

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-79

TRANSIT: (L.5.7.) A by-law to authorize a policy for Sault Ste. Marie Transit Services.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie,
ENACTS as follows:

1. **DEFINITIONS**

In this by-law,

- (1) "Bicycle" includes a tricycle and unicycle but does not include a motor assisted bicycle.
- (2) "Fare" means the amount to be paid for travel on the transit system as determined by The City of Sault Ste Marie.
- (3) "Fare media" means any ticket, token, pass, transfer or other media issued by and acceptable to Sault Ste. Marie Transit Services ("Transit Services"), and includes, without limitation, an electronic trim kit ticket, any single ride or multi ride ticket, day pass, semester pass, or any period pass.
- (4) "Guide dog or service animal" shall have the same meaning as set out in Ontario Regulation 429/07 of the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, as amended
- (5) "Loiter" means to linger without due cause and includes but is not limited to:
 - i) idly spending time in or on Transit Services property without express purpose of using the transit system;
 - ii) lingering, sauntering or remaining in or on Transit Services property without due cause; and
 - iii) failing to board the next available Transit Services vehicle, where possible, for the intended route.
- (6) "Multi-pass" means a multiple of single ride passes on one card.
- (7) "Proper authority" means any employee or agent of Transit Services wearing a Transit Services uniform.
- (8) "Transit Services" means Sault Ste Marie Transit Services.
- (9) "Terminal" means 160 Queen Street East – the point where all buses meet.
- (10) "Transfer" means points between lines ridden in succession as part of one continuous trip from origin to destination.
- (11) "Transit system" means the transit system, or any part thereof, operated by or on behalf of Transit Services and includes but is not limited to Transit Services cab, charter, conventional, specialized and community bus services.

2. **REQUIREMENT TO PAY FARE – CONDITIONS OF USE**

- (1) No person shall travel or attempt to travel on the transit system without paying the appropriate fare:
 - i) Where the amount of the fare charged for passage on the transit system is disputed, the passenger shall pay the amount requested by the proper authority.
 - ii) A passenger who refuses to pay the amount of fare requested by a proper authority shall be refused passage on the transit system.
- (2) No person shall, unless otherwise set out in the conditions of use:
 - i) in any way alter, change or recreate any fare media, other than an employee or agent of Transit Services authorized to do so;
 - ii) travel or attempt to travel on the transit system with fare media that has been altered, changed, recreated in any way by a person other than an employee or agent of Transit Services who is authorized to do so;
- (3) Fare media shall be:
 - i) valid for the period as indicated on the fare media; and
 - ii) valid in accordance with the conditions of use of the fare media.
- (4) It is a term and condition of each fare media issued by Transit Services or on behalf of Transit Services and for every ride on the transit system that Transit Services, its employees and agents:
 - i) are not liable to passengers for damaged, lost or stolen fare media;
 - ii) are not liable for delays or cancellations of any kind caused by any reason;
 - iii) shall have the right, whenever operating circumstances require it, to transfer a passenger from one vehicle to another vehicle; and
 - iv) are not responsible for loss of or damage to property of passengers carried onto the transit system.
- (5) No person paying a fare using cash fare or multi-pass shall be entitled to more than one transfer.
- (6) No person paying a fare using a form of fare media not mentioned in subsection (5) shall be entitled to a transfer.
- (7) No person shall sell exchange or give away a transfer unless otherwise authorized by Transit Services.
- (8) No person shall be issued a transfer at the terminal. Transfers are to be used only for one trip from origin to destination within the sixty minute time limit.

3. **CONDUCT ON TRANSIT SYSTEM**

No person shall:

- (1) Travel on the transit system with an animal unless the animal is in an enclosed container that remains secured at all times while on the transit system provided that the animal does not inconvenience or jeopardize the safety of other passengers or Transit Services employees.

The above does not prohibit a guide dog or service animal from accompanying any passenger with a disability provided that the guide dog or service animal remains under control of the passenger at all times while on the transit system.

- (2) No person shall operate, park or store an unlicensed vehicle, save and except for a Transit Services vehicle on Transit Services property.
- (3) No person shall roller-skate, in-line skate or skate-board in or on Transit Services property.
- (4) No person shall wear roller-skates or in-line skates while in or on Transit Services property.
- (5) No person shall operate a bicycle on Transit Services property except on the portion of the property consisting of a roadway which is intended for public use for the purpose of arriving at or departing from Transit Services property.
- (6) No person shall willfully obstruct or interfere with the proper authority in the performance of his or her duties.
- (7) No person shall display, offer, distribute or place handbills, signs, notices or any form of written or printed matter on or in Transit Services property without authorization.
- (8) No person shall sell or attempt to sell any merchandise, article or other thing or solicit members of the public for any purpose on SSM Transit property without authorization.
- (9) No person shall operate any camera, video recording device, movie camera or any similar device for commercial purposes upon the transit system without authorization.
- (10) No person shall place his or her foot or feet on a vehicle seat or lay thereon any object or substance that may soil the seat.
- (11) No person shall lie down on a bench, seat or floor of any Transit Services property.
- (12) Every person while on Transit Services property shall wear shoes, boots, sandals or similar footwear.
- (13) No person shall ride, hang or stand on any exterior portion of a vehicle or lean out of or project any part of his or her body through any window of the bus.
- (14) No person shall hold or force a vehicle door open or hinder or delay the closing of a bus door.
- (15) No person shall smoke within five meters of a Transit Services entrance or shelter or carry a lighted cigar, cigarette, pipe, other tobacco product, or any other lighted smoking equipment or material while in or on Transit Services Property.
- (16) No person, unless authorized, shall enter or remain on any Transit Services property that is in possession of a firearm, air gun, air rifle, pellet

gun, pellet rifle, gas charged gun, and gas charged rifle, imitation firearm, an offensive weapon or a prohibited weapon.

(17) No person shall cause a disturbance or act contrary to the public peace on Transit Services property, including but not limited to;

- i) urinating, expectorating or defecating, except in facilities specifically intended for such actions;
- ii) using profane, insulting or obscene language or gestures;
- iii) behaving in an indecent or offensive manner;
- iv) shining any type of light at an operator of Transit Services vehicle or any other passengers;
- v) fighting; or
- vi) behaving in a manner which would interfere with the ordinary enjoyment of persons using the transit system.

(18) A proper authority may refuse passage on the transit system to:

- i) a person behaving or appearing to behave in a manner that would interfere with the ordinary enjoyment of persons using the transit system or that may result in harm to themselves or others;
- ii) a person whose conduct is or is likely to be objectionable to other passengers;
- iii) a person carrying luggage, a large parcel or any object or thing that causes inconveniences or is likely to inconvenience other passengers or Transit Services employees; and
- iv) a person who alters their identity through the use of a disguise intended to obscure or otherwise alter their appearance.

4. **PENALTIES AND ENFORCEMENT**

- (i) Any person who contravenes any provision of this by-law may be removed from the transit system and Transit Services property and may have any fare media confiscated by Transit Services.
- (ii) 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 Provincial Offences Act.

5. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

PASSED in open Council this 12th day of April, 2010.

MAYOR – JOHN ROWSWELL

CLERK – MALCOLM WHITE