

NO. 20-033

STREETS AND TRAFFIC BYLAW, AMENDMENT BYLAW (NO. 9)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the Streets and Traffic Bylaw No. 09-079 to delegate powers to the Director of Engineering to set fees for the use of public electric vehicle charging stations and designate portions of streets for electric vehicles, and update the language with respect to persons with disabilities and accessible parking permits.

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The Council of the Corporation of the City of Victoria enacts the provisions in this Bylaw under its statutory powers, which includes the *Community Charter*, *Motor Vehicle Act*, and *Victoria City Acts*.

Title

- 1 This Bylaw may be cited as the "Streets and Traffic Bylaw, Amendment bylaw (No. 9)".

Definition

- 2 "Bylaw" means the Streets and Traffic Bylaw No. 09-079.

Amendments

- 3 The Contents section of the Bylaw is amended by:
 - (a) inserting "72A Electric vehicle charging zone" immediately after "72 Pay Station Zone"; and
 - (b) deleting the words "handicapped persons" and replacing it with "persons with disabilities" where those words appear next to section 73.
- 4 Section 4 of the Bylaw is amended by:
 - (a) inserting the following definition immediately after the definition for "car share co-op vehicle":

""charging station"

means a battery charging station that is available for public use for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle;”;

- (b) inserting the following definition immediately after the definition for “dwelling”:

““electric vehicle”

means a vehicle that operates, either partially or exclusively, on electrical energy from an off-board source that is stored on-board for motive purposes, but does not include vehicles that cannot be licensed by the Insurance Corporation of British Columbia;”;

- (c) inserting the following definition immediately after the definition for “electric vehicle”:

““electric vehicle charging zone”

means any street or part of it that has been designated and identified for the exclusive use of electric vehicles;”;

- (d) repealing the definition of “handicapped person” and replacing it with the following definition by inserting it immediately after the definition for “pay station zone”:

““person with disabilities”

means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult to walk;”;

5 Section 45 of the Bylaw is amended:

- (a) in subsection (k), by deleting the words “Handicapped Persons” and replacing with “Accessible”;

- (b) in subsection (aa), by deleting the period and replacing it with a semicolon;

- (c) by adding the following new subsection immediately after subsection (aa):

“(bb) Electric Vehicle Charging Zone in which charging stations for the exclusive use of electric vehicles shall be erected, maintained, and operated, prescribing fees for the use of charging stations and parking spaces in that zone, prescribing the length of time during which a charging station may be utilized or electric vehicle may be continuously parked within that zone, and prohibiting the stopping, standing or parking in that zone by other vehicles.”

6 The following sections of the Bylaw are amended by deleting “handicapped person” wherever it appears and replacing it with “person with disabilities”:

- (a) section 51(5);
- (b) the explanatory title to section 60;
- (c) sections 60(1), (3) and (4);
- (d) the explanatory title to section 73;
- (e) sections 73(1)(a) and (b), and 73(2) to (11) inclusive; and
- (f) the introductory wording in section 78(6).

7 Section 60(2) of the Bylaw is amended as follows:

- (a) in subsection (a) and (c), by deleting “a handicapped persons” and replacing with “an accessible”; and
- (b) in subsection (b), by deleting “handicapped persons” and replacing with “accessible”.

8 Section 72(6) of the Bylaw is repealed and replaced with the following:

“(6) the exemptions granted under section 73 to a person with disabilities who holds a valid and subsisting Employee Accessible Parking Permit, an Accessible Parking (Temporary) Permit or an Accessible Parking Permit are applicable to that holder when parking in Pay Station Zones under the same terms and conditions applicable to the holder under section 73.”

9 The Bylaw is amended by inserting the following new section immediately after section 72(10):

“Electric Vehicle Charging Zone

- 72A (1) The driver of an electric vehicle must not cause or permit the electric vehicle to park, stop or remain standing in an Electric Vehicle Charging Zone when the Zone is in effect, except for the purpose of charging the electric vehicle at a charging station for the permitted time in accordance with signs placed in or near that Zone.
- (2) The driver of a vehicle that is not an electric vehicle must not cause or permit the vehicle to stop or remain standing within an area designated as an Electric Vehicle Charging Zone during the times when the Zone is in effect.
- (3) The driver of an electric vehicle must immediately upon parking, connect the electric vehicle to the charging station closest to the

parking space at which the electric vehicle is parked to initiate a charging session, and pay the fee for that space and charging time at the end of the session by any method indicated in the instructions on the charging station.

- (4) No person shall use a charging station for any longer than
 - (a) the amount of time purchased for that space; and
 - (b) the limited period of time for which charging is lawfully permitted as stated on the charging station or posted sign.
- (5) No person shall tamper with, deface, damage, or destroy a charging station.
- (6) No person shall plug or unplug an electric vehicle not under their custody from a charging station.
- (7) If a person parks or charges a vehicle contrary to the provisions of this section, a separate offence is deemed to have been committed for each successive period of time during which the vehicle could have been lawfully parked during the period of time the vehicle was unlawfully parked in the parking space.”

10 Section 78(6)(a) of the Bylaw is amended by deleting the words “A handicapped person’s” and replacing them with “An accessible”.

Consequential Amendments to Ticket Bylaw and Bylaw Notice Adjudication Bylaw

11 The Ticket Bylaw No. 10-071 is amended in Schedule JJ on page 58, by inserting the following new rows after “Park in Tour Bus Zone”:

Park in Electric Vehicle Charging Zone contrary to Streets & Traffic Bylaw	72A(1),(2), (3)	\$175.00	\$125.00
Charge electric vehicle beyond permitted time	72A(4)	\$40.00	\$20.00
Tamper/deface/damage/destroy electric vehicle charger	72A(5)	\$300.00	\$250.00
Unlawful plug/unplug electric vehicle	72A(6)	\$75.00	\$50.00

12 The Bylaw Notice Adjudication Bylaw No. 16-017 is amended in Schedule A by:

- (a) inserting the following new rows immediately after “71 Parking in a metered zone”:

“72A(1) Parking in an electric vehicle charging zone without charging	40	20
72A(2) Parking non electric vehicle in electric vehicle parking zone	80	50

72A(4) Charging electric vehicle beyond permitted time	40	20
72A(5) Tamper, deface, damage or destroy charging station	350	175
72A(6) Unplug or plug electric vehicle not under custody ;and	40	20"
(b) deleting the words that appear next to section 60 and replacing them with "Parking in a parking or loading zone for persons with disabilities".		

Effective Date

13 This bylaw comes into force upon adoption.

READ A FIRST TIME the	26th	day of	November	2020
READ A SECOND TIME the	26th	day of	November	2020
READ A THIRD TIME the	26th	day of	November	2020
ADOPTED on the	3rd	day of	December	2020

"CHRIS COATES"
CITY CLERK

"LISA HELPS"
MAYOR