

CITY OF WHITEHORSE
REGULAR Council Meeting #2015-14

DATE: Monday, July 13, 2015

TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Betty Irwin
Reserve Deputy Mayor Mike Gladish

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA: Adoption

PROCLAMATIONS: 10th Anniversary of Rotary Centennial Bridge

MINUTES: Regular Council Meeting #2015-13 dated June 29, 2015

DELEGATIONS:

PUBLIC HEARING: Bylaw 2015-16 Zoning Amendment (102/104 Lambert Street)

COMMITTEE

REPORTS:

Development Services – *Councillor Stockdale & Curteanu*

Corporate Services – *Councillors Gladish & Curteanu*

Council Remuneration for 2015 – 2018 Term of Office
Amend City Manager Bylaw

City Planning – *Councillor Curteanu & Stockdale*

City Operations – *Councillors Irwin & Gladish*

Community Services – *Councillors Streicker & Irwin*

Rogers Hometown Hockey Letter Agreement

Public Health & Safety – *Councillors Stockdale & Streicker*

NEW & UNFINISHED

BUSINESS:

<u>BYLAWS:</u>	2015-19 – Vehicle for Hire Bylaw	3 rd Reading
	2015-20 – Parks and Public Open Space Bylaw	3 rd Reading
	2015-26 – Fees & Charges Amendment	3 rd Reading
	2015-21 – Amend City Manager Bylaw	1 st & 2 nd Reading
	2015-22 – Council Remuneration Bylaw (2015-2018 Term)	1 st & 2 nd Reading

ADJOURNMENT:



Public Notice

July 15, 2015 marks the 10th Anniversary of the Rotary Centennial Bridge.

The bridge represents the conclusion of a dream to connect the citizens of Whitehorse to one of the most attractive features of our community – the shores of the Yukon River. The dream started with the construction of the multi-use Millennium Trail, conceived by Father Jean-Marie Mouchet, a long-time advocate of healthy living. The continuous loop trail now winds its way along both banks of the Yukon River.

The Whitehorse Rotary Clubs are members of a worldwide organization of volunteers who provide humanitarian service, work on community projects and help build goodwill and peace throughout the world. The construction of this bridge marked the 100th Anniversary of the founding of Rotary International.

The bridge project was a joint undertaking of the City of Whitehorse, Transport Canada, Yukon Energy Corporation and the Rotary Clubs of Whitehorse, with assistance from many sponsors.

The City of Whitehorse is proud to celebrate the anniversary of the Rotary Centennial Bridge and encourages everyone to take advantage of the opportunity to connect to the Yukon River that this bridge provides.

On Wednesday, July 15, starting at 12:00 noon, there will be an celebration of this anniversary on the Riverdale side of the Bridge. Everyone is welcome to attend!

MINUTES of **REGULAR** Meeting #2015-13 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, June 29, 2015, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis
Councillors Jocelyn Curteanu
Betty Irwin
Dave Stockdale
John Streicker

ABSENT: Councillor Mike Gladish

ALSO PRESENT: Acting City Manager Mike Gau
Director of Community Services Linda Rapp
Acting Director of Corporate Services Valerie Anderson
Acting Director of Development Services/Infrastructure Wayne Tuck

Mayor Curtis called the meeting to order at 5:30 p.m.

CALL TO ORDER

2015-13-01

It was duly moved and seconded
THAT the agenda be adopted as presented.

AGENDA

Carried Unanimously

2015-13-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated June 15, 2015
be adopted as presented.

MINUTES

June 15, 2015

Carried Unanimously

DELEGATIONS

Lesley Cabott, President of the Whitehorse Chamber of Commerce, spoke to the 2014 financial statements. She noted that the Chamber has questions regarding two of the financial stability tests cited in the statements, especially with respect to how the new operations building will affect these tests. She advised that the Chamber is willing to assist Council in communicating information regarding the deficit in the water and sewer utility, and looks forward to future meetings with Council.

LESLEY CABOTT
Whitehorse Chamber of
Commerce

Ms. Cabott asked for an update on the building consolidation project and confirmed that the Chamber continues to support this initiative. She also asked that the financial report and the annual report be released prior to this year's election.

COMMITTEE REPORTS

Development Services Committee

There was no report from the Development Services Committee.

No Report

City Planning Committee

2015-13-03

It was duly moved and seconded
THAT Bylaw 2015-11, a bylaw to amend the Zoning Bylaw with respect to the sign and enforcement sections and related definitions, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
Signs and Enforcement

Carried Unanimously

2015-13-04

It was duly moved and seconded
THAT Bylaw 2015-23, a bylaw to amend the zoning of a parcel of vacant land located north of the Crestview Neighbourhood to allow for the development of a gravel quarry, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
Gravel Quarry

Carried Unanimously

2015-13-05

It was duly moved and seconded
THAT the subdivision of approximately 2.5 hectares of vacant Yukon land in the Whistle Bend Subdivision for the creation of 29 new lots, greenbelts and lanes as shown on the proposed subdivision sketch be approved subject to the condition that the Yukon Government enter into a Development Agreement with the City of Whitehorse for the construction of underground utilities, roads and lanes to service the proposed subdivision area and other areas of Whistle Bend Subdivision.

SUBDIVISION APPROVAL
WHISTLE BEND

Carried Unanimously

City Operations Committee

There was no report from City Operations Committee.

No Report

Community Services Committee

The Committee noted that students from our Sister City, Ushiku Japan, will be in Whitehorse from July 24 to August 3. Host families are needed for this event, and residents who are interested in participating in this multi-cultural experience by hosting an exchange student are encouraged to contact the Parks and Community Development office.

SISTER CITIES
USHIKU EXCHANGE
For Information Only

Committee members highlighted a number of recent community events and activities including Nuit Blanche, National Aboriginal Day celebrations, and Father's Day.

COMMUNITY EVENTS
For Information Only

Residents and visitors were encouraged to take in the events of the Adäka Cultural Festival at the Kwanlin Dün Cultural Centre from June 26th to July 2nd.

ADÄKA FESTIVAL
For Information Only

Public Health and Safety Committee

2015-13-06

It was duly moved and seconded
THAT Bylaw 2015-19, a bylaw to permit, license, and regulate the owners and operators of vehicles for hire in the City of Whitehorse, be brought forward for due consideration under the bylaw process.

BRING FORWARD
NEW VEHICLE FOR
HIRE BYLAW

Carried Unanimously

Council members discussed the accessibility provisions of the bylaw and some concern was expressed about allowing companies to share an accessible vehicle. The suggestion was made that this provision may need to be reviewed to increase the threshold and ensure that more than one accessible vehicle for hire will be available.

Discussion

2015-13-07

It was duly moved and seconded
THAT Bylaw 2015-20, a bylaw to govern the use of parks and public open space in the City of Whitehorse, be brought forward for due consideration under the bylaw process.

BRING FORWARD
PARKS AND PUBLIC
OPEN SPACE BYLAW

Carried Unanimously

The Mayor commended the actions of Government of Yukon Renewable Resources staff for their assistance with a wildlife matter.

Commendation

Corporate Services Committee

2015-13-08

It was duly moved and seconded
THAT Bylaw 2015-26, a bylaw to amend the Fees and Charges
Bylaw, be brought forward for due consideration under the bylaw
process.

BRING FORWARD
AMENDMENT TO FEES
AND CHARGES BYLAW

Carried Unanimously

A council member suggested that paying interest on security deposits
should be explored, especially given the size of the deposit required for
docks on Schwatka Lake proposed in this bylaw. Council requested
that this issue be investigated.

Discussion

2015-13-09

It was duly moved and seconded
THAT the audited City of Whitehorse 2014 Financial Statements be
approved as presented, and
THAT the Water and Sewer Fund deficit of \$774,743.00 be funded
from the Water and Sewer Reserve.

APPROVE 2014
FINANCIAL STATEMENTS

Carried Unanimously

Council discussed the deficit in the water and sewer fund and the
impact that new development has had on the cost of operating these
utilities. Administration confirmed that there are uncertainties with
respect to advance costing for significant developments, and our ability
to anticipate all the requirements associated with these types of
development should improve.

Discussion

BYLAWS

Councillor Irwin declared a conflict of interest with respect to Bylaw
2015-25 and left Council Chambers while the matter was considered.

Conflict Declared

2015-13-10

It was duly moved and seconded
THAT Bylaw 2015-25, a bylaw to authorize Municipal Charges and
Community Service Grants for the year 2015, having been read a first
and second time, now be given third reading.

BYLAW 2015-25
GRANTS – Community
Service and City Charges
THIRD READING

Carried Unanimously

Councillor Irwin returned to Council Chambers.

Conflict Over

2015-13-11

It was duly moved and seconded
THAT Bylaw 2015-11, a bylaw to amend the zoning bylaw with respect to sign and enforcement regulations and related definitions, be given second reading.

Carried Unanimously

BYLAW 2015-11

ZONING AMENDMENT
Signs and Enforcement
SECOND READING

2015-13-12

It was duly moved and seconded
THAT Bylaw 2015-11, a bylaw to amend the zoning bylaw with respect to sign and enforcement regulations and related definitions, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2015-11

ZONING AMENDMENT
Signs and Enforcement
THIRD READING

2015-13-13

It was duly moved and seconded
THAT Bylaw 2015-23, a bylaw to amend the zoning of a parcel of vacant Yukon land located north of the Crestview Neighbourhood to allow for the development of a gravel quarry, be given second reading.

Carried Unanimously

BYLAW 2015-23

ZONING AMENDMENT
Gravel Quarry
SECOND READING

2015-13-14

It was duly moved and seconded
THAT Bylaw 2015-23, a bylaw to amend the zoning of a parcel of vacant Yukon land located north of the Crestview Neighbourhood to allow for the development of a gravel quarry, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2015-23

ZONING AMENDMENT
Gravel Quarry
THIRD READING

2015-13-15

It was duly moved and seconded
THAT Bylaw 2015-19, a bylaw to permit, license, and regulate the owners and operators of vehicles for hire in the City of Whitehorse, be given first reading.

Carried Unanimously

BYLAW 2015-19

VEHICLE FOR HIRE
FIRST READING

2015-13-16

It was duly moved and seconded
THAT Bylaw 2015-19 be given second reading.

Carried Unanimously

SECOND READING

2015-13-17

It was duly moved and seconded
THAT Bylaw 2015-20, a bylaw to govern the use of parks and public
open space in the City of Whitehorse, be given first reading.

Carried Unanimously

BYLAW 2015-20
PARKS AND PUBLIC
OPEN SPACE
FIRST READING

2015-13-18

It was duly moved and seconded
THAT Bylaw 2015-20 be given second reading.

Carried Unanimously

SECOND READING

2015-13-19

It was duly moved and seconded
THAT Bylaw 2015-26, a bylaw to amend the Fees and Charges
Bylaw, be given first reading.

Carried Unanimously

BYLAW 2015-26
FEES AND CHARGES
AMENDMENT
FIRST READING

2015-13-20

It was duly moved and seconded
THAT Bylaw 2015-26 be given second reading.

Carried Unanimously

SECOND READING

There being no further business, the meeting adjourned at 6:45 p.m.

ADJOURNMENT

Mayor

City Clerk

ADOPTED by resolution at Meeting #2015-

MEMORANDUM

FILE #: Z-10-2015

TO: Mayor and Council
FROM: Administration
DATE: July 13, 2015
SUBJECT: Public Hearing at Regular Council Meeting July 13, 2015

Please be advised there will be a Public Hearing at the Regular Council Meeting of July 13, 2015, to hear from interested parties related to the following zoning amendment:

Bylaw 2015-16, a bylaw to amend the zoning of 102/104 Lambert Street (Lots 6/7, Block 4, Plan 3807 LTO) from CC-Core Commercial to CM2-Mixed Use Commercial 2 to allow for an outdoor recreation equipment sales/rental operation.

Thomas de Jager, on behalf of Dieter Reinmuth, has applied to change the zoning of 102/104 Lambert St from "CC-Core Commercial" to "CM2-Mixed Use Commercial 2". The lot is located between Second Avenue and Front Street downtown, across from the Yukon Visitor Information Centre.

Mr. de Jager wishes to expand his guided paddling, hiking, snowmobile and ATV tours and equipment rentals operation into Whitehorse in order to have a central location from which to operate the business. Mr. de Jager intends to preserve the three log buildings on the site, which are on the City's Heritage Registry, but are not designated heritage resources.

Bylaw 2015-16 received 1st Reading on June 15, 2015. Notices were published in the newspapers on June 19 and 26, 2015. Letters were sent to 18 property owners within 100 m of the subject area. Yukon Government Lands Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were notified by mail.

Darcy McCord
Planner II, Planning Services

cc: Director of Development Services
Manager of Planning and Building Services



Minutes of the meeting of the Development Services Committee

Date	July 6, 2015
Location	Council Chambers, City Hall
Committee Members Present	Councillor Dave Stockdale – Chair Councillor Jocelyn Curteanu – Vice Chair Mayor Dan Curtis Councillor Betty Irwin Councillor John Streicker – Electronic Participation
Absent	Councillor Mike Gladish
Staff Present	Mike Gau, Acting City Manager Valerie Anderson, Acting Director of Corporate Services Douglas Hnatiuk, Acting Director of Community and Recreation Services Dave Albisser, Acting Director of Infrastructure and Operations

Your Worship, there is no report from the Development Services Committee



Minutes of the meeting of the Corporate Services Committee

Date	July 6, 2015
Location	Council Chambers, City Hall
Committee Members Present	Councillor Jocelyn Curteanu – Chair Mayor Dan Curtis Councillor Betty Irwin Councillor Dave Stockdale Councillor John Streicker – Electronic Participation
Absent	Councillor Mike Gladish
Staff Present	Mike Gau, Acting City Manager Valerie Anderson, Acting Director of Corporate Services Douglas Hnatiuk, Acting Director of Community and Recreation Services Dave Albisser, Acting Director of Infrastructure and Operations Barbara Walker, Manager of Human Resources

Your Worship, the Corporate Services Committee respectfully submits the following report:

1. Tax Grants – For Information Only

Bill Curtis from Biathlon Yukon addressed the Committee with respect to the 2015 Municipal Charges Grants. He requested that Council consider a late application for the grant as Biathlon Yukon was not aware that they had to apply under the newly adopted policy.

2. Gift to Council – For Information Only

Murray Martin presented a handmade gift to council in appreciation of their efforts on behalf of the community.

3. Council Remuneration

The current Council Remuneration Bylaw was adopted in 2012. The bylaw provides that, in the final year of their term of office, council may amend the remuneration for the next term of council based on the average Consumer Price Index (CPI) for Whitehorse

for the three-year term just being completed. In addition to amending the remuneration in accordance with the CPI, the proposed bylaw for the 2015 to 2018 term of office includes a number of minor changes including:

- wording changes to clarify additional payments to councillors for representing the City at business functions, events, meetings or training,
- clarifying the time frame to be used for the calculation of the CPI increases;
- a child care allowance for councillors with young dependents who are required to arrange for child care while they attend official meetings; and
- a change to the time frame established for the review of the remuneration bylaw by the outgoing council

The revised bylaw is now being brought forward for consideration.

Recommendation

THAT Bylaw 2015-22, a bylaw to provide for remuneration for mayor and councillors for the 2015 to 2018 term of office, be brought forward for due consideration under the bylaw process.

4. Amend City Manager Bylaw

Bylaw 2014-19 appointed the current city manager and delegated certain administrative powers to the position. The bylaw also includes sections with respect to performance evaluation and compensation provisions. Council recently performed a review of the City Manager and changes to the bylaw are required in order to provide recognition for growth from a novice employee to an experienced contributor. A bylaw to amend the existing bylaw is being brought forward for consideration.

Recommendation

THAT Bylaw 2015-21, a bylaw to amend the City Manager Bylaw, be brought forward for due consideration under the bylaw process



Minutes of the meeting of the City Planning Committee

Date	July 6, 2015
Location	Council Chambers, City Hall
Committee Members Present	Councillor Jocelyn Curteanu – Chair Councillor Dave Stockdale – Vice Chair Mayor Dan Curtis Councillor Betty Irwin Councillor John Streicker – Electronic Participation
Absent	Councillor Mike Gladish
Staff Present	Mike Gau, Acting City Manager Valerie Anderson, Acting Director of Corporate Services Douglas Hnatiuk, Acting Director of Community and Recreation Services Dave Albisser, Acting Director of Infrastructure and Operations

Your Worship, there is no report from the City Planning Committee



Minutes of the meeting of the City Operations Committee

Date	July 6, 2015
Location	Council Chambers, City Hall
Committee Members Present	Councillor Betty Irwin – Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Dave Stockdale Councillor John Streicker – Electronic Participation
Absent	Councillor Mike Gladish
Staff Present	Mike Gau, Acting City Manager Valerie Anderson, Acting Director of Corporate Services Douglas Hnatiuk, Acting Director of Community and Recreation Services Dave Albisser, Acting Director of Infrastructure and Operations

Your Worship, there is no report from the City Operations Committee



Minutes of the meeting of the Community Services Committee

Date	July 6, 2015
Location	Council Chambers, City Hall
Committee Members Present	Councillor Betty Irwin – Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Dave Stockdale Councillor John Streicker – Electronic Participation
Absent	Councillor Mike Gladish
Staff Present	Mike Gau, Acting City Manager Valerie Anderson, Acting Director of Corporate Services Douglas Hnatiuk, Acting Director of Community and Recreation Services Dave Albisser, Acting Director of Infrastructure and Operations

Your Worship, the Community Services Committee respectfully submits the following report:

1. Rogers Hometown Hockey Letter of Agreement

Organizers from the Rogers Hometown Hockey event visited Whitehorse and discussed the potential for the city to be included in the 2016 tour. Rogers Media Inc. covers the majority of the event costs, and the host community provides a variety of in-kind services. Previous host communities have confirmed that these costs range from \$8,000 to \$15,000. The event is scheduled for January 23 and 24, 2016.

