

MEMORANDUM

TO: Regional Chair
Members of Council

FROM: Joy Hulton
Regional Solicitor

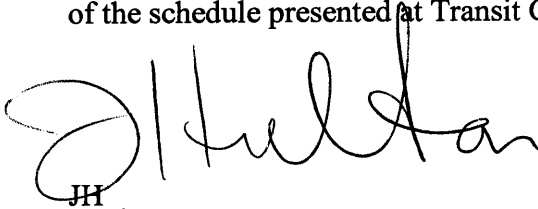
DATE: April 20, 2005

RE: **Set Fine Order**
Transit By-law

At the meeting of the Transit Committee held on April 14, 2005, Committee directed staff to revise the proposed set fine schedule for the transit by-law to provide for higher penalties for more serious offences.

The *Provincial Offences Act* provides that proceedings commenced under Part I (set fines) are subject to a maximum fine of \$500. Accordingly, the revised schedule reflects this provision. Proceedings may also be commenced under Part III by issuing a summons, in which case the maximum fine is \$5,000.

A revised schedule is attached. It is recommended that the attached schedule be adopted in lieu of the schedule presented at Transit Committee.



JH

Set Fine Schedule
THE REGIONAL MUNICIPALITY OF YORK
 Part I - *Provincial Offences Act*

Item	Column 1 Short Form Wording	Column 2 Provision Creating Offence	Column 3 Set Fine (includes costs)
1	Travel without depositing fare	Section 2.1 (a)(i)	\$125
2	Travel without proof of payment	Section 2.1 (a)(ii)	\$125
3	Fail to show proof of payment	Section 2.2	\$125
4	Fail to comply with conditions of use	Section 2.4	\$125
5	Sell proof of payment without permission	Section 2.5	\$125
6	Attempt to sell proof of payment without permission	Section 2.5	\$125
7	Unauthorized use of proof of payment	Section 2.6	\$125
8	Use altered pass	Section 2.7	\$125
9	Use counterfeit pass	Section 2.7	\$125
10	Produce altered pass	Section 2.7	\$125
11	Produce counterfeit pass	Section 2.7	\$125
12	Fail to have proof of payment for each zone	Section 2.8	\$125
13	Obtain more than one transfer per fare	Section 2.9 (a)	\$125
14	Travel with transfer not properly issued	Section 2.9 (b)	\$125
15	Travel with invalid transfer	Section 2.10	\$125
16	Contravention of rules or regulations	Section 3.1	\$125
17	Fail to follow instructions	Section 3.2	\$125

PUBLIC TRANSIT VEHICLES AND FACILITIES

April 2005

Item	Column 1 Short Form Wording	Column 2 Provision Creating Offense	Column 3 Set Fine (includes costs)
18	Carry a firearm	Section 3.3 (a)	\$500
19	Carry dangerous materials	Section 3.3 (b)	\$500
20	Carry item that may cause harm	Section 3.3 (c)	\$125
21	Occupy position likely to interfere with operator	Section 3.4	\$125
22	Interfere with operation of part of transit vehicle	Section 3.5	\$125
23	Operate part of transit vehicle without authorization	Section 3.6	\$125
24	Operate equipment without authorization	Section 3.6	\$125
25	Operate part of transit system without authorization	Section 3.6	\$125
26	Part of body or object outside transit vehicle	Section 3.7	\$125
27	Hold on to outside of transit vehicle	Section 3.8	\$125
28	Board or leave transit vehicle while in motion	Section 3.9	\$125
29	Attempt to board or leave transit vehicle while in motion	Section 3.9	\$125
30	Board or leave transit vehicle contrary to instructions	Section 3.9	\$125
31	Attempt to board or leave transit vehicle contrary to instructions	Section 3.9	\$125
32	Fail to use identified doors	Section 3.10	\$125
33	Prohibited animal	Section 3.11	\$75
34	Animal likely to cause harm	Section 3.12	\$75
35	Attempt to sell or solicit on transit vehicle or facility	Section 3.13	\$125

PUBLIC TRANSIT VEHICLES AND FACILITIES

April 2005

Item	Column 1 Short Form Wording	Column 2 Provision Creating Offence	Column 3 Set Fine (includes costs)
36	Distribute materials or solicit on transit vehicle or facility	Section 3.14	\$125
37	Littering on transit vehicle or facility	Section 3.15	\$125
38	Unauthorized operation of audio device	Section 3.16	\$125
39	Loitering on transit vehicle or facility	Section 3.17	\$125
40	Damage to property	Section 3.18	\$125
41	Jeopardize safety	Section 3.18	\$125
42	Disturb the peace on transit vehicle or facility	Section 3.19	\$125
43	Urinate, defecate or expectorate on transit vehicle or facility	Section 3.20	\$125
44	Smoking or chew tobacco on transit vehicle or facility	Section 3.21	\$125
45	Consume alcoholic product on transit vehicle or facility	Section 3.22 (a)	\$125
46	Carry open alcoholic product on transit vehicle or facility	Section 3.22 (b)	\$125
47	Bring large, bulky, or sharp object when prohibited	Section 3.23	\$125
48	Transport bicycle when prohibited	Section 3.24	\$125
49	Refusal to pay	Section 3.25 (a)	\$125
50	Endangering health or safety	Section 3.25 (b)	\$125
51	Disorderly, profane or boisterous conduct	Section 3.25 (c)	\$125
52	Wear roller skates or inline skates	Section 3.26	\$125
53	Operate skateboard	Section 3.26	\$125

PUBLIC TRANSIT VEHICLES AND FACILITIES

April 2005

Item	Column 1 Short Form Wording	Column 2 Provision Creating Offence	Column 3 Set Fine (includes costs)
54	Operate camera for commercial purposes without permission	Section 3.27	\$125
55	Remove lost property from transit vehicle or facility	Section 3.28	\$125
56	Fail to fold or collapse stroller or carriage on request	Section 3.29	\$125
57	Fail to leave with stroller or carriage when requested	Section 3.29	\$125
58	Inappropriate deployment of accessibility devices	Section 3.30	\$125
59	Feet on seat	Section 3.31	\$125
60	Refusal to supply identification	Section 5.2	\$125