained by the pass holder as proof of payment on all Mississauga Transit vehicles;
 - (c) the pass holder shall have the pass ready for inspection at all times and upon request the pass must be shown to a Transit Supervisor;

- (d) the pass holder shall comply with the conditions set out on the pass, all the provisions of this by-law and all other applicable rules.
- (2) In addition to complying with all the requirements in subsection 7(1), the holder of a senior's pass shall: (250-07)
 - (a) produce for inspection by the bus operator a valid pass which bears the signature of the pass holder and be accompanied by a Mississauga Transit photo identification card; and
 - (b) immediately upon purchase of a pass, complete, tear off and place in the farebox, the tab portion of the pass containing the pass holder's name, address and telephone number as proof of purchase should the pass holder wish to claim a lost pass.
- (3) In the event of a senior's pass holder's death, the pass holder's estate may make an application to Mississauga Transit to obtain a full or partial refund of the pass.
- (4) In addition to complying with all the requirements in subsection 7(1), the holder of a student's pass shall provide documentary proof for inspection by the bus operator that the holder is a student. (250-07)

Ownership and Confiscation of Passes

- 8. Every pass remains at all times the property of the Corporation and, as such, a Mississauga Transit employee may seize, confiscate or retain a pass from any person whom the Mississauga Transit employee believes on reasonable grounds has used the pass in contravention of this by-law.

Operation by Unauthorized Persons

- 9. Only an employee or agent of Mississauga Transit or a person authorized by Mississauga Transit shall handle or operate any bus or any part of the mechanism or equipment of a bus or any other equipment or devices used in connection with the Corporation's public bus transportation system except such equipment and devices which are designated and intended for passenger use, provided that such equipment and devices are used by passengers in accordance with the applicable rules.

Boarding and Leaving Transit Vehicles

10. (1) No person shall ride on, stand on, or hold on to the exterior of any Mississauga Transit Vehicle.
- (2) No person shall lean out of or otherwise project any part of his or her body beyond the edge of any Mississauga Transit Vehicle or beyond the perimeter of any Mississauga Transit platform except to enter or leave the bus by the designated doors.
- (3) Other than in an emergency, no person shall board or leave a Mississauga Transit Vehicle except through the designated doors.
- (4) No person shall board or leave, or attempt to board or leave a Mississauga Transit Vehicle contrary to instruction provided by the Mississauga Transit Vehicle operator, a Transit Supervisor, or the Corporation's By-law Enforcement Officer. (380-07)

Damage to Corporation Property

11. No person shall cause or attempt to cause any damage to a bus, a bus shelter or other vehicle or property which is owned, leased, occupied or used by the Corporation that constitutes any part of the public bus transportation system.

Conduct in, on or about Corporation Property

12. (1) No person shall do any of the following in, on or about property owned, leased, occupied or used by the Corporation that constitutes any part of the public transportation system including a Mississauga Transit Vehicle, bus shelter or other vehicle: (380-07)
 - (a) litter;
 - (b) activate any emergency alarm or device, or use any emergency telephone, except in an emergency;
 - (c) cause a disturbance to the public;
 - (d) consume alcoholic beverages;
 - (d) smoke, or carry a lighted cigar, cigarette, or pipe;

- (e) sell or attempt to sell any newspaper, magazine, merchandise or any other article or thing, distribute any pamphlet or literature, or solicit members of the public for any purpose whatsoever, except with the prior written permission of Mississauga Transit;
 - (f) wear and/or use roller blades, in line skates, roller skates, ice skates or skateboards;
 - (g) bring a bicycle on a Mississauga Transit Vehicle contrary to instructions of the Mississauga Transit operator; (380-07)
 - (g.1) occupy a position that interferes or likely to interfere with the safety of the Mississauga Transit operator or the safe operation of the Mississauga Transit Vehicle; (380-07)
 - (g.2) act in any way that interferes or likely to interfere with the operation of any part of a Mississauga Transit Vehicle; (380-07)
 - (h) bring an article of any kind aboard a Mississauga Transit Vehicle 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 from the operator of the Mississauga Transit Vehicle;
 - (i) bring any explosive, flammable or toxic material or any dangerous weapon of any kind;
 - (j) subject to subsection 12(2), bring any dog that is not leashed and muzzled or contained in a cage, or any other animal that could cause a disturbance or a nuisance or threaten the safety of any other person; (373-05)
 - (k) play, except with the prior written permission of Mississauga Transit, a musical instrument or operate any radio, transmitting or receiving device, tape recorder, or similar device, unless the sound therefrom is conveyed to that person by an earphone;
 - (l) fail to be fully clothed and wear shoes at all times;
 - (m) spit; or
 - (n) conduct himself/herself in a manner that creates public indecency.
- (2) subsection 12(1)(j) shall not apply to a service animal, including a guide dog and other trained service animals identifiable by a harness, used to assist persons with a visual, hearing or other impairment, provided that the owner of any such animal is solely responsible for the behavior of that animal and that it does not cause a disturbance or a nuisance, or threaten the safety of any other persons.

- (3) Any person wishing to seek an exemption under subsection 12(1)(j) to have their animal muzzled shall apply for a hearing before the Appeal Committee in accordance with the Animal Care and Control By-law 98-04, as amended, in the same manner as a person wishing to apply for a hearing before the Appeal Committee where a muzzle order has been issued. The sections in the Animal Care and Control By-law 98-04, as amended, with respect to the rights and obligations of the appellant and the Corporation at a hearing appealing a muzzle order shall apply with any necessary modifications. (373-05)

Lost Property

13. The Corporation assumes no responsibility for the passengers' personal belongings, which shall remain at all times the responsibility of passengers.
14. Only a Mississauga Transit employee may remove any article left in or on a Mississauga Transit Vehicle, or any other property or premises of the Corporation, by a person as a result of inadvertence or otherwise. Any article so removed shall be kept for a 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 Corporation's applicable by-laws regarding animal control and care.
15. Any person seeking to retrieve an article left in or on a Mississauga Transit Vehicle, or any other property or premises of the Corporation, and that has been removed from the said vehicle, property or premises, may retrieve the article within 14 days of its removal if:
 - (a) the article has not been disposed of pursuant to section 14; and
 - (b) the person provides proper identification to demonstrate that s/he is the owner of the article or that s/he has written consent from the property owner to redeem the article.
16. Any article that is not retrieved by the owner within 14 days is the property of the Corporation and may be used, sold, or otherwise disposed of, by Mississauga Transit.

Unauthorized Vehicles

17. No unauthorized vehicle is allowed on any property which forms part of the Corporation's public transportation system and such vehicles will be fined or towed at the owner's expense.

Compliance

18. Any person who fails to comply with the provisions of this by-law, or who is otherwise disturbing the peace, may be directed by an Enforcement Officer to remove himself or herself forthwith from any vehicle, property, or premises that forms part of the Corporation's public transportation system. Failure to comply with any such direction shall be deemed to be an offence. (380-07)

Penalty

19. Any person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine pursuant to the *Provincial Offences Act*, R.S.O. 1990, c. P-33, as amended.

Interpretation

20. In this by-law, unless the context otherwise requires, words importing the single number shall include the plural and words importing gender shall include the masculine, feminine and neuter genders.

Repeal of By-Law

21. By-law 261-90 is hereby repealed.

Effective Date

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

ENACTED and PASSED this 22nd day of October 2003.

Signed by: Acting Mayor, Pat Saito and City Clerk, Crystal Greer