Hosting an event of this nature offers significant community benefits and economic impacts, including the opportunity to showcase the City and the Yukon to a national audience. If the City's expression of interest is successful, a local organizing committee will be formed. Before the City can be confirmed as a potential host for this event, a letter of agreement is required.

Recommendation

THAT the mayor be authorized to sign a letter agreement confirming that the City of Whitehorse is interested in being a host community for the 2016 Rogers Hometown Hockey event.

2. Community Events – For Information Only

Committee members highlighted a number of recent community events including:

- Yukon River Quest
- Adäka Cultural Festival
- Pride Parade
- Canada Day Festivities, and
- Independence Day celebrations in our Sister City of Juneau, Alaska



**Minutes of the meeting of the
Public Health and Safety Committee**

Date July 6, 2015

Location Council Chambers, City Hall

Committee Members Present Councillor Dave Stockdale – Chair
Mayor Dan Curtis
Councillor Jocelyn Curteanu
Councillor Betty Irwin
Councillor John Streicker – Electronic Participation

Absent Councillor Mike Gladish

Staff Present Mike Gau, Acting City Manager
Valerie Anderson, Acting Director of Corporate Services
Douglas Hnatiuk, Acting Director of Community and Recreation Services
Dave Albisser, Acting Director of Infrastructure and Operations

Your Worship, there is no report from the Public Health and Safety Committee

There being no further business, the meeting adjourned at 6:08 p.m.

Adopted at the regular council meeting on

Mayor

City Clerk

CITY OF WHITEHORSE
BYLAW 2015-19

A bylaw to permit, license, and regulate the owners and operators of vehicles for hire in the City of Whitehorse

WHEREAS 265(a) of the *Municipal Act* RSY 2002 Chapter 154 (the “Act”) provides that council may pass bylaws for the safety, health, and welfare of people and the protection of persons and property;

WHEREAS 265(k) of the *Act* provides that council may pass bylaws for municipal purposes respecting transport and transportation systems, carriers of persons or personal property including taxi drivers, vehicles and taxi businesses, and other forms of public transport; and

WHEREAS 266 of the *Act* provides that council may by bylaw provide for a system of licenses, inspections, permits, or approvals, including establishing fees for the activity authorized; and

WHEREAS the purposes of this bylaw include:

- (1) ensuring public safety, service quality and consumer protection for customers and service providers in the vehicle for hire industry;
- (2) establishing a system of inspections, permits and plates for drivers of vehicles for hire, vehicles for hire, and vehicle for hire companies; and
- (3) ensuring that the vehicle for hire industry meets the needs of the traveling public in the City;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the **Vehicle for Hire Bylaw**.

DEFINITIONS

2. In this bylaw:

“ACCESSIBLE VEHICLE FOR HIRE” means a vehicle for hire which is designed and manufactured or converted for the purpose of transporting persons with disabilities and/or who use mobility aids;

“APPLICANT” means the person who makes and signs an application for any certificate, license, permit, plate or transfer thereof, as contemplated by this bylaw;

“APPLICATION” means the forms to be completed by the applicant when applying for any certificate, license, permit, plate or transfer there of;

“APPROVED” means as accepted by Bylaw Services;

Vehicle For Hire Bylaw 2015-19

“BASE STATION” has the same meaning as “PLACE OF BUSINESS”, and means a building premise located within the City of Whitehorse where the dispatcher, two-way radio communication, books and records of the vehicle for hire company are housed;

“BUS” means a motor vehicle capable of carrying more than 10 passengers that travels over a fixed route for a fare;

“BUS OPERATED AS VEHICLE FOR HIRE” means a bus or tour bus that does not travel over a fixed route and includes a bus or tour bus that picks up and/or drops off passengers at their place of residence and excludes a bus operated by a Federal, First Nation, Territorial or Municipal government, health care facility or affiliate approved;

“BUSINESS LICENSE” means the license provided under the City of Whitehorse Business License Bylaw as may be amended from time to time;

“BYLAW CONSTABLE” means a member of the City of Whitehorse Bylaw Services staff member hired to enforce City of Whitehorse Bylaws;

“BYLAW SERVICES” means the Manager of Bylaw Services, a Bylaw Constable, or the Bylaw Services Coordinator;

“CERTIFICATE” means a certificate issued pursuant to the provisions of this bylaw;

“CHARTER” means to transport passengers by prior reservation for an extended engagement or special purpose based on a charter fare;

“CHARTER FARE” means a set fare as outlined in Schedule “A” attached hereto and forming part of this bylaw;

“CITY” means the municipal corporation of the City of Whitehorse;

“CONSENT TO RELEASE OF INFORMATION” means the applicant’s written authorization to conduct any and all searches and obtain personal information relevant to this bylaw;

“COUNCIL” means the elected Council of the City of Whitehorse;

“CURB” means a row of concrete border along the edge of a roadway;

“DAY” means any period of 24 consecutive hours after the start of work;

“DESIGNATED OFFICER” means the Royal Canadian Mounted Police, the Manager, or Bylaw Constables;

“DISPATCHER” means a person or electronic system, other than a driver of a vehicle for hire, that coordinates the engagement of services and oversees the on-going transportation services of the vehicle for hire company by providing two-way radio communication with drivers of vehicles for hire, and to which requests for service are received by a person or electronic dispatching system and communicated to the driver;

Vehicle For Hire Bylaw 2015-19

“DOWNTOWN AREA” means that area of the City the boundaries of which are shown on the map attached hereto as Appendix “B” and forming part of this bylaw;

“DRIVER” means the person who drives or is in charge of a vehicle for hire, and who is required to be the holder of a valid vehicle for hire permit prior to operating a vehicle for hire;

“DUE CARE” means just, proper, and sufficient care, so far as the circumstances demand;

“FARE” means the fare, toll, fee or rate charged to, or collected from, any person for the transportation of a person or persons, or chattels of a person;

“FARE SCHEDULE” is the schedule of maximum rates which may be charged by the owner of a vehicle for hire for the transportation of a person or persons, or chattels of a person, and the schedule of the minimum rate that may be charged for a charter fare, as set out in Schedule “A” attached hereto and forming part of this bylaw;

“FEE” means the fees as set out in the City of Whitehorse Fees and Charges Bylaw as may be amended from time to time;

“FIRST NATION” means the elected councils of Kwanlin Dün First Nation and Ta'an Kwäch'än;

“FIXED ROUTE” means the roads and trails and scheduled times, as approved by the Manager;

“GENERAL INSPECTION” means the initial inspection, and thereafter semi-annual inspections and random inspections, all for which a fee is charged, of a vehicle for hire, as contemplated by this bylaw;

“GENERAL INSPECTION REPORT” is the form adopted for use by the Manager to time to be completed by an inspector at a general inspection of a motor vehicle for hire;

“HANDS-FREE CELLULAR TELEPHONE” means a cellular telephone which is equipped with hands-free technology that allows calls to be placed or received by the driver via voice commands;

“IMMEDIATE FAMILY” means the driver’s mother, father, sister, brother, spouse, son, daughter, mother-in-law, father-in-law, grandparent, or grandchild, and includes any of the above step-relatives;

“INSPECTION, INSPECT, OR INSPECTED” means a general inspection, mechanical inspection, random inspection or an inspection requested by the Designated Officer;

“INSPECTOR” means a person who conducts a periodic motor vehicle inspection (Periodic Motor Vehicle Inspection Inspector), the Designated Officer, or a person approved to conduct general or mechanical inspections of a motor vehicle for hire;

Vehicle For Hire Bylaw 2015-19

“LICENSEE” means the person to whom a vehicle for hire plate is issued;

“LIMOUSINE” means a luxury sedan with a seating capacity greater than nine passengers with separate compartments for engine, passenger and cargo and has a minimum of three passenger doors and a driver’s door, and is a stretch limousine or other limousine as determined by manufacturer;

“MANAGER” means the Manager of Bylaw Services or designate;

“MECHANICAL INSPECTION” means the initial inspection, semi-annual inspections and random inspections of a vehicle for hire conducted by an inspector;

“MECHANICAL INSPECTION REPORT” is the form adopted for use by the Manager to be completed by an inspector at a mechanical inspection of a motor vehicle for hire;

“MECHANICAL INSPECTION STANDARDS HANDBOOK” is the handbook used by an inspector at a mechanical inspection of a motor vehicle for hire, and contains the vehicle standards the vehicle for hire must meet;

“MOTOR VEHICLE FOR HIRE” means a motorized vehicle for hire, that is operated or intended to be operated for the purpose of carrying passengers and their property for valuable consideration irrespective of whether it is operated or intended to be operated for that purpose each time it is operated and irrespective of whether there is a subsisting vehicle for hire plate issued in respect of it and includes a bus operated as a vehicle for hire and a limousine;

“NON-MOTORIZED VEHICLE FOR HIRE” means a non-motorized Vehicle that is not drawn, propelled or driven by any kind of power, other than muscular power, which is used for the carrying, transporting or conveyance of persons or property for hire and, without limiting the generality of the foregoing, shall include a dog sled, horse-drawn carriage, horse-drawn sled, and a pedicab;

“NOT FOR HIRE SIGN” means a sign that is solid lime green in colour throughout, and no smaller than 20 centimetres high by 80 centimetres wide with black lettering, where the lettering is no less than 2 centimetres wide, which states “NOT IN SERVICE”;

“NOTICE” means a written warning issued by the Designated Officer for a contravention of this bylaw;

“OPERATE, OPERATING OR OPERATED” includes having care and control of a vehicle for hire as contemplated or defined by this bylaw;

“OUT OF SERVICE ORDER” means a written statement issued by the Designated Officer directing the immediate removal of a vehicle for hire from service for a deficiency or violation pursuant to this bylaw;

“OWNER” means the owner or operator of a vehicle for hire company, and/or the registered owner, driver or licensee of a vehicle for hire;

Vehicle For Hire Bylaw 2015-19

“PEDICAB” means a vehicle, including a rickshaw, propelled solely by the foot power of the operator and capable of carrying no more than two persons in addition to the operator;

“PERIODIC MOTOR VEHICLE INSPECTION FACILITY” means a premise which has been established for the inspection and testing of motor vehicles by the Commissioner in Executive Council as contemplated by the *Motor Vehicles Act* RSY 2002 Chapter 153 (the “*Motor Vehicles Act*”), as may be amended;

“PERIODIC MOTOR VEHICLE INSPECTION INSPECTOR” means those qualified persons who have been designated and authorized to preform motor vehicle inspections and tests as contemplated by the *Motor Vehicles Act*, as may be amended from time to time;

“PERMIT” means a permit issued by Bylaw Services and includes the annual vehicle for hire certification issued by Bylaw Services to a person to operate a vehicle for hire which shall expire 90 days after the permit holder’s birth date;

“PLACE OF BUSINESS” has the same meaning as “BASE STATION”;

“PLATE” means the metal numbered placard issued by Bylaw Services to identify a vehicle for hire which is affixed to a vehicle for hire as contemplated by this bylaw;

“PLATE DECAL” means the current year decal required and issued under this bylaw to a vehicle for hire which is affixed to the vehicle for hire plate for the vehicle which has met the conditions of this bylaw for operating a vehicle for hire;

“PRIOR RESERVATION” means a recorded request for transportation in a vehicle for hire, which was made a minimum of eight hours in advance of the request for transportation;

“REVOCAION or REVOKE” means a permanent recall of any certificate, permit or plate issued under this bylaw;

“SEATING CAPACITY” means the rated passenger load assigned to a motor vehicle by the originating manufacturer;

“SECURITY CAMERA” means a fully operational security video camera as approved and contemplated by this bylaw;

“SERVICE ANIMAL” means an animal that has been trained and certified to assist a person with disabilities;

“SHIFT” means a single period of time worked by a driver of a vehicle for hire in a day;

“SMOKE” means to the act of inhaling a tobacco or other like substance or allowing tobacco or other like substance to burn or dispense smoke;

“SUSPENSION or SUSPEND” means a temporary recall of any certificate, permit or plate issued under this bylaw;

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“TAMPERED” means to remove or damage the taximeter seal and includes any change in the taximeter which results in a fare that differs from the fares authorized by this bylaw;

“TARIFF CARD” means a placard required by this bylaw where the background is to be transparent (when placed on a rear passenger window) and the text is to be black in colour and not take up more than 33% of the surface area of the placard, and which shall contain:

- (1) the unit number of the vehicle for hire;
- (2) the fare schedule, including any taxes and discount rates;
- (3) as of May 1, 2017, and as soon as applicable, wording that indicates that a public safety camera is installed and images of the passengers are being recorded;
- (4) the telephone number of the vehicle for hire company;
- (5) the telephone number of Bylaw Services; and
- (6) a statement that any complaints about the vehicle for hire driver should be directed to those telephone numbers.

“TAXIMETER” means an approved device which shall be permanently installed in a vehicle for hire that computes and shows the fare payable for each trip calculated based on the distance travelled or on the time elapsed or both;

“TAXIMETER SEAL” means the seal which is affixed to the taximeter by Bylaw Services upon successful completion of the general inspection;

“TOUR BUS” means a motor vehicle capable of carrying more than ten passengers for sightseeing ventures or sporting activities, and while under hire, only travels over predetermined fixed routes that take on and discharge passengers only at bus depots, licensed hotels, motels, bed and breakfasts, or stops approved;

“TWO-WAY RADIO COMMUNICATION” means radio equipment licensed by Industry Canada pursuant to Radio Standards Specification-Gen, Issue 3, as may be amended from time to time;

“TRIP” means each transport of a person or persons or delivery of chattels of a person, by a driver for a fare;

“TRIP RECORD” means the written and recorded details of each trip undertaken by a driver during their shift in the form adopted for use by the Manager;

“VEHICLE FOR HIRE” means all accessible vehicles for hire, motorized vehicles for hire and non-motorized vehicles for hire as defined in this bylaw, and any vehicle for hire in respect of which there is a subsisting vehicle for hire plate and vehicle for hire registration certificate is deemed to be a vehicle for hire for all purposes of this bylaw;

“VEHICLE FOR HIRE PERMIT” means the permit issued pursuant to the provisions of this bylaw for a driver to operate a vehicle for hire;

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“VEHICLE FOR HIRE COMPANY” means a business that operates one or more vehicles for hire and provides any of the following services:

- (1) administering vehicle for hire operations;
- (2) employing or contracting with one or more vehicle for hire drivers or permit holders; and
- (3) coordinating or accepting calls for services for vehicles for hire.

“VEHICLE FOR HIRE REGISTRATION CERTIFICATE” means the credential issued for a vehicle that has successfully met the requirements of this bylaw to operate as a vehicle for hire.

APPLICATION OF BYLAW

3. This bylaw shall apply equally to all vehicle for hire companies, vehicle for hire company owners, accessible vehicles for hire, buses operated as vehicles for hire, limousines, motorized and non-motorized vehicles for hire, owners or drivers of any type of vehicle for hire, all of which shall be subject to all bylaw requirements save and except for those sections of the bylaw which expressly provide otherwise.

VEHICLE FOR HIRE PERMIT

Application Process

4. Every driver of a vehicle for hire shall apply for, and annually renew, a vehicle for hire permit.
5. Upon renewal, the vehicle for hire permit applicant shall surrender any expired or pre-existing vehicle for hire permits.
6. No driver shall possess more than one copy of the same vehicle for hire permit.
7. The owner of a vehicle for hire company shall not allow any person, including himself or herself, to operate a vehicle for hire unless that person is the holder of a valid vehicle for hire permit.
8. Where an applicant is working in Canada under a work visa, a vehicle for hire permit issued to such person shall not be issued for a term longer than the expiry of the work visa.
9. Prior to the issuance of a vehicle for hire permit, an applicant shall declare in writing the name of the vehicle for hire company for which they will be working.
10. An application or renewal of a vehicle for hire permit by an applicant shall be made to Bylaw Services and shall include the following:
 - (1) City vehicle for hire permit application;
 - (2) Consent to Release of Information;
 - (3) a completed RCMP GRC 6388e (2014-04) Consent for the Release of Police Information form, which shall be not be older than 90 days;

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- (a) whereby “Part 2 – Consent” is completed such that the “Identity of the organization that is requesting and should receive the results of the record checks” is the City of Whitehorse Bylaw Services;
 - (b) the “Waiver for consent of release of information to third party” is completed; and
 - (c) “Part 3” is completed – including boxes 2, 3 and 4;
- (4) A negative search result for a completed RCMP GRC 3923e (2013-11) Consent for Check for a Sexual Offence for which a Record Suspension (Pardon) Has Been Granted or Issued (Vulnerable Sector Verification) form;
 - (5) a completed RCMP GRC 6359e (2013-11) Declaration of Criminal Record, as required;
 - (6) the results of the applicant’s completed RCMP GRC C-216C (94-03) Fingerprint Identification form;
 - (7) proof that the applicant is the holder of a valid Class 1, 2, 3, or 4 driver’s license issued under the *Motor Vehicles Act*, including a photocopy of a valid Yukon driver’s license;
 - (8) the applicant’s vehicle driving abstract, which shall not be older than 30 days, issued and validated by the Registrar of the Motor Vehicles Branch of Yukon and any other jurisdiction as may be required by the Designated Officer;
 - (9) proof of legal entitlement to work in Canada including a Canadian birth certificate, Canadian passport, Canadian Citizenship/ Permanent Resident Card and Canadian Work Visa;
 - (10) such other information as may be required by Bylaw Services for the administration of this bylaw; and
 - (11) a fee as prescribed in the Fees and Charges Bylaw.
11. The Manager may:
- (1) require applicants to complete training and/ or coursework; and
 - (2) specify the content and amount of training or number of courses and pass/fail criteria for tests that an applicant must take to be proficient in:
 - (a) customer service, diversity and human rights;
 - (b) city geography, map reading and tourism; and
 - (c) transportation of persons with disabilities.
12. Every applicant shall, with access to a copy of the bylaw, write a test to demonstrate that they have a working knowledge of the bylaw and any other criteria noted in this bylaw. A score of 80% or higher must be achieved by the applicant on all required tests prior to the issuance of any permit under this bylaw.

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13. In the event that the applicant has satisfied all requirements of this bylaw for the renewal of a vehicle for hire permit, but is awaiting receipt of their RCMP Criminal Records Check, Bylaw Services may issue an interim vehicle for hire permit provided that the applicant's most recent vehicle for hire permit has not expired any more than 12 months prior to the issuance of such interim permit.
14. Bylaw Services shall not issue a vehicle for hire permit or a renewal thereof to a person who has been convicted under the *Criminal Code of Canada*, R.S.C. 1965, CC-46 (the "*Criminal Code of Canada*") for:
 - (1) any sexual offence;
 - (2) an offence relating to homicide, kidnapping, or abduction;
 - (3) an offence relating to robbery or extortion;
 - (4) an offence relating to the trafficking of drugs or narcotics under the *Controlled Drugs and Substances Act of Canada*, S.C. (1996) c. 19 (the "*Controlled Drugs and Substances Act of Canada*"); or
 - (5) any offence while on duty as a driver.
15. Bylaw Services shall not issue a vehicle for hire permit or a renewal thereof to a person who has:
 - (1) been convicted under the *Criminal Code of Canada* for any two (2) or more offences within the ten year period immediately preceding the date of the application;
 - (2) been convicted of an offence under the *Controlled Drugs and Substances Act*, other than possession of a narcotic or possession of an illegal drug within the ten year period immediately preceding the date of application;
 - (3) been convicted of an offence under the *Criminal Code of Canada* relating to the operation of a motor vehicle within the five year period immediately preceding the date of application;
 - (4) been convicted of more than three offences under the *Motor Vehicles Act*, the *Liquor Act* (2002) R.S.Y. c. 140, this bylaw or any City of Whitehorse bylaw regulating traffic within a one year period immediately preceding the date of application save and except, for the purposes of this section, offences relating solely to parking; or
 - (5) received a 24-hour roadside suspension within the 12 month period immediately preceding the date of application.
16. Upon receipt of all documents required by this bylaw for an application for a vehicle for hire permit or renewal thereof, Bylaw Services shall, within five days, make one of the following decisions:
 - (1) approve the application and issue a vehicle for hire permit;
 - (2) approve the application, and issue a vehicle for hire permit that is subject to conditions, or
 - (3) refuse the application.

Vehicle For Hire Bylaw 2015-19

Vehicle for Hire Company

17. A vehicle for hire company shall comply with all the terms and conditions set out in this bylaw for operating a vehicle for hire.
18. No person shall operate a vehicle for hire company without producing the following original documents to Bylaw Services, copies of which shall be provided to Bylaws Services:
 - (1) a valid and subsisting business license;
 - (2) a radio license for two-way radio communication;
 - (3) a list of all vehicles for hire that have passed inspection;
 - (4) proof of insurance for all vehicles for hire associated with the vehicle for hire company; and
 - (5) a list of all vehicle for hire drivers.
19. A vehicle for hire company shall keep the following records at the company's place of business and retain them for a minimum of two calendar years and make them available on demand of a Designated Officer:
 - (1) dispatch records;
 - (2) trip records;
 - (3) contracts related to the supply of vehicle for hire services; and
 - (4) the agreement evidencing each limousine trip.
20. A vehicle for hire company shall immediately notify Bylaw Services in writing and disclose any change in information which was provided as part of the application or renewal of a licence, including changes in:
 - (1) business license, or any requirement thereof pursuant to the Business Licence Bylaw,
 - (2) name or business name;
 - (3) permit holder address or business location change of address;
 - (4) Yukon Government corporate registries information;
 - (5) registered owner information for vehicles for hire;
 - (6) insurance coverage and certificates for all vehicles for hire; and
 - (7) a change in driver status.
21. A vehicle for hire company shall ensure that each vehicle associated with the company:
 - (1) is clean and in good repair;
 - (2) is not operated when it has been taken out of service;
 - (3) has a valid and subsisting vehicle for hire registration certificate and plate in the vehicle; and

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- (4) charges each fare in accordance with Schedule "A".
22. A vehicle for hire company shall:
- (1) inform Bylaw Services, in writing, of all trade names used in connection with the company;
 - (2) immediately notify Bylaw Services when a vehicle for hire becomes associated or ceases to be associated with the company;
 - (3) maintain an up-to-date list of all drivers that includes a photocopy of each driver's permit, and provide a copy of the list upon demand by a Designated Officer;
 - (4) ensure that every associated vehicle for hire has, at all times, the name, trade name or trademark of the company displayed on such vehicle in a form and manner approved by a Designated Officer;
 - (5) ensure the plate displayed on any vehicle for hire is that which is referred to in the vehicle for hire registration certificate for that vehicle;
 - (6) use, maintain and provide its customers and drivers with a base station in the City that contains a working dispatcher and two-way radio communications system that operates at all times when vehicles for hire are in service;
 - (7) keep and safeguard all lost and found items for a period of 30 days or until the item is claimed, maintain a complete record of lost items, found items and their disposition, and inquires about lost items, and supply the record to a Designated Officer upon demand;
 - (8) provide all drivers associated with the company with training in the use of the taximeter, radio dispatch system and other equipment used in vehicle for hire services, including approved specialized equipment for accessible vehicles for hire;
 - (9) provide to all passengers the transportation services requested, at the location and within the time specified to the passenger upon receiving the passenger's request for services; and
 - (10) have in place a system for giving priority for the use of accessible vehicles for hire to customers who require the service.
23. A vehicle for hire company shall record the following details of all complaints received in electronic or written format:
- (1) the name, address and phone number of the complainant;
 - (2) the date and time of the complaint;
 - (3) the nature of the complaint;
 - (4) the driver of the vehicle that is the subject of the complaint; and
 - (5) the company's response to the complaint.

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General Permit Requirements

24. The driver shall produce his or her vehicle for hire permit forthwith upon demand of a Designated Officer.
25. The driver shall notify Bylaw Services of any change to the information provided in the driver's most recent application, within five business days of such change, by personal attendance at the office of Bylaw Services.
26. If the vehicle for hire permit is damaged, lost, or stolen:
 - (1) the driver shall immediately report such occurrence to Bylaw Services who shall reissue such permit to the driver for a fee; and
 - (2) until the vehicle for hire permit is reissued under this bylaw, the driver shall not drive a vehicle for hire.
27. Where an applicant or holder of a vehicle for hire permit has been convicted of any offences listed under sections 14 and 15 of this bylaw after his or her most recent application was made and the permit was issued, he or she shall immediately inform the Manager.

General Rules for Drivers

28. A driver of a vehicle for hire shall:
 - (1) drive a vehicle for hire only for the company indicated on their permit;
 - (2) display their vehicle for hire permit in a prominent place within the vehicle at all times;
 - (3) ensure that the interior of the vehicle is kept in a neat, clean and tidy condition;
 - (4) ensure that the exterior of the vehicle is kept clean of excessive mud, dirt, dust, snow, and ice;
 - (5) ensure that none of the vehicle windows have any tint, blind or covering, except that which is applied by the manufacturer of the vehicle, save and except:
 - (a) windshields and the driver and passenger front windows, which shall have no tint; or
 - (b) in accordance with the provisions of this bylaw.
 - (6) ensure that the vehicle does not expel any odour or fragrance that may be offensive to passengers;
 - (7) be neat and clean in person and dress;
 - (8) be professional and courteous;
 - (9) promptly attend to passenger pick-ups;

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- (10) when operating an accessible vehicle for hire, give priority to calls received from persons with disabilities who require the services of the accessible vehicle for hire;
 - (11) inspect the vehicle before each shift and ensure the repair of any defects that contravene this bylaw before operating the vehicle;
 - (12) extend service from curb to curb if such curb exists;
 - (13) unless otherwise directed by a passenger, drive the most direct and available route from the point of engagement to the destination of the passenger;
 - (14) when requested to do so, supply a passenger with a legible receipt showing:
 - (a) the fare charged;
 - (b) the name of the company with which the vehicle for hire is associated;
 - (c) the car number assigned to the vehicle; and
 - (d) the date when the service was provided.
 - (15) take due care of any and all chattels delivered for transportation; and
 - (16) deliver any chattels left in the vehicle after any trip to his or her place of business after which the owner or driver shall make every reasonable effort to return the chattels to the passenger within 24 hours.
29. A driver of a vehicle for hire shall not:
- (1) operate a vehicle unless it meets all the requirements of this bylaw;
 - (2) take a fare while the vehicle is out of service
 - (3) operate a vehicle that has been removed from service with an Out of Service Order;
 - (4) smoke in or within 5 metres of a vehicle for hire;
 - (5) operate a vehicle while under the influence of alcohol or any other impairing substances;
 - (6) consume alcohol or use any impairing substance while operating a vehicle;
 - (7) use obscene, impudent or abusive language, or insult any passenger, pedestrian, any roadway user, or other vehicle operator;
 - (8) carry a number of passengers in excess of the seating capacity stipulated by the motor vehicle's manufacturer in its specifications for that motor vehicle while operating a vehicle for hire;
 - (9) knowingly induce any person to hire the services of any vehicle for hire by false representation;

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- (10) hand write anything while the vehicle is in motion;
 - (11) levy any additional charge or fare for assistance or additional service provided to a person with a disability;
 - (12) set the vehicle in motion while a passenger is entering or leaving the vehicle;
 - (13) collect fares or give change to a passenger while the vehicle is in motion;
 - (14) take on additional passengers after the vehicle has departed except with the consent of the first passenger(s);
 - (15) load, carry or transport any baggage on the exterior of the vehicle except on racks properly constructed for that purpose; or
 - (16) operate a vehicle for hire for more than 12 consecutive hours during a shift.
30. A driver of a vehicle for hire shall accept all persons as passengers while the vehicle for hire is in service except when such person:
- (1) tries to consume alcohol in the vehicle;
 - (2) is indebted to the driver or owner of the vehicle;
 - (3) requests that the driver carry an animal other than a service animal in the vehicle;
 - (4) requests that the driver carry baggage in the vehicle which could reasonably be detrimental to its repair, cleanliness or sanitary condition;
 - (5) requests the driver to carry any passengers or baggage which the vehicle is incapable of carrying;
 - (6) insists on smoking or persists in smoking in the vehicle;
 - (7) is disorderly, or verbally or physically abusive;
 - (8) is someone who the driver is incapable of or prohibited by law from conveying; or
 - (9) is exhibiting any behaviour or engaging in any activities that cause a safety concern to the driver and such belief is reasonable in the circumstances.
31. Every driver of a vehicle for hire shall complete a trip record, written legibly in ink, immediately after the completion of every trip, before setting the vehicle in motion and before beginning any other trip, which shall contain the following information:
- (1) the date and time that each trip started and finished;
 - (2) the origin and destination of each trip;
 - (3) any refusals for service and the reasons for refusal;
 - (4) any chattels found in the vehicle;

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- (5) the start and end times of any periods that the vehicle was not in service, including the date and time;
 - (6) the driver's full name as written on their motor vehicles driver's license;
 - (7) the Yukon license plate number;
 - (8) the vehicle for hire permit number; and
 - (9) the vehicle for hire plate number.
32. Every driver of a vehicle for hire shall, no later than two hours after the completion of each shift, sign and deposit the trip record that relates to that shift at the place of business.
 33. Before accepting the shift trip record from the driver, the owner or designate of the owner shall ensure that each trip record is legible and includes all of the information required by this bylaw.
 34. Within 24 hours of the trip record being deposited at the place of business, the owner and driver shall affix the date and their signatures to the trip record to confirm that the trip record meets the requirements of this bylaw.
 35. The trip record shall be kept by the owner at the place of business for a period of two years, during which time the owner shall produce such record for inspection upon request of the Designated Officer.
 36. When the Designated Officer has reasonable and probable grounds to believe that a driver has been operating a vehicle for hire for more than 12 consecutive hours or has not had at least eight hours off between shifts, the Designated Officer may prohibit the vehicle for hire driver from being on duty for a maximum of eight consecutive hours.
 37. The onus will be on the driver of the vehicle for hire to show proof that the driver has not been operating the vehicle for hire for longer than 12 consecutive hours, or without at least an eight hour break between shifts.

VEHICLE PLATE AND CERTIFICATE

Application process

38. Any vehicle for hire plate and certificate issued under this bylaw remains at all times the sole property of the City and, if so requested by Bylaw Services, a licensee, or person in possession of a license, shall return a plate to the City within five days.
39. No person shall advertise, offer or operate a vehicle as a vehicle for hire unless it has a vehicle for hire plate, which shall be annually renewed, affixed to the vehicle, and which is not transferable to any other vehicle for hire except upon surrendering the plate to Bylaw Services for redistribution and upon paying the fee.
40. No owner of a vehicle for hire shall allow any person, including himself or herself, to operate a vehicle for hire unless the vehicle has a valid vehicle for hire plate.

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41. No driver shall operate a vehicle for hire unless a valid vehicle for hire registration certificate is in that driver's possession.
42. Bylaw Services shall not approve a motor vehicle as a vehicle for hire unless it:
 - (1) has at least three passenger doors; and
 - (2) has a seating capacity for a minimum of five adults including the driver with all seats constructed by the manufacturer and unaltered.
43. An application for a vehicle for hire plate, certificate or renewal thereof shall be made to the Bylaw Services Designated Officer and shall include, but is not limited to, the following as it relates to the vehicle for hire which is the subject of the application:
 - (1) written confirmation of the vehicle for hire company that will operate the vehicle for hire;
 - (2) proof of the owner's valid and current business license;
 - (3) the original mechanical inspection report validated by the inspector which shall not be older than 30 days from the date that the inspection was completed;
 - (4) proof of a valid and current liability insurance policy in the amount of two million (\$2,000,000.00) dollars for the commercial operation of a vehicle for hire;
 - (5) a Consent to Release of Information for vehicle for hire liability insurance policy;
 - (6) proof of valid and current commercial motor vehicle registration for the vehicle for hire;
 - (7) a fare schedule which shall be within the parameters of Schedule "A"; and
 - (8) the fee as prescribed in the Fees and Charges Bylaw.
44. Upon receipt of a new application for a vehicle for hire plate and certificate, Bylaw Services shall make one of the following decisions:
 - (1) approve the application and issue a certificate, and a vehicle for hire plate and a plate decal which shall be affixed by to the front bumper of the vehicle; or
 - (2) refuse the application.
45. In the event the application is refused, Bylaw Services shall provide written reasons of such refusal to the owner by registered letter or by personal service.
46. In the event that the vehicle for hire for which a plate and certificate have been issued is no longer operational, the owner shall advise Bylaw Services of such occurrence and shall return the plate and certificate to Bylaw Services within five calendar days.

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47. In the event that the plate, plate decal or certificate become damaged, lost or stolen, the owner shall immediately report such occurrence to Bylaw Services who shall cancel such plate, plate decal or certificate and reissue a new plate, plate decal or certificate to the owner upon the owner paying a fee.
48. If the holder of a plate and certificate ceases to own or operate a vehicle for hire, he or she shall immediately surrender the plate and certificate to Bylaw Services and immediately remove all markings, decals and equipment installed in or on the vehicle for hire pursuant to the Vehicle for Hire Bylaw, and return the vehicle for hire registration to Bylaw Services.

ACCESSIBLE VEHICLES FOR HIRE

49. As of May 1st, 2017 every vehicle for hire company shall have a minimum of one accessible vehicle available for hire during all hours that the company is in operation.
50. To comply with the requirements of 49 of this bylaw, vehicle for hire companies may utilize the same accessible vehicle for hire.
51. Vehicle for hire companies that rely on the provisions of 50 of this bylaw have the onus of proving that an agreement was in place for the relevant period.
52. Notwithstanding any other provision of this bylaw, upon commencement of providing services, any new vehicle for hire company shall have a minimum of one accessible vehicle available for hire during all hours that the company is in operation.
53. Bylaw Services shall not approve an accessible vehicle for hire unless it:
 - (1) meets all of the requirements of a vehicle for hire as contemplated by this bylaw;
 - (2) has a seating capacity for a minimum of three adults including the driver with all seats being constructed by the manufacturer and unaltered; and
 - (3) meets Canadian Motor Vehicle Safety Standards and Canadian Association Standards D409-02 for Motor Vehicles for the Transportation of Persons with Physical Disabilities as may be varied or amended from time to time.
54. Bylaw Services shall, if a motor vehicle is approved as an accessible vehicle for hire, endorse the vehicle for hire registration certificate and such endorsement shall be proof of Bylaw Services' approval.
55. Every accessible vehicle for hire shall:
 - (1) post the symbol of accessibility for persons with disabilities that is a minimum of 150 mm by 150 mm in the format attached to this bylaw in Appendix "A" on each side of the accessible vehicle for hire; and
 - (2) display the tariff card in a position on each side so as to be easily seen and identifiable by a person seated inside the vehicle in a wheelchair or scooter.

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BUSES AND LIMOUSINES

56. Except as modified by sections 57 to 60 inclusive, all other provisions of this bylaw shall apply to limousines and buses operating as vehicles for hire.
57. A bus operating as a vehicle for hire shall conform to the rates and fares provisions of this bylaw, and each fare shall be charged in accordance with Schedule "A".
58. For limousines that solely take charter requests, the accessible vehicles for hire, dispatching, and taximeter provisions of this bylaw do not apply.
59. The following provisions apply to limousines that solely take charter requests:
 - (1) Chartered fares must be arranged by reservation in advance of the trip, and the details must be recorded in the trip record and at the place of business prior to the service being provided and shall include:
 - (a) when the request for transportation was made;
 - (b) time and address of location where transportation is to commence;
 - (c) the name of the person who requested the charter;
 - (d) the number of passengers;
 - (e) any associated liquor permit details; and
 - (f) the duration of the trip.
 - (2) limousine fares shall be calculated in accordance with the charter fares outlined in Schedule "A"; and
 - (3) no limousine driver shall offer any form of fare discount for the hire of a limousine except as provided in this bylaw.
60. Where there is a physical divider between the driver compartment and the passenger area of a limousine, the passengers of the limousine may apply for a liquor permit from the Yukon Government under the authority of a valid and subsisting business license issued by a municipality provided the limousine driver has a copy of the permit which shall be kept with the trip record and shall be provided on demand of the Designated Officer.

RATES AND FARES

61. Any vehicle for hire company that does not have an approved and valid fare schedule shall submit a fare schedule to Bylaw Services for approval.
62. A vehicle for hire company shall not operate any vehicle for hire until such time that the fare schedule is approved.
63. Every vehicle for hire company shall supply Bylaw Services in writing or by email, by 3:00 p.m. the first Tuesday in November, and the first Tuesday in May, a fare schedule which shall be within the maximum and minimum rates set out in Schedule "A".

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64. In the event a fare schedule is not received by Bylaw Services by 3:00 p.m. on the first Tuesday in November or the first Tuesday in May, the previous approved fare schedule will be considered the vehicle for hire company's submission until the next applicable submission date.
65. Bylaw Services shall review the submitted fare schedule to ensure its compliance with the maximum and minimum rates set out in Schedule "A" and, thereafter, if in compliance, shall approve the fare schedule which shall be in effect until another fare schedule is approved pursuant to this bylaw.
66. Upon approval of the fare schedule, the owner or driver shall prepare and display on the passenger rear windows a tariff card, which shall be displayed in such a manner as not to obstruct the driver's view.
67. A vehicle for hire driver may:
 - (1) accept gratuities;
 - (2) charge a passenger a fee of up to \$100.00 for soiling the interior of the vehicle for hire with vomit or bodily fluids, which shall be photographed and the photograph shall be attached to the trip record; or
 - (3) require that a passenger provide a deposit of not more than \$30.00 to be applied toward the taximeter fare and shall provide a receipt to the passenger for such deposit.
68. As of May 1st, 2017 each vehicle for hire shall at all times be equipped with an electronic payment system that is maintained in working order, and:
 - (1) Upon request from a passenger, every driver shall accept payment from a valid credit or debit card; and
 - (2) No driver shall charge any additional fee for the use of a debit or credit card as payment for a fare.
69. Except as provided in this bylaw, an owner or driver of a vehicle for hire shall not charge, demand, collect, or receive a fare except at the approved rate.
70. A vehicle for hire company may set a rate for the transportation of a person that shows proof of being 60 years of age or older, at a discounted rate not exceeding 20% of the fare.
 - (1) When such a discounted rate has been established, the rate shall be posted on the tariff card; and
 - (2) when a discount is provided the driver shall record such discount in the trip records.
71. An owner of a vehicle for hire shall not publish, use, permit to be published or used, any fare other than at the approved rate or discounted rate approved under this bylaw.
72. No person, including the owner or driver of a vehicle for hire shall remove, mutilate, deface, or otherwise dispose of a tariff card, unless in accordance with the provisions of this bylaw.

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PERSONAL USE PROHIBITED

73. Personal use of a vehicle for hire is prohibited unless such personal use is either by the owner of the vehicle for hire company or a driver and the vehicle for hire is not in service.
74. The burden of proving that a vehicle for hire was not in service rests with the person relying on the defence.
75. In addition to any other provision set out in this bylaw, to prove that a vehicle for hire was not in service, the person relying on the defence must show that at the time that the offence was alleged to have taken place:
- (1) a Not for Hire Sign was:
 - (a) visible and prominently displayed on the front dash of the vehicle; and
 - (b) visible and prominently displayed in the back window of the vehicle; or, where the back window of the vehicle is tinted, the Not for Hire Sign was a magnet of the same size, lettering and colour and was placed on the rear of the vehicle in a clean readable state;
 - (2) a vehicle for hire roof light cover was attached and clearly stated on the front and back of the cover, "NOT FOR HIRE"; and
 - (3) there were no other occupants in the vehicle other than immediate family; or
 - (a) if there was immediate family in the vehicle, upon request of a Designated Officer, such person or persons shall provide proof of identification to the satisfaction of the Designated Officer;
 - (4) the vehicle for hire trip record shows that the vehicle was not in service, and the trip record reflects the date and time frame when the vehicle was not in service.
76. The operator of a vehicle for hire that is not in service shall not stop or park the vehicle in a taxi stand or any other place set aside for vehicles for hire that are in service.

BASE STATIONS, SECURITY CAMERAS AND TAXIMETERS

77. Every vehicle for hire company shall maintain a base station and provide a dispatch system with a dispatcher and a two-way radio in each of its vehicles for hire, as approved, when there are any vehicles for hire in service.
78. As of May 1st, 2017 the dispatch shall be equipped with a system capable of receiving requests from hearing impaired individuals, either through a web-based system, email, or via text messaging, or other similar format.
79. A dispatcher shall not dispatch any calls for service to any vehicle for hire driver who does not have a valid and subsisting vehicle for hire permit.

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80. A dispatcher shall only dispatch calls for service to a vehicle for hire with a valid plate.
81. A driver shall not operate a vehicle for hire unless such vehicle is equipped with:
 - (1) two-way radio communication, maintained in good working order, that connects with a base station and dispatcher; and
 - (2) a taximeter which is of a type, make or model approved at the time of inspection, and has been inspected and sealed with an approved taximeter seal pursuant to this bylaw.
82. Once every six months and at the request of a Designated Officer, the owner of a vehicle for hire company shall submit the two-way radio communication installed in each vehicle for hire and base station for inspection.
83. Save and except for a pedestrian hailing a motor vehicle for hire while it is in service, all requests for service shall be made to a base station and dispatched by a dispatcher to the driver.
84. The owner of a vehicle for hire may equip a vehicle with a hands-free cellular telephone system which may be used by the driver to communicate with the dispatcher, but at no time does exercising this option waive the requirement to have an operational base station as contemplated by this bylaw.
85. As of May 1, 2017, all vehicles for hire shall be equipped with a fully operational security camera.
86. Notwithstanding any other provision of this bylaw, any vehicle for hire that is added to a company fleet prior to May 1, 2017 shall have an approved security camera installed pursuant to this bylaw.
87. Images captured by a security camera shall be accessible only by a Designated Officer and solely for the purpose of law enforcement.
88. Security cameras must be:
 - (1) approved;
 - (2) mounted on the inside of the windshield, or in another approved suitable position in the front of the passenger compartment, facing rearward to capture images of all occupants of the vehicle for hire at all hours of day or night; and
 - (3) incapable of being obstructed by a sun visor or any other object.
89. The owner of a vehicle for hire company shall retain and store images captured by the security camera for a period of 72 hours, and shall immediately produce any images upon demand of the Designated Officer.
90. It shall be an offence for a driver to operate a vehicle for hire that does not have a security camera that captures images for every shift worked and for the entire duration of each trip.

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91. The vehicle for hire company owner shall ensure that the following items are kept on display at all times in every vehicle for hire:
 - (1) a legible placard readable to persons sitting in the front seat, with wording that indicates that a security camera is installed and images of the passengers are being recorded; and
 - (2) a tariff card, visible to all persons sitting in the back seats of the vehicle.
92. The owner of a motor vehicle for hire shall install a taximeter in the vehicle so as to automatically calculate the fare at the metered rate when that vehicle is in motion as well as when the vehicle is standing under hire.
93. Once every six months and at the request of a Designated Officer, the owner of a motor vehicle for hire shall submit the taximeter installed in such vehicle for inspection, which shall include testing the meter over a measured distance.
94. No person, including the owner or driver of a motor vehicle for hire, shall remove a taximeter seal unless such removal is for the purpose of recalibration five working days prior to the first Tuesday in May or November.
95. The owner or driver of a motor vehicle for hire shall return all used taximeter seals to Bylaw Services during inspection of the taximeter after recalibration.
96. The Designated Officer may issue an Out of Service Order to the driver or owner of a motor vehicle for hire if the inspection or test finds that a taximeter calculates a fare inaccurately or the taximeter fails to meet other requirements of this bylaw, at which time the vehicle for hire may not be driven for any purpose.
97. An owner or driver of a motor vehicle for hire shall ensure that the taximeter is:
 - (1) not tampered with;
 - (2) adequately illuminated at all times;
 - (3) installed and placed on the right side of the driver in such a position that the passenger may easily read, from the rear seat, the amount of the fare being displayed on the taximeter;
 - (4) used only when the taximeter seal is fully intact and not broken or otherwise compromised; and
 - (5) kept in good working condition at all times and not used when defective in any way.
98. Every owner shall connect the taximeter to a light which shall be situated on the roof of the motor vehicle for hire which includes the word "Taxi" or "Cab".
99. The driver of a motor vehicle for hire shall ensure that the exterior roof light is illuminated when the vehicle is available for hire and turned off when it is not available for hire.
100. The driver of a motor vehicle for hire shall call the passenger's attention to the amount of the fare registered on the taximeter at the termination of the trip.

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101. A driver of a motor vehicle for hire may accept a voucher as payment from a passenger if:
- (1) the voucher is from a Federal, First Nation, Territorial or Municipal government, or approved affiliate, including a healthcare facility, which has obtained prior written approval from Bylaw Services to issue a vouchering system for its clientele;
 - (2) the voucher is for a special event, and the vehicle for hire company owner has obtained prior written approval from Bylaw Services to issue a vouchering system for that event; or
 - (3) with the approval of the Manager.

CONDITION OF MOTOR VEHICLES FOR HIRE

102. An owner or driver of a motor vehicle for hire shall not operate, cause or allow the operation of the vehicle unless the vehicle equipment and markings comply with this bylaw.
103. The owner of a vehicle for hire shall paint on or otherwise affix the following information to the motor vehicle for hire, and the owner or driver of the motor vehicle for hire shall keep such information clear, clean and distinguishable at all times:
- (1) the vehicle for hire company name with which the vehicle for hire is associated, in lettering not less than five cm high which shall be placed on either the rear doors or front doors on each side of the vehicle for hire; and
 - (2) a number which uniquely identifies the vehicle for hire as being one of the vehicles for hire associated with the vehicle for hire company, in figures not less than five cm high which shall be placed on both sides of the vehicle for hire near the front and on the back of the vehicle for hire so that it is visible to anyone driving or standing behind the vehicle for hire.
104. The owner of a vehicle for hire shall be allowed to advertise on or in a vehicle for hire, but no advertising material shall be placed or attached on any vehicle in a manner that may obstruct the driver's view in any direction.
105. The owner and/or driver of a motor vehicle for hire shall keep such vehicle in a state of repair which is free from any deficiency, including but not limited to, body damage, paint damage, dents, interior damage or disrepair, and windshield cracks that are within the line of site of the driver
- (1) The body paint colour shall be consistent throughout the exterior of the vehicle.
106. The owner of a motor vehicle for hire that has been involved in an accident which causes body damage to the vehicle shall, by the next business day and within 24 hours of such accident, notify Bylaw Services, in writing, of the details of such accident, and the nature of the damage to the vehicle for hire.

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CONDITIONS AND ROUTES FOR NON-MOTORIZED VEHICLES

107. The owner or driver of a non-motorized vehicle for hire shall ensure that every non-motorized vehicle for hire is put into service only after it has been approved as being in compliance with this bylaw.
108. When required by the Manager, the owner or driver of a non-motorized vehicle for hire shall obtain approval of the fixed route of the non-motorized vehicle for hire from Bylaw Services and once approved shall only operate a vehicle for hire on the approved fixed route.

RULES RELATING TO INSPECTIONS OF MOTOR VEHICLES

109. No driver shall operate a vehicle as a vehicle for hire , and no owner shall allow a vehicle for hire to be operated for any purpose including personal use, unless that vehicle:
 - (1) has undergone and passed the required mechanical inspections and the mechanical inspection report has been signed off by an inspector;
 - (2) has undergone and passed the required general inspections and the general inspection report has been signed off by an inspector;
 - (3) has valid liability insurance in the amount of two million dollars (\$2,000,000.00) for the operation of vehicle for hire, proof of which shall be produced immediately on demand from a Designated Officer; and
 - (4) has valid commercial motor vehicle registration, proof of which shall be produced immediately on demand from a Designated Officer.
110. A mechanical inspection and general inspection shall be conducted on every vehicle for hire at an appointed time not less than twice in each calendar year in May and November, and on such further occasions as directed by the Designated Officer, the cost of which shall be borne by the owner.
111. For the purpose of mechanical inspections and general inspections the owner or driver of a motor vehicle for hire shall:
 - (1) promptly comply with any request of the Designated Officer or inspector made pursuant this bylaw; and
 - (2) produce, upon request for inspection by the Designated Officer or inspector, a record or document required to be kept under this bylaw.

GENERAL AND MECHANICAL INSPECTION

112. A mechanical inspection of every motor vehicle for hire shall be conducted by an inspector at a periodic motor vehicle inspection facility no less than twice a year.
113. Two weeks prior to a mechanical inspection scheduled by Bylaw Services, every owner of a vehicle for hire shall provide Bylaw Services with a fleet list of all vehicles currently licensed to the owner.

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114. The inspector shall inspect motor vehicles for hire pursuant to this bylaw and the mechanical inspection standards handbook which shall be supplied by Bylaw Services in paper form for a fee, or electronically at no cost.
115. Upon completion of a mechanical inspection of a motor vehicle for hire, the inspector shall complete, in its entirety and in triplicate, a mechanical inspection form supplied by Bylaw Services.
116. Upon completion of a mechanical inspection of a motor vehicle for hire, the inspector shall provide the owner of such vehicle with two copies of the mechanical inspection report by personal delivery.
117. No later than the first Tuesday in the months of May and November each year, the owner of a vehicle for hire shall provide Bylaw Services with the original copy of the mechanical inspection report, at which time, if the vehicle passes the inspection, the Designated Officer shall:
 - (1) affix his or her signature to the mechanical inspection report; and
 - (2) file the mechanical inspection report at Bylaw Services, to be kept on record for not less than 12 months.
118. In the event that a vehicle for hire does not pass an inspection, the Designated Officer shall issue an Out of Service Order.
119. The general inspection of a motor vehicle for hire shall be conducted by the Designated Officer at a location and time specified by Bylaw Services, and shall be conducted pursuant to this bylaw and the guidelines established in the general inspection report.
120. Upon completion of the general inspection report that indicates that the inspection has been passed, Bylaw Services shall, upon payment of a fee by the owner of the motor vehicle for hire, issue a vehicle for hire plate, plate decal and a vehicle for hire registration certificate.
121. If Bylaw Services is not satisfied that a motor vehicle for hire meets all of the requirements of the general inspection report, Bylaw Services shall give the owner a copy of the general inspection report and shall issue a notice outlining the deficiencies.
122. A plate, plate decal or vehicle for hire registration certificate shall not be issued or renewed in respect of any vehicle for hire where in the opinion of the Designated Officer, the vehicle for hire is unsuitable for use by reason of:
 - (1) failing to meet general inspection or mechanical inspection requirements;
or
 - (2) being unclean or dilapidated in appearance.
123. The Designated Officer may at any time inspect a vehicle for hire to determine the following:
 - (1) the validity of the plate and vehicle for hire registration certificate;
 - (2) the validity of the permit;

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- (3) the accuracy of the taximeter;
- (4) the mechanical condition of the vehicle; or
- (5) standards of repair and cleanliness of the vehicle.

NOTICES

124. Upon issuance of a notice by the Designated Officer, the owner of a vehicle for hire shall remedy any deficiency or non-compliance with this bylaw as detailed in the notice and shall do so within the time specified.
125. Once an owner has remedied any deficiency outlined in a notice, the owner shall report to Bylaw Services as required for a follow up inspection to determine if the deficiency has been remedied to the satisfaction of the Designated Officer.
126. The owner is guilty of an offence for failing to comply with a notice by the date specified in the notice, unless an extension has been provided by the Designated Officer.

OUT OF SERVICE ORDERS

127. If in the opinion of the Designated Officer there is a safety concern with a vehicle for hire, the Designated Officer may order that the vehicle be removed from service immediately with an out of service order.
128. When a Designated Officer has issued an out of service order for a vehicle for hire, the owner of that vehicle shall immediately take that vehicle out of service, and shall not allow it to be in service until the owner has written approval from the Designated Officer that:
 - (1) the deficiency or non-compliance has been remedied; and
 - (2) all other requirements of this bylaw have been met to the satisfaction of the Designated Officer.
129. Where an out of service order has been issued, the Designated Officer shall immediately provide the owner of the vehicle with copies of the out of service order and any inspection report which outlines the reasons the vehicle is being taken out of service.
130. The owner shall not permit a vehicle for hire to be operated or driven for any purpose if it is the subject of an out of service order, and no person shall operate or drive a vehicle for hire that is the subject of an out of service order.
131. A Designated Officer may seize and impound a vehicle for hire:
 - (1) if an owner or driver fails or refuses to produce identification, a permit, the vehicle for hire registration certificate, or any other document required by this bylaw, upon demand by a Designated Officer; or
 - (2) where, in the opinion of the Designated Officer, there are safety concerns associated with a contravention of this bylaw; or

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- (3) where, in the opinion of the Designated Officer, there is a continuation of a contravention of this bylaw.
- 132. Where the Designated Officer has seized a vehicle for hire pursuant to the provisions of this bylaw, the vehicle may be held for up to a maximum of 48 hours and stored at a location deemed appropriate by the Designated Officer.
- 133. The costs of seizure and storage of a vehicle for hire shall be borne by the owner of the vehicle for hire.
- 134. The Designated Officer shall immediately notify the dispatcher of the vehicle for hire company of the reason for the seizure, the length of time the vehicle for hire may be held, and the storage location.
- 135. The Designated Officer shall, within 24 hours of the seizure of a vehicle for hire, deliver to the base station of the vehicle for hire company, and to the Manager a written report outlining the breach of the bylaw and the details of the seizure.

ADMINISTRATION OF THIS BYLAW

- 136. Where this bylaw requires an application to be made for a certificate, permit, Placard, plate, sticker, or other approval, the Manager may establish the form and content of the application, the fee to be paid, the documentation required to be submitted with the application and the requirements that must be met prior to approval of the application.
- 137. The Manager may establish the form, including the contents and duration, of any document issued pursuant to this bylaw, including certificates, notices, orders, reports, consents, permits, plates and tariff cards.
- 138. The Manager may, by order specify or prohibit safety equipment or devices which may be placed in a vehicle.
 - (1) The Manager may by order specify the type, content of, format for, and placement within or on a vehicle of items including: promotional material, brochures, cards, certificates, stickers, signs, decals, permits, placards, plates, tariff cards or other similar materials which may be carried in or on a vehicle for hire.
- 139. No person to whom a certificate, permit, placard, plate, or sticker is granted pursuant to this bylaw shall sell, trade, give away or otherwise dispose of the item in any manner except as directed by Bylaw Services.
- 140. Where a certificate, permit, placard, plate, sticker or tariff card is issued, or an approval is made under this bylaw, a person shall comply with all associated conditions.
- 141. Where a Designated Officer believes that a certificate, business license, permit, placard, plate, or sticker is being used contrary to this bylaw, or where the Designated Officer is otherwise attempting to determine the validity of any such document, the Designated Officer may ask any driver to produce any document and answer any question that will assist the Designated Officer in making such a determination, and the driver shall comply with any and all such requests.

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142. Where a driver refuses to comply with an Officer's request for information or to produce identification, it shall be deemed an offence, and in addition to charging the driver for failing to comply, an Officer may seize the certificate, permit, placard, plate, or sticker until a determination can be made as to its legitimate use or validity.
143. The owner to whom a plate has been registered shall be responsible for the act or acts which occur in the course of duties which could have been reasonably foreseen by the owner as occurring, of any driver or person who operates a vehicle for hire, as though the act or acts were done by the owner.

DENIAL, SUSPENSION, REVOCATION OR CONDITIONS OF A PERMIT

144. The Manager may deny, suspend, or revoke a permit if, in the opinion of the Manager:
 - (1) the person seeking to hold the permit or the holder of a permit fails to meet the requirements, tests, terms or conditions established under this bylaw;
 - (2) an applicant or permit holder is carrying on activities that are in contravention of this bylaw;
 - (3) there are reasonable grounds to believe that an application or other document provided to Bylaw Services by or on behalf of the applicant contains a false statement;
 - (4) any information contained in the original application form or any other information provided to Bylaw Services has ceased to be accurate;
 - (5) the person seeking to hold the permit or the holder of a permit is currently subject to an order issued in any court within Canada that prohibits the operation of a motor vehicle; or
 - (6) the Manager has the reasonable belief that granting a permit would pose a danger to the safety, health or welfare of the public.
145. Where there is a breach of this bylaw and the bylaw allows Bylaw Services to deny, revoke, or suspend a permit, the Manager shall notify the applicant or permit holder within five days of such decision by registered mail or personal service to the last known address of the owner or driver.
146. In the event that the Manager determines that a vehicle for hire permit requires conditions, the Manager shall provide written details of the conditions to the applicant or permit holder.
147. In the event Bylaw Services refuses an application, the Manager shall provide written reasons of such refusal to the applicant by registered letter or by personal service.

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APPEAL

148. Where a decision has been made by the Manager to apply conditions to a driver's permit, or to deny, revoke, or suspend a license, permit, certificate or plate under this bylaw, the owner or driver may appeal such decision in writing to Council within 14 calendar days after the decision was rendered, save and except for the provisions related to the application process for a vehicle for hire permit sections 14 and 15.
149. The written appeal shall be submitted to the Manager at which time the matter will be scheduled for consideration by Council.
150. The right of appeal shall be barred and extinguished if not received in writing by the Manager within the 14 calendar day period set out this section.
151. No refund will be granted, in whole or in part, where a license, permit, certificate or plate has been surrendered, denied, suspended or revoked.

EFFECT OF NON-COMPLIANCE AND PENALTIES

152. Every person who makes any false statement in any application or pursuant to a request for information under any provision of this bylaw is guilty of an offence.
153. Every person who contravenes any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw, shall be guilty of an infraction of an offence.
154. Any person who commits an offence under this bylaw is, in addition to any other punishment, liable upon summary conviction to:
 - (1) a voluntary fine, under 20 of the *Summary Convictions Act* RSY 2002 c 210 issued in respect of an offence specified in Schedule "B" attached hereto and forming part of this bylaw; or
 - (2) a fine not exceeding ten thousand (\$10,000.00) dollars, plus a fine of up to \$2,500 for each day that the offence continues, pursuant to 343 of the *Municipal Act* RSY 2002 c 154.; or
155. Notwithstanding specified and minimum penalties set out in Schedule "B" of this bylaw:
 - (1) If a person is convicted of a breach of the same provision or provisions of this bylaw more than once within a 24 month period, the minimum penalty for the second and subsequent convictions shall be a minimum of twice the amount of the penalty imposed for the first offence.
156. Where a person is convicted of an offence under this bylaw the Judge may, in addition to any other measure imposed on the offender, order that the offender pay restitution pursuant to 738 of the *Criminal Code of Canada*, as amended.

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157. Where an offence is committed or continues on more than one day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.
158. Where fees or fines remain unpaid, the City of Whitehorse may attach such fees or fines to the owner's or driver's vehicle for hire permit or business license to operate a vehicle for hire company, and in any event, no business license, permit, certificate or plate shall be issued under this bylaw until such fees or fines are paid in full.

BYLAW REPEAL

159. Bylaw 2011-32, including all amendments thereto, is hereby repealed.

COMING INTO FORCE

160. This bylaw shall come into full force and effect upon final passage thereof.

FIRST and SECOND READING: June 29, 2015

THIRD READING and ADOPTION:

Mayor

City Clerk

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SCHEDULE "A"

FARE SCHEDULE

1. **Taximeter Fare**

Maximum Flag Rate	\$4.50
Maximum charge for each 1/9 th kilometre or 12 seconds	\$0.25

2. **Charter Fare**

\$30.00 Minimum

Minimum charter fare of \$30.00 for the first 30 minutes and pro-rated for every 10 minutes based on the same charter fare thereafter

3. **Maximum flat rate for transport of hotel guests in the Downtown Area to and from Whitehorse International Airport**

Area	Maximum Rate
Downtown Area (as per Appendix "B")	\$18.00

GST Included in all above rates

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SCHEDULE "B"

VOLUNTARY FINES

Section	Description of Offence	Penalty
4	Driver fail to apply for or renew permit	\$100.00
5	Fail to surrender expired permit	\$50.00
6	Possess more than one copy of permit	\$50.00
7	Owner allows a person to operate without a permit	\$100.00
7	Owner allows a person to operate without a permit (2 nd offence)	\$250.00
18	Company fail to produce documents	\$100.00
19	Company fail to keep/produce records	\$100.00
20	Fail to disclose change in information	\$50.00
21(1)	Vehicle not clean and in good repair	\$100.00
21(1)	Vehicle not clean and in good repair (2 nd offence)	\$250.00
21(2)	Operate vehicle when it has been taken out of service	\$500.00
21(3)	Operate vehicle without valid registration certificate and plate	\$500.00
21(4)	Fail to charge fares pursuant to Schedule "A"	\$100.00
22(1)	Fail to notify of trade names or change to trade names	\$50.00
22(2)	Fail to notify of change in fleet status	\$50.00
22(3)	Fail to provide list of drivers	\$50.00
22(4)	Fail to display company name on vehicle	\$50.00
22(5)	Improper use of vehicle for hire registration plate	\$250.00
22(6)	Fail to maintain and operate a base station	\$250.00
22(7)	Fail to keep and safeguard lost and found property	\$100.00
22(8)	Fail to provide training in the use of equipment	\$100.00
22(9)	Fail to provide passenger with services requested.	\$100.00
22(10)	Fail to provide priority service for clients requiring accessible vehicle	\$500.00
23(1 – 5)	Fail to properly record details of customer complaints	\$100.00
24	Fail to produce permit upon demand	\$50.00
25	Driver fail to notify Bylaw Services of change in information	\$50.00
27	Fail to notify Bylaw Services of convictions	\$500.00
28(1)	Driver operate vehicle contrary to permit	\$250.00
28(2)	Fail to display vehicle for hire permit	\$50.00
28(3)	Interior of vehicle not in clean condition	\$50.00
28(4)	Exterior of vehicle not in clean condition	\$50.00

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Section	Description of Offence	Penalty
28(5)	Aftermarket window tinting, blind or window covering on vehicle.	\$100.00
28(6)	Offensive odour/fragrance within vehicle	\$50.00
28(7)	Driver of vehicle not neat and clean in person and dress	\$50.00
28(8)	Driver of vehicle not professional/courteous	\$250.00
28(9)	Fail to promptly attend to passenger pick-ups	\$50.00
28(10)	Driver fail to provide priority services for accessible vehicle for hire	\$500.00
28(11)	Fail to inspect vehicle	\$50.00
28(12)	Fail to extend service from curb to curb	\$50.00
28(13)	Fail to take direct route	\$100.00
28(14)	Driver fail to provide passenger with a completed receipt	\$50.00
29(1)	Operate vehicle that does not meet requirement of the bylaw	\$250.00
29(2)	Take fare while vehicle is out of service	\$250.00
29(3)	Use vehicle after out of service order issued	\$250.00
29(4)	Driver smoking within 5 metres of vehicle for hire.	\$50.00
29(5)	Operate vehicle under influence of alcohol or impairing substance	\$500.00
29(6)	Consume alcohol or impairing substance while operating vehicle	\$500.00
29(7)	Driver use abusive language/insult to others	\$250.00
29(8)	Carry more than vehicle seating capacity	\$100.00
29(9)	Make a false statement to induce vehicle for hire services	\$250.00
29(10)	Hand writing while vehicle in motion	\$250.00
29(11)	Collect additional charges for fares or services	\$100.00
29(12)	Set vehicle in motion while loading or unloading	\$100.00
29(13)	Collect fare while in motion	\$100.00
29(14)	Take additional passengers without consent of current passengers	\$50.00
29(15)	Transport baggage outside of vehicle	\$100.00
29(16)	Driver operate vehicle for hire more than 12 consecutive hours	\$250.00
30	Driver fail to accept passenger	\$100.00
31	Driver fail to keep trip records as required	\$250.00
32	Driver fail to deposit trip records at place of business	\$100.00
35	Owner fail to keep or produce trip records	\$100.00
39	Operate vehicle without valid vehicle for hire plate	\$250.00
40	Owner allow operation of a vehicle for hire without plate	\$250.00
41	Fail to possess vehicle for hire registration certificate	\$50.00
47	Fail to report damaged, lost or stolen plate/decal/certificate	\$50.00

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Section	Description of Offence	Penalty
49	Fail to provide accessible vehicle for hire services	\$250.00
52	New company fail to provide accessible vehicle for hire	\$250.00
55	Fail to post accessibility symbol	\$50.00
57	Fail to conform to the rates and fares provisions of this bylaw	\$100.00
59(1)	Fail to record charter in accordance with this bylaw	\$250.00
59(2)	Fail to charge charter fare in accordance with fare schedule	\$100.00
60	Fail to possess copy of passenger liquor permit	\$250.00
62	Operate vehicle for hire without approved fare schedule	\$100.00
66	Fail to prepare and display tariff card	\$50.00
68	Fail to provide an electronic payment system	\$50.00
69	Collect unapproved fare	\$100.00
71	Publish or use unapproved fare	\$100.00
72	Remove, mutilate, deface, or dispose of tariff card	\$100.00
73	Personal use of vehicle for hire violation	\$100.00
76	Not in service vehicle parked in taxi stand	\$50.00
77	Fail to maintain and provide a base station/dispatch system	\$250.00
78	Base station not equipped to receive hearing impaired calls	\$250.00
79	Dispatch call for service to driver without a permit	\$250.00
80	Dispatch call for service to vehicle without valid plate	\$250.00
81(1)	Operate vehicle without two-way radio communication	\$250.00
81(2)	Operate vehicle without taximeter	\$250.00
82	Fail to submit radio equipment and base station for inspection	\$250.00
85	Security camera not installed (1 st offence)	\$100.00
85	Security camera not installed (2 nd offence)	\$250.00
85	Security camera not installed (3 rd offence)	\$2,500.00
86	New vehicle added to fleet without security camera	\$100.00
88(1)	Security camera not approved	\$100.00
88(2)(3)	Security camera not properly mounted	\$100.00
89	Fail to retain or produce security camera images	\$2,500.00
90	Fail to capture images with security camera	\$2,500.00
91(1)	Fail to display notice of public safety camera	\$50.00
91(2)	Fail to display tariff card	\$50.00
92	Owner fail to equip vehicle with operational taximeter	\$250.00
93	Fail to submit taximeter for inspection	\$100.00

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Section	Description of Offence	Penalty
94	Remove taximeter seal	\$100.00
95	Fail to return used taximeter seal	\$50.00
97(1 – 5)	Taximeter violation	\$100.00
98	Roof light violation	\$50.00
99	Fail to illuminate or turn off roof sign as appropriate	\$50.00
101	Accept unauthorized voucher	\$100.00
102	Vehicle equipment and markings in non-compliance	\$100.00
103	Fail to have business name /vehicle numbers on vehicle	\$50.00
104	Advertising obstructs driver's view	\$100.00
105	Vehicle exterior body or paint damage or windshield cracks	\$100.00
105	Vehicle interior damage or disrepair	\$100.00
106	Fail to notify Bylaw Services of accident that damages vehicle	\$100.00
107	Operate non-motorized vehicle without authorization	\$100.00
108	Non-motorized vehicle fail to obtain and travel on approved route	\$100.00
109(1)	Operate vehicle that has not passed mechanical inspection	\$250.00
109(2)	Operate vehicle that has not passed general inspection	\$250.00
109(3)	Operate vehicle without valid liability insurance	\$250.00
109(4)	Operate vehicle without valid commercial registration	\$250.00
110	Fail to comply with inspection requirements	\$250.00
111(1)	Fail to comply with Designated officer or inspector	\$250.00
111(2)	Fail to produce records or documents	\$250.00
113	Owner fail to provide fleet list of vehicles	\$100.00
124	Fail to remedy deficiency or non-compliance	\$250.00
125	Fail to report for follow-up inspection	\$100.00
126	Fail to comply with notice by date specified	\$100.00
130	Use vehicle after out of service order issued	\$250.00
152	Make a false statement	\$250.00

Vehicle For Hire Bylaw 2015-19

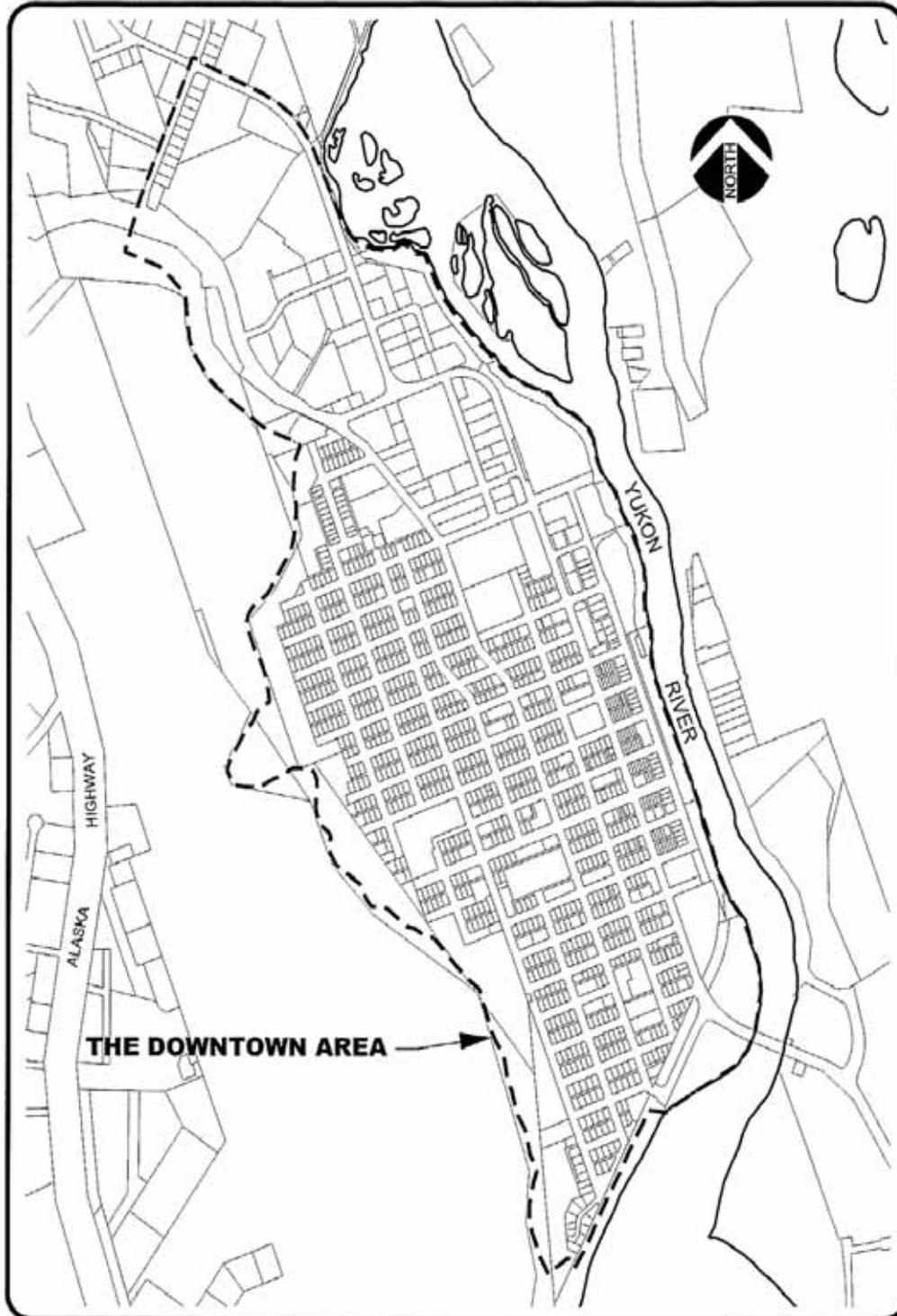
APPENDIX "A"
ACCESSIBLE SYMBOL



Vehicle For Hire Bylaw 2015-19

APPENDIX "B"

DOWNTOWN AREA MAP



CITY OF WHITEHORSE
BYLAW 2015-20

A bylaw to govern the use of parks and public open space within the City of Whitehorse

WHEREAS section 265 of the *Municipal Act* RSY 2002 Chapter 154 (the “Act”) provides that council may pass bylaws:

- (1) for the safety, health, and welfare of people and the protection of persons and property;
- (2) for the activities in, on or near a public place or a place that is open to the public;
- (3) subject to the *Motor Vehicles Act (the “MVA”)*, for the use of motor vehicles or other vehicles, on or off highways, and the regulation of traffic; and
- (4) for vegetation and activities in relation to it;

AND WHEREAS section 266 of the *Act* provides that, without restricting section 265, a council may in a bylaw passed under this division to regulate, control, or prohibit;

AND WHEREAS section 126(1) of the *MVA* provides that a municipality may make bylaws controlling and regulating the use of highways, sidewalks, and other public places;

AND WHEREAS section 126(2) of the *MVA* provides that, without limiting the generality of subsection (1), a municipality may make bylaws under and for the purposes of subsection (1) prohibiting a class or classes of motor vehicles from using wholly or partially for a certain period, or periods, a highway in the municipality and restricting the use of a highway in whole or in part to a particular class of vehicle;

AND WHEREAS section 126(4) of the *MVA* provides that a municipality may make bylaws prohibiting, controlling and regulating the use of vehicles, including vehicles operated exclusively off-highway, on land that is not a highway; and

AND WHEREAS section 249(2) of the *MVA* provides that a municipality may by bylaw confer on an officer or employee of the municipality the powers of a peace officer under any of sections 36, 50, 86, 106, 114, 130, 133 to 136 inclusive, 181, 203, 217, 230, and 232 of the *MVA*;

NOW THEREFORE, the council of the municipality of the City of Whitehorse, in open meeting assembled; hereby ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the "**Parks and Public Open Space Bylaw**".

DEFINITIONS

2. In this bylaw:

“ALL-TERRAIN VEHICLE” means an all-terrain vehicle as defined in the City of Whitehorse All-Terrain Vehicle Bylaw as amended from time to time;

Parks and Public Open Space Bylaw 2015-20

“AUTOMOBILE” means a vehicle typically with four wheels, powered by an internal combustion engine or electric motor and able to carry a small number of people and includes a truck, car, van, sports utility vehicle, and motorhome, and excludes snowmobiles and all-terrain vehicles;

“BOULEVARD” means the land fronting or along the side of residential property between the property line and the curb or maintained land that lies between two or more lanes on the same roadway;

"CITY MANAGER" means the Chief Administrative Officer of the City or a duly authorized representative;

"CITY" means the municipality of the City of Whitehorse;

“CITY PARK” means a City owned park including any public outdoor lot owned by the City and set aside specifically for recreation, including City playgrounds, cemeteries, paved trails, tot-lots, walkways, and similar uses;

“CITY PLAYGROUND” means an area intended to meet the outdoor recreation needs of residents and provides amenities including an outdoor rink and play apparatus;

“CITY TRAIL” means a trail as defined in the City of Whitehorse Trail Plan as amended from time to time;

"COUNCIL" means the duly elected council of the City of Whitehorse;

“DAMAGE” means by one’s actions, whether intentional or unintentional, a building, place, thing, land, or vegetation has been defaced, injured, harmed, or deteriorated;

“DESIGNATED DEVELOPMENT AREAS” mean the areas as defined in Schedule “B” attached hereto and forming part of this bylaw;

“DESIGNATED OFFICER” means the R.C.M.P., the Manager, an employee of the City of Whitehorse Bylaw Services Department or an authorized representative as designated by the City Manager or council;

“ELECTRIC WATERCRAFT MOTOR” means a device that is solely powered by battery where the primary function is to propel the watercraft through water with a rating of 50 pounds thrust or less;

“FEE” means a fee as set out in the City’s Fees and Charges Bylaw as amended from time to time;

“FIRST NATIONS GOVERNMENT” means the band council of the Kwanlin Dün First Nation and Ta’an Kwäch’än;

“JUDGE” means one who is appointed to preside and to administer the law in a court of justice, and includes a Justice of the Peace;

"MANAGER" means the Manager of the Parks and Community Development or designate;

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“MOTORIZED VEHICLE” means any conveyance that is powered by or capable of being powered by means other than human power, including solar, electric, or combustion engine and includes an automobile, snowmobile and all-terrain vehicle;

“OPEN WATER” means a body of water including, but not limited to, a lake, pond, river or stream;

"OPERATE" means, whether or not a vehicle or watercraft motor is running, a person that is in the act of carrying, driving, manoeuvring, parking, pushing, stopping, towing, or transporting a vehicle or watercraft motor;

“OPERATOR” means the person who operates a vehicle;

"OWNER" means the registered owner, operator, or lessee of a vehicle or thing and includes any person, partnership, association or corporation that owns, possesses or has control of a vehicle or thing;

"PARK" means any municipal outdoor area owned by the City and used to accommodate the recreation of residents of the City or enhance the beauty or preserve the natural surroundings of the community including:

- (1) City parks and City playgrounds;
- (2) City trails;
- (3) campgrounds leased, owned or operated by the City

“PARK EQUIPMENT” means anything constructed or placed in a public open space by the City or its agents, whether temporary or permanent, excluding vegetation and including any sign, building, wall, bench, table, railing, stairs, wading pool, fire pit, barbeque stands, swing set, compost bin, waste receptacle, planter, underground sprinkler, irrigation system, fence, bridge, guardrail, memorial marker, vase or other similar thing;

“PERMIT” means a permit issued by the Manager, including a special event permit;

“PERSON” means an individual or any business entity including a firm, partnership, association, corporation, or society;

“PUBLIC OPEN SPACE” means any outdoor area within the City used to accommodate the recreation of residents of the City or enhance the beauty or preserve the natural surroundings of the community including:

- (1) a park;
- (2) undeveloped park areas and future development areas as listed in the Official Community Plan;
- (3) public open space lands under the ownership or control of the Crown, the Commissioner of the Yukon or the City of Whitehorse; and
- (4) greenbelts and buffer areas under the ownership or control of the Crown, the Commissioner of the Yukon, or the City of Whitehorse.

Parks and Public Open Space Bylaw 2015-20

“PUBLIC WASTE” means waste generated by a person or a person’s pet while out in public and shall include, but not be limited to, candy bar wrappers, pop cans, bottles, empty chip bags, coffee cups, fast food containers, items for day-use outings and picnics, and single-use bags with dog faeces;

"RECREATION" means the leisure time pursuits of a person whether they be passive, active, creative or social in nature and includes such activities as arts, social or sports events;

"ROADWAY" means that portion of any road, street, lane or alley designed, improved or ordinarily used for motor vehicle travel by the general public and includes roadway rights-of-way and parking areas;

“ROADWAY RIGHT-OF-WAY” means the first five metres of surveyed right-of-way adjacent to a roadway and excludes a boulevard;

“SEXUAL ACTIVITY” means physical contact of a sexual nature, in open public, with one or more persons and excludes hugging or kissing;

“SNOWMOBILE” means a snowmobile as defined in the City of Whitehorse Snowmobile Bylaw as amended from time to time;

“SPECIAL EVENT” means an event with ceremonies, festivities or activities, including but not limited to, parades, celebrations, rallies, races, and sports functions;

“SPECIAL EVENT PERMIT” means the City’s written approval by the Manager, to conduct an activity in a public open space with or without conditions for a fee;

“TRAFFIC CONTROL DEVICE” means any sign, signal, marking, or device of a permanent or temporary nature that was erected pursuant to the authority of an enactment for the purpose of regulating, warning or guiding trail users;

“TRAIL PLAN” means the document approved by council which provides guidance for City trail planning and the development of City trails and City trail networks;

“VEGETATION” includes any living or dead bush, flower, grass, ground cover, plant, shrub, tree, turf, or vine, whether it is in a wild, natural, or landscaped state;

“VEHICLE” means any motorized vehicle or non-motorized vehicle including a trailer or camper and excluding a bicycle or wheeled conveyance;

"WASTE" includes all metal, rock, concrete, snow, water, ice, gravel, cinders, shavings, wood scrap, building materials, trade waste, household waste, grass clippings, wood chips, tree limbs, garden waste, abandoned vehicles, putrescible and non-putrescible solid wastes including broken dishes, tins, glass, rags, cast-off clothing, waste paper, cardboard, food containers, and weeds or any other material or matter likely to interfere with the appearance and use of a public open space;

“WATERCRAFT” means any boat, canoe, kayak or any other type of personal watercraft for conveyance of a person on the water;

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“WATERCRAFT MOTOR” means any motor designed to propel a watercraft through water, excluding an electric watercraft motor;

“WHEELED CONVEYANCE” means a motorized or non-motorized wheelchair or similar device used by someone with a disability or limited mobility, and excludes an all-terrain vehicle.

EXEMPTIONS

3. This bylaw shall not apply to a Designated Officer, enforcement officer, or employees or agents of the Federal Government of Canada, First Nations Government, Yukon Government, City of Whitehorse, or to operators of fire, ambulance, search and rescue, or other emergency vehicles acting in the course of their lawful duties.

GENERAL

4. Persons using any park equipment or public open spaces do so at their own risk and the City does not warrant such areas to be safe for use at all times.
5. This bylaw shall apply to all public open spaces in the City, subject however to the exceptions provided in any statute of the Yukon Government or any agreement entered into by the City affecting any public open space or any part thereof.
6. Notwithstanding any other provision of this bylaw, an owner or patrons of a campground shall abide by the provisions of this bylaw.
7. The Manager shall, as designated by the City Manager, be responsible for the administration of this bylaw.
8. The headings do not form a part of this bylaw but are inserted for convenience or reference only.

APPLICATIONS FOR, AND USE OF, PERMITS

9. No person, shall hold a special event in any public open space of the City without first obtaining a permit, the application for which shall be made in writing to the Manager not later than 30 days prior to the special event.
10. Notwithstanding any other provision of this bylaw, unless otherwise specified, the Manager may issue a permit for any activity regulated or prohibited by this bylaw and may impose such conditions or restrictions deemed necessary or required.
11. Where this bylaw requires an application to be made for a permit or license the Manager may establish the form and content of the application, the fee to be paid, the documentation required to be submitted with the application and the requirements that must be met for approval of the application.
12. The Manager may establish the type of permit, license, or other documented notice including the duration, and any conditions, and any other matter deemed necessary by the Manager.
13. The person to whom a permit has been issued shall comply with the permit, including any conditions or restrictions imposed therein.

Parks and Public Open Space Bylaw 2015-20

14. A person or community association may request the Manager to develop, repair, upgrade, or approve a City trail pursuant to the Trail Plan.

PARK AND PUBLIC OPEN SPACE USE

15. Unless permitted by the Manager, no person in a public open space shall engage in any activity that obstructs or interferes with the use or enjoyment of the area by any other person, or which, in the opinion of a Designated Officer, may cause injury or is dangerous to life or property. Without limiting the generality of the foregoing, no person shall:
- (1) operate an amplification system;
 - (2) take part in any procession, drill, performance, ceremony, concert or public gathering;
 - (3) divert or direct the flow of ground water through or to a public open space;
 - (4) cause damage;
 - (5) injure, disturb, trap or kill any animal or bird or destroy the eggs of any bird;
 - (6) destroy any animal or bird habitat;
 - (7) remove, destroy, mutilate, vandalize or deface any structure or fixture including but not restricted to bike lockers, monument, ornament, public art, wall, fence, gate, sign, bench, table, garbage receptacle or play apparatus;
 - (8) throw, hit, shoot, propel or otherwise cause to be airborne any arrow, golf ball, dart, lawn dart, or like projectile which can potentially cause physical injury or harm unless the area is specifically designed for the activity; or
 - (9) set off, launch or operate any flying remote control device including planes, and helicopters unless the area is specifically designed for that activity.
16. In a public open space, no person shall:
- (1) urinate or defecate except in a public washroom or portable facility provided for that purpose;
 - (2) engage in sexual activity;
 - (3) loiter in any washroom or change room; or
 - (4) engage in conduct that could reasonably be considered to be offensive.
17. The City may establish hours of operation for public open spaces, the hours of which shall be posted by sign at each maintained entrance into the public open space.
18. No person shall disobey a sign or traffic control device placed in a public open space.

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CITY TRAILS

19. Every City trail user shall:
 - (1) exercise due care and attention to avoid colliding with any other user;
 - (2) when entering or crossing a City trail, yield to users on the City trail;
 - (3) take all necessary precautions to enter the City trail safely; and
 - (4) yield to slower traveling City trail users, pedestrians, and wheeled conveyances.
20. No person shall perform or engage in any stunt, trick, reckless or unsafe activity on or in any public open space, unless authorized by the City for that purpose.
21. No City trail or roadway within a public open space shall be developed or established, unless approved by the City or landowner.

VEGETATION PROTECTION

22. No person shall, in a public open space and without the approval of the Manager:
 - (1) injure, bury, cover, damage, dig, cut, disturb or destroy any vegetation;
 - (2) prune any vegetation;
 - (3) alter the grade level or drainage pattern so as to interfere with the access to water, air or nutrients of any vegetation;
 - (4) remove or interfere with any protective barrier placed around any vegetation;
 - (5) make ruts or displace vegetation from its place of growth;
 - (6) commence any work or activity liable to interfere with the root system of any vegetation; or
 - (7) plant any vegetation.
23. No person shall walk upon any turf or grass area where signs are posted prohibiting such activity.

WATERCRAFT MOTORS

24. No person shall launch, load or unload, or be in possession of watercraft with a watercraft motor, within 25 metres of any open water listed in Appendix "A" attached hereto and forming part of this bylaw, whether or not the watercraft motor is attached to the watercraft prior to being placed in the water except for an electric watercraft motor.

WASTE

25. No person shall:
 - (1) place or deposit waste in any part of a public open space, except public waste in a receptacle provided for such purpose, and in which case the public waste shall not be offensive, injurious, or inconvenient to persons using such a public open space; or

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- (2) deposit household, commercial, or industrial waste of any type in a receptacle in a public open space.

ADVERTISING AND BUSINESS ACTIVITIES

26. Subject to Council policies, the Manager may provide:
 - (1) a public open space or portion thereof as an area for which a permit may be granted for the exclusive use by a person, group or business; and
 - (2) the conditions upon which exclusive use may be made of an area; and
 - (3) for areas excluded from use by the public.
27. Unless otherwise permitted by the bylaws, plans or policies of the City, or unless permitted by the Manager, while in a public open space no person shall:
 - (1) make available, offer or give away free goods or services;
 - (2) make available for sale goods or services;
 - (3) carry on any business of any kind or nature whatsoever or solicit for any business, trade or occupation;
 - (4) place a sign or device of any kind advertising or publicizing any commercial venture or facility; or
 - (5) place or leave any goods or merchandise in order to display the same for sale.

FIRES

28. No person shall start or have any wood fire or burning embers in any public open space except in designated fire places or fire pits provided and approved by the City for such use.

CLOSURE

29. The Manager may at any time as deemed necessary, temporarily close any public open space or any portion thereof to public use.
30. Unless authorized by the Manager, no person other than an employee of the City in the course of his or her duties shall enter any public open space or portion thereof while it is closed.

VEHICLES

31. No person shall drive an automobile on a City trail unless the City trail was developed or designated for such purpose as approved by the City.
32. No person shall operate or park an automobile in a public open space or in a public open space within a designated development area, except:
 - (1) on a roadway or roadway right-of-way;
 - (2) in an area set aside for automobile or vehicle parking;

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- (3) for the maintenance of public utilities and other maintenance, as approved by the Manager;
 - (4) in cases of emergency; or
 - (5) for other uses as permitted by the Manager.
33. It is the responsibility of all public open space users to inform themselves of the location and boundaries of areas where the operation of bicycles or vehicles of any kind are prohibited, and at no time shall persons rely upon traffic control devices as the sole means of identifying such prohibited areas.
34. When a sign is erected in such a manner as to restrict motorized vehicles in a public open space, no motorized vehicle may be operated beyond that point except on a roadway or City trail developed for such use.

CAMPING

35. No person shall sleep in a public open space between the hours of 11:00 p.m. and 07:00 a.m., or temporarily or otherwise reside or camp in any public open space, except:
- (1) in those areas established or designated as such by the City; or
 - (2) in those areas where a temporary permit has been issued.
36. For the purpose of this section, "reside or camp" shall include the use of tents, tent trailers, motor homes, recreational vehicles, trailers, and lean-tos or any other similar structures used for this purpose.

CONSTRUCTION AND DEVELOPMENT

37. No person shall undertake any construction or development in a public open space without prior written approval from the City.
38. All development and construction shall comply with the terms and conditions of federal, territorial, and municipal legislation and shall be in accordance with approved designs and standards.
39. Any construction that occurs within six metres of a tree in a public open space shall be completed in accordance with a tree protection plan that meets the specifications approved by the Manager prior to the commencement of work.
40. No person shall place or cause to be placed in, on or surrounding any City trail or public open space any object, including but not limited to rocks, trees, chain, rope, wood, or metal, which may in the opinion of a Designated Officer obstruct or create a hazard for City trail users or persons that may use the public open space, and in addition to any other penalty or fine imposed for a breach of this bylaw, such person shall be liable for the costs to remove the obstruction or hazard.

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TRAFFIC CONTROL DEVICES

41. The City Manager may prescribe where traffic control devices are to be located and installed in a public open space, including traffic control devices restricting the speed or activity of any bicycle, vehicle, or person.
42. In accordance with the provisions of the *Motor Vehicles Act*, a record of all traffic control devices and their locations shall be kept at the City and shall be open for public inspection during normal City business hours.
43. No person shall erect, maintain or place a sign, device, object, or structure to regulate the use of any public open space unless approved by this bylaw.

POWER OF A DESIGNATED OFFICER

44. Every person operating a vehicle shall, immediately when signalled or requested by a Designated Officer:
 - (1) bring the vehicle to a stop;
 - (2) provide any information respecting the vehicle and themselves to the Designated Officer;
 - (3) remain stopped until such time as the Designated Officer permits them to leave; and
 - (4) comply with any request or direction of the Designated Officer.
45. For the purposes of this section, vehicle includes a bicycle.
46. A Designated Officer may remove from a public open space any person that violates any provision of this bylaw or any enactment.
47. Where a Designated Officer believes that conditions attaching to a permit are not being met or is otherwise attempting to determine the validity of a permit, the Designated Officer may ask any person claiming to be a permit holder to produce identification; and ask any relevant questions for the purposes of identification, and the person shall comply with any and all such requests.
48. A Designated Officer may enter upon any land in any area of the City, with a reasonable and probable purpose, to prevent the continuation of an offence under this bylaw which shall include, but not be limited to, obtaining particulars of ownership and determining the identity of the operator of a vehicle or bicycle.

SEIZURE POWERS

49. A Designated Officer may seize and impound:
 - (1) A vehicle, if an operator fails or refuses to produce picture identification to a Designated Officer;
 - (2) A vehicle or bicycle, if a charge has been laid for a breach of this bylaw and the Designated Officer has reasonable and probable grounds to believe that there are safety concerns associated with the continuation of such breach; or

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- (3) A vehicle or bicycle which has been abandoned.
50. The City may retain custody of a seized and impounded vehicle or bicycle until:
 - (1) determination of the offence;
 - (2) payment of any fine or fines, including the costs of seizure, any fee and cost of storage; or
 - (3) where an item is seized in breach of this bylaw and the item is not claimed within six months from the date of seizure, upon direction of the Manager it may be disposed of pursuant to section 52 of this bylaw
51. Where the owner of a motorized vehicle was not the operator of the motorized vehicle or was not present at the time the motorized vehicle was apprehended, the Designated Officer shall take reasonable steps to notify the owner of its impoundment, together with the reasons for its impoundment and the place where it is impounded.
52. Where an impounded motorized vehicle or item is not claimed within six months from the date of seizure, the Manager may direct its disposal by public auction, and where the Designated Officer has determined the value of such motorized vehicle or item to be less than \$2000.00, the Manager may direct that it be disposed of at the City of Whitehorse Waste Management Facility or a scrap yard.

COMMITTING AN OFFENCE

53. Every person who contravenes any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw, commits an offence.
54. Any person who commits an offence under this bylaw is, in addition to any other punishment, liable upon summary conviction to:
 - (1) a voluntary fine, under section 20 of the *Summary Convictions Act* RSY 2002, c 210, issued in respect of an offence which shall be increased for second and subsequent offences as specified in Schedule "A" attached hereto and forming part of this bylaw; or
 - (2) a fine not exceeding ten thousand dollars (\$10,000.00) plus a fine of up to \$2,500 for each day that the offence continues, pursuant to section 343 of the *Municipal Act* RSY 2002 c 154.
55. The fine imposed under this bylaw may increase for second and subsequent offences.
56. Where a person is convicted of an offence under this bylaw the Judge may, in addition to any other measure imposed on the offender, order that the offender pay restitution pursuant to section 738 of the *Criminal Code of Canada*.
57. Where an offence is committed or continues on more than one day, it may be deemed to be a separate offence for each day on which the offence is committed or continued.

Parks and Public Open Space Bylaw 2015-20

58. Should any person owning real property within the City refuse or neglect to pay any fine that has been imposed pursuant to this bylaw, the City may charge the real property with the amount of the fine, which charge shall form part of the taxes payable in respect of that real property.

MOTORIZED VEHICLE OWNER'S AND OPERATOR'S RESPONSIBILITY

59. Where an offence under this bylaw is committed by a person operating a motorized vehicle, the owner of the motorized vehicle is guilty of the offence, notwithstanding that the owner was not operating the motorized vehicle at the time of the violation, and the owner is liable, on summary conviction, to the penalty provided for that offence, unless the owner satisfies the Judge that, at the time of the violation, the motorized vehicle was in the possession of a person without the consent of the owner.

BYLAW REPEAL

60. Protected Area Bylaw 426, including all amendments and maps attached thereto, is hereby repealed.
61. Parks and Recreation Area Bylaw 92-15, including all amendments thereto, is hereby repealed.

COMING INTO FORCE

62. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING: June 29, 2015
THIRD READING and ADOPTION:

Mayor

City Clerk

Parks and Public Open Space Bylaw 2015-20

SCHEDULE “A”

Voluntary Fines

Section	Description of Offence	Penalty
9	Hold special event without a permit	\$100.00
13	Fail to comply with conditions or restrictions of a permit	\$100.00
15(1)	Unapproved operation of amplification system	\$100.00
15(2)	Unapproved public gathering	\$100.00
15(3)	Tamper with flow of water	\$100.00
15(4)	Cause damage while in public open space	\$300.00
15(4)	Cause damage while in public open space (2 nd offence)	\$500.00
15(5)	Injure, trap or kill an animal or bird or destroy bird eggs	\$500.00
15(6)	Destroy animal or bird habitat	\$300.00
15(7)	Remove, destroy, mutilate, vandalize or deface property	\$300.00
15(8)	Propel projectile which can cause physical injury	\$300.00
15(9)	Launch, operate or set off flying remote control device	\$100.00
16(1)	Urinate or defecate in public open space	\$100.00
16(2)	Engage in sexual activity	\$100.00
16(3)	Loiter in washroom or change room	\$100.00
16(4)	Engage in conduct considered offensive	\$300.00
18	Disobey sign or traffic control device	\$100.00
19(1)	Fail to exercise due care and attention	\$100.00
19(2)	Fail to yield to users on City trails	\$100.00
19(3)	Fail to take all necessary precautions for safe trail use	\$100.00
19(4)	Fail to yield right-of-way to slower users, pedestrians, etc.	\$100.00
20	Engage in stunt, trick, reckless or unsafe activity without authority	\$100.00
22(1)(2)	Damage to vegetation	\$300.00
22(1)(2)	Damage to vegetation (2 nd offence)	\$500.00
22(3)(4)(5)(6)	Tamper or interfere with vegetation	\$100.00
22(7)	Plant vegetation without approval	\$100.00
23	Walk on turf or grass area against posted restriction	\$100.00
24	Launch, load or unload watercraft into open water	\$100.00
25(1)	Litter in a public open space	\$500.00
25(2)	Deposit household, commercial or industrial waste in receptacle	\$500.00
27(1)(2)	Unauthorized distribution or sale of goods and services	\$100.00

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Section	Description of Offence	Penalty
27(3)	Carry on or solicit for unauthorized business	\$100.00
27(4)	Unauthorized placement of sign or device	\$100.00
27(5)	Unauthorized placement of goods or merchandise	\$100.00
28	Unauthorized open fire	\$300.00
28	Unauthorized open fire (2 nd offence)	\$500.00
30	Unauthorized entry into public open space while it is closed	\$100.00
31	Illegal operation of automobile on City trail	\$300.00
31	Illegal operation of automobile on City trail (2 nd offence)	\$500.00
32	Illegal operation of vehicle in public open space	\$300.00
32	Illegal operation of vehicle in public open space (2 nd offence)	\$500.00
34	Operate motorized vehicle contrary to signs	\$300.00
34	Operate motorized vehicle contrary to signs (2 nd offence)	\$500.00
35	Camping in non-designated area	\$100.00
37	Unauthorized construction or development	\$300.00
40	Obstruct use or create hazard for users	\$300.00
43	Unauthorized sign, device, object or structure	\$100.00
44(1 – 4)	Fail to comply with Designated Officer	\$100.00
47	Fail to produce identification/respond to Designated Officer	\$100.00

Parks and Public Open Space Bylaw 2015-20

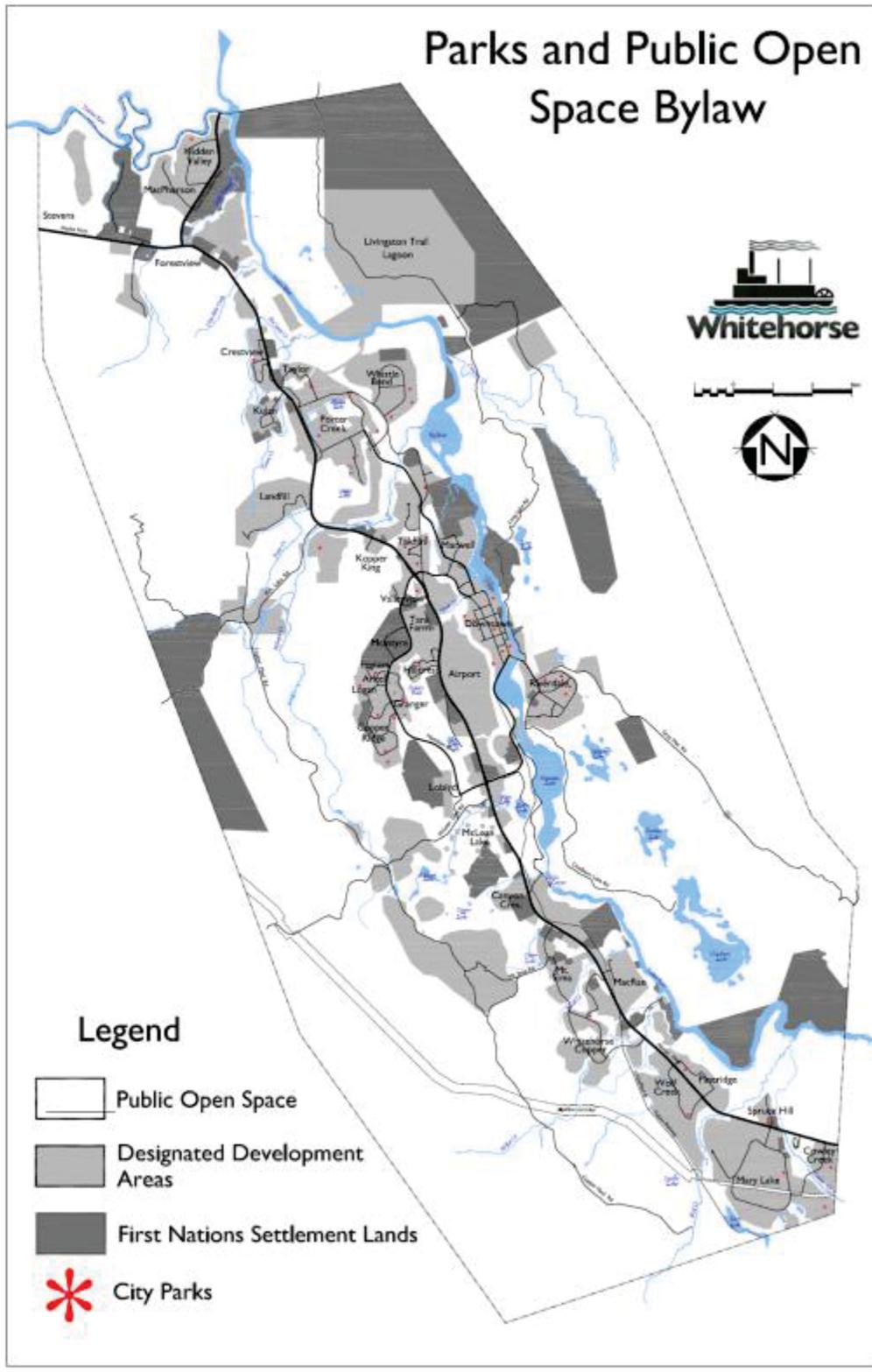
APPENDIX "A"

Open Water

1. Chadburn Lake
2. Chadden Lake
3. Hidden Lakes (Riverdale)
4. Long Lake
5. Pump House Pond
6. Mary Lake
7. Hidden Lake (Porter Creek)
8. Ear Lake
9. McLean Lake

Parks and Public Open Space Bylaw 2015-20

Map



CITY OF WHITEHORSE

BYLAW 2015-26

A bylaw to amend Fees and Charges Bylaw 2014-36

WHEREAS section 220 of the *Municipal Act* (R.S.Y. 2002) provides that council may by bylaw amend or vary bylaws; and

WHEREAS all City of Whitehorse municipal fees and charges are consolidated into one bylaw; and

WHEREAS it is deemed desirable that the Fees and Charges Bylaw amended to reflect changes required in response to a quarterly operational review;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. The schedule of fees attached to and forming part of Fees and Charges Bylaw 2014-36 is hereby amended by repealing existing Schedules 4, 7, 9, 10, and 12 and substituting therefore new Schedules 4, 7, 9, 10 and 12 attached hereto as Appendix "A" and forming part of this bylaw.
2. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING: June 29, 2015

THIRD READING and ADOPTION:

Mayor

City Clerk

CITY OF WHITEHORSE

BYLAW 2015-12

Explanatory Notes:

The attached bylaw amends the Fees and Charges Bylaw to reflect changes required as per a quarterly operational review. The changes are highlighted and include fee increases, new fees to reflect new or reinstated services, the deletion of discontinued or redundant fees, and some minor wording amendments to provide clarity as detailed herein:

- Add a new annual development permit fee for mobile food vendors on public sites. Currently, this fee has been charged under Development Permit-Temporary Commercial Event/Development
- Add a new monthly development permit fee for use of electricity for mobile vendors at sites where supplied. This fee is in line with the requirement as per section 2.1.9 of the Request for Application package for mobile food vendors
- Increase the annual dock permit fee from \$75 to \$300 to cover future maintenance issues in Schwatka Lake area recommended as per the recently adopted Area Plan. This fee is also more in line with other development permit fees.
- Introduce the refundable deposit fee to cover the costs of abandon docks that need to be retrieve and remove accordingly
- Amend current description of “property verification” fee to ensure this fee stay relevant
- Move all the equipment rental fees from Water and Waste Services to the Public Works area to keep all the equipment rental rates in one area
- Delete Eductor-Vactor equipment rental fee from Water and Waste Services as it is currently incorporated under Operations area in the Public Works
- Increase Eductors-Vactors equipment rental fee to reflect the current charge out rate
- Add a new equipment charge out fee for sewer camera to accommodate larger sewer mains
- Amend current fee description of Public Works labour fee to update department names
- Add new waste fees for clean wood, brushing , sawdust and wood chips to provide incentive for source separation and proper disposal at the Waste Management Facility
- Amend current unit of measure for Compost Sale from the cubic meter to cubic yards which is the current industry standard measure of volume

- Add new category of fees for blended compost/sand sales to accommodate public requests for sale of sand and compost mixtures
- Amend current description of Controlled Waste Asbestos fee to include new items/materials that contain asbestos
- Add two new controlled waste asbestos fees to reflect increase cost of handling new asbestos as well as to accommodate accepting materials that contain asbestos from outside the City's boundaries

		FEE DESCRIPTION		Bylaw 2015-26		Final Fee 5% GST Inc	UNITS
		Approved Base Fee	Date Fee Effective				
Operations	Equipment Charge	Tandem Dump & Tractor	Charge out rate for Tandem Dump Truck & Tractor	76.00	01-Jan-11	79.80	per hour
Public Works	Equipment Charge	Educators - Vactors	Charge out rate for Educator - Vactor	170.00	01-May-15	178.50	per hour
Public Works	Equipment Charge	Road Grader	Charge out rate for Road Grader	94.00	01-Jan-11	98.70	per hour
Public Works	Equipment Charge	Pickups	Charge out rate for Pickups	19.00	01-Jan-11	19.95	per hour
Public Works	Equipment Charge	One Tons	Charge out rate for One Tons	30.00	01-Jan-11	31.50	per hour
Public Works	Equipment Charge	Loaders	Charge out rate for Loaders	90.00	01-Jan-11	94.50	per hour
Public Works	Equipment Charge	Single Axle 5 Ton	Charge out rate for Single Axle 5 Ton	74.00	01-Jan-11	77.70	per hour
Public Works	Equipment Charge	Track Hoe	Charge out rate for Track Hoe	125.00	01-Jan-11	131.25	per hour
Public Works	Equipment Charge	Wheel Case Hoe	Charge out rate for Wheel Case Hoe	65.00	01-Jan-11	68.25	per hour
Public Works	Equipment Charge	Street Sweepers	Charge out rate for Street Sweepers	83.00	01-Jan-11	87.15	per hour
Public Works	Equipment Charge	Skid Steer	Charge out rate for Skid Steer	50.00	01-Jan-11	52.50	per hour
Public Works	Equipment Charge	Steamer Truck	Charge out rate for Steamer Truck	192.00	01-Jan-11	201.60	per hour
Public Works	Equipment Charge	Bucket Truck	Charge out rate for Bucket Truck	150.00	01-Jan-11	157.50	per hour
Public Works	Equipment Charge	Vibrator Roller	Charge out rate for Vibrator Roller	50.00	01-Jan-11	52.50	per hour
Public Works	Equipment Charge	Paver	Charge out rate for Paver	100.00	01-Jan-11	105.00	per hour
Public Works	Equipment Charge	Pothole Patcher	Pothole Patcher with 2 Operators	600.00	01-Jan-11	630.00	per hour
Public Works	Equipment Charge	Compressor	Charge out rate for Compressor	50.00	01-Jan-11	52.50	per hour
Public Works	Equipment Charge	Tapping Tool	Charge out rate for Tapping Tool	80.00	01-Jan-11	84.00	per hour
Public Works	Equipment Charge	Camera	Charge out rate for Camera	40.00	01-Jan-11	42.00	per hour
Public Works	Equipment Charge	Brush Chipper	Charge out rate for Brush Chipper	50.00	01-Jan-11	52.50	per hour
Public Works	Equipment Charge	Water Service Freeze Machine	Charge out rate for Water Service Freeze Machine	20.00	01-Jul-13	21.00	per hour
Public Works	Equipment Charge	Sewer Router	Charge out rate for Sewer Router	20.00	01-Jul-13	21.00	per hour
Public Works	Equipment Charge	Water Service Thaw Machine	Charge out rate for Water Service Thaw Machine	20.00	01-Jul-13	21.00	per hour
Public Works	Equipment Charge	Sewer Camera - Large diameter pipe	Charge out rate for Sewer Camera - Large diameter pipe	50.00	01-May-15	52.50	per hour
Public Works	Labour	Public Works Personnel	Charge out rate for Water & Waste or Operations Personnel	61.00	01-Mar-11	64.05	per hour

		FEE DESCRIPTION		Bylaw 2015-26		Final Fee if GST Applicable + 5% GST	UNITS
				Approved Fee	Date Fee Effective		
Advertising	All				08-Mar-99		
Autocad custom drafting & plotting			minimum 1/2 hour charge		01-Jan-08	52.50	per hour
Autocad drawing compilation and printing					01-Jan-08	22.60	per sheet
Autocad Plotting					01-Jan-08	8.70	per plot
Blue Print reproductions					01-Jan-08	3.20	per sheet
Book, Lost Graves			special, monthly or partial listing		01-Jan-08	10.50	each
Business Licence List			full listing		01-Jan-08	0.30	per page
Business Licence List			Ability to purchase additional household carts		01-Jan-08	47.30	each
Amended by Bylaw 2012-XX	Sales				01-Jan-10	210.00	each
Delivery Charge-rentals	Equipment (DPW)-barricades				01-Jan-08	42.00	per rental
Delivery Charge-rentals	Equipment (DPW)-portable bleachers				01-Jan-08	200.00	per rental
Delivery Charge-rentals	Equipment (DPW)-snow fencing				01-Jan-08	42.00	per rental
Deposit, Damage	Flag		fully refundable if returned in good condition		01-Jan-08	20.00	each
Deposit, Damage	Equipment (DPW)-barricades		fully refundable if all rental conditions met		22-Jun-98	20.00	each
Deposit, Damage	Equipment (DPW)-portable bleachers		fully refundable if all rental conditions met		22-Jun-98	100.00	section
Deposit, Damage	Equipment (DPW)-snow fencing		fully refundable if all rental conditions met		22-Jun-98	25.00	roll
Evaluation of restricted / overstrength waste					08-Mar-99	actual	each
Flag	City (3x6)				01-Jan-08	68.30	each
DVD	copy of recorded meeting				01-Jan-10	6.30	each
Inspection Cost Charge	Construction Value Up To \$500,000.00				01-Jul-13	Based on Engineers Estimate	
Inspection Cost Charge	Construction Value Up To \$3,000,000.00				01-Jul-13	Based on Engineers Estimate	
Inspection Cost Charge	Construction Value Above \$ 3,000,000.00				01-Jul-13	Based on Engineers Estimate	
IS Consultant Fees					23-Feb-09	84.00	each
Land Use Permit			temporary or seasonal land use		22-Jun-98		each
Local Improvement Search			LIC		29-Jan-07	26.30	each
Manual - Contract Tendering					01-Jan-08	84.00	each
Manual - Servicing Standards			manual & changes/revisions to manual to be sold at cost		01-Jan-08	84.00	each
NSF Fees/Cheque return fees/Rejected Pre-authorized credit card fee					01-Jun-14	45.00	each
Official Community Plan					01-Jan-08	20.00	each
Overstrength oil and grease, B.O.D. and T.S.S. surcharge					08-Mar-99	0.20	per Kg.
photocopy			at the discretion of administration		01-Jan-08	0.30	each
Pin	City of Whitehorse		reference Pin Policy (City Clerk's)		01-Jan-08	1.10	each
Plan Reproduction			fee plus reproduction cost		01-Jan-08	26.30	plus repro- duction cost
Reprint of documents pertaining taxes and utilities					29-Jan-07	1.05	each
Service Inspection - Private					08-Mar-99	210.00	each
Snow Dump Permit			per truck		01-Jan-08		per truck
Studies/Reports			at cost with \$10.00 minimum		22-Jun-98	cost + gst	each
Tax Search/Certificate					23-Feb-09	63.00	each
3rd Party Rate	(materials & shipping costs = shipping surcharge) X 35% Markup + Wages&Benefits@32%				01-Apr-15	Plus GST	each
3rd Party Rate (RCMP)	(materials & shipping costs = shipping surcharge) + Wages&Benefits@32%				01-Apr-15	Plus GST	each
Unpaid Accounts	All unpaid accounts will be charged interest on the outstanding amounts. Outstanding taxes will be charged under the provisions of the Tax Act				01-Jan-11		per month
Use Permit			temporary or seasonal land use		22-Jun-98	75.00	each
Wood Stove Approval			copy of approval		22-Jun-98	10.00	each
Zoning Bylaw					01-Jan-08	75.00	each
Zoning Bylaw	individual copy				01-Jan-08	10.00	each
Zoning Bylaw	initial subscription service				01-Jan-08	50.00	each
Zoning Maps					01-Jan-08	5.00	each

		Bylaw 2015-26		Units
		Approved Fee	Date Fee Effective	
FEE DESCRIPTION				
Address Changes	changing a municipal address	no relocation		
Development Cost Charge	residential, single family	Secondary Suite	200.00	each
Development Cost Charge	residential, single family	un serviced Country Residential secondary Suite	2,185.00	01-Jul-14 per dwelling
Development Cost Charge	residential, single family	urban serviced lot	1,040.00	01-Jul-14 per dwelling
Development Cost Charge	residential, single family	country residential serviced lot	3,641.00	01-Jul-14 per dwelling
Development Cost Charge	residential, single family	country residential non serviced lot	3,641.00	01-Jul-14 per dwelling
Development Cost Charge	residential, duplex	duplex housing	1,769.00	01-Jul-14 per dwelling
Development Cost Charge	residential, multiple housing	townhouse	5,826.00	01-Jul-14 per 2 dwellings
Development Cost Charge	residential, multiple housing	apartment	2,913.00	01-Jul-14 per dwelling
Development Cost Charge	residential, multiple housing	multiple detached dwellings	2,185.00	01-Jul-14 per dwelling
Development Agreement	Incentive	Minor	2,913.00	01-Jul-14 per dwelling
Development Agreement	Incentive	Standard/Major	75.00	08-Oct-13 each
Development Permit	Conditional Use - \$500 plus applicable Permitted Use fee.		200.00	08-Oct-13 each
Development Permit	Designated municipal historic resource		500.00	01-Jan-15 each +
Development Permit	Permitted Use: Non-residential Zone (No new construction)		-	27-Jan-03 each
Development Permit	Permitted Use: Non-residential Zone (New Construction)		275.00	29-Jan-07 each
Development Permit	Permitted Use: Residential Zone	Multiple Housing & Commercial use	275.00+	29-Jan-07 each +
Development Permit	Permitted Use: Residential Zone	Multiple Housing & Commercial use	275.00 +	22-Jun-98 each
Development Permit	Permitted Use: Residential Zone	Secondary commercial uses (change of use)	275.00	01-Feb-09 each
Development Permit	Placement of Sign		25.00	01-Feb-09 each
Development Permit	Schwaitka Lake Waterfront Policy Dock Permit	Annual permit	300.00	01-May-16 each
Development Permit	Schwaitka Lake Waterfront Policy Dock Permit	Refundable deposit	1,500.00	01-May-16 each
Development Permit	Demolition of a Structure	Commercial	275.00	01-Feb-09 each
Development Permit	Relocation of a Structure	Residential	200.00	01-Feb-09 each
Development Permit	Temporary Use Permit	Community Event	25.00	01-Feb-09 each
Development Permit	Temporary Use Permit	Commercial Event/Development	275.00	01-Feb-09 each
Development Permit	Temporary Use Permit	Temporary Use Permit < 7 days	25.00	01-Feb-09 each
Development Permit	Mobile food Vendor on public site	Annual permit	275.00	01-May-15 each
Development Permit	Mobile food Vendor on public site- electricity charge	Monthly permit	50.00	01-May-15 each
Development Permit Refund	written request from applicant within 6 months of original date of issue-no permit related work on site has begun-deduction of \$55. or 20% of fee whichever is MORE.		Varies	01-Feb-09 each
Land Management	Development agreement		200.00	29-Jan-07 each
Land Management	Road Closure Bylaw		500.00	29-Jan-07 each
Land Management	Subdivision Approval Extension		250.00	29-Jan-07 each
Official Community Plan Amendment Fee (OCP Amendment Fee)			500.00	01-Feb-05 each
Parking	Payment in lieu of providing parking space	Space in the CC, CPG and CMW Zones	18,706.00	13-Nov-01 each space
Parking	Payment in lieu of providing parking space	Space in the CM1 and CM2 zones	7,967.00	13-Nov-01 each space
Subdivision Application	Consolidation (non refundable fee)	\$50.00 per unit being created to a maximum of \$500.00	50.00	08-Jan-01 each
Subdivision Application	Subdivision (non refundable fee)	min. charge \$250. max. charge \$1000.	50.00	22-Jun-98 each
Subdivision Application	Property line adjustment or realignment (non refundable fee)	ea lot \$100	100.00	22-Jun-98 each
Variance, Board of Appeal	non refundable fee each appeal	ea adjustment/realignment \$50	50.00	08-Jan-01 each
Zoning Amendment	Designated municipal historic resource		1,500.00	08-Oct-13 each
Zoning Amendment			-	27-Jan-03 each

		Bylaw 2015-26		UNITS
		Approved	Date Fee Effective	
Water and Waste Services	Private Fire Hydrant Servicing			
Water and Waste Services	Utility Service Tie-Ins	Regular hours - fee + materials + 35% administration fee	170.00	each
Water and Waste Services	Utility Service Tie-Ins	After hours - fee + materials + 35% administration fee	225.00	per hour
Water and Waste Services	Sewer	flat rate/month	450.00	per hour
Water and Waste Services	Sewer & Water	flat rate/month - Single family dwelling	14.52	month
Water and Waste Services	Sewer & Water	flat rate/month - Plus 1 suite	73.02	month
Water and Waste Services	Sewer & Water	flat rate/month - Plus 2 suites	109.54	month
Water and Waste Services	Sewer & Water	flat rate/month - Plus 3 suites	145.99	month
Water and Waste Services	Sewer & Water	flat rate/month - Plus 4 suites	182.50	month
Water and Waste Services	Sewer & Water	Flat rate/month - Duplex Dwelling	292.04	month
Water and Waste Services	Sewer & Water	metered rate - each additional 1000 gallons over minimum	145.99	month
Water and Waste Services	Sewer & Water	metered rate - based on 17000 gallons	8.18	1000 gal
Water and Waste Services	Sewer & Water	metered rate - minimum based on 77.28 cubic meters	73.02	bi-month
Water and Waste Services	Sewer & Water	metered rate - each additional 1 cubic meter over minimum	73.02	bi-month
Water and Waste Services	Sewer & Water	Installation, Inspection Fee during regular hours	1.87	cubic meter
Water and Waste Services	Sewer & Water	Installation, Inspection Fee after hours and weekends	750.00	each
Water and Waste Services	Sewer & Water	Installation, Inspection Fee - No Shows (Contractor not ready, cancellations require 24 hours notice)	1,125.00	each
Water and Waste Services	Sewer & Water	Freeze Protection Testing Fee	250.00	each
Water and Waste Services	Sewer & Water	instal by City: actual cost of installation as determined by the application of third party rates for labour & equipment, plus the full cost of all materials used together with a handling charge of 15%	250.00	each
Water and Waste Services	Sewer & Water	service call not specified	varies	each
Water and Waste Services	Sewer & Water	greasing or removing grease from lines	actual	each
Water and Waste Services	Sewer & Water	permanent disconnection of service at the main plus restoration	actual	each
Water and Waste Services	Sewer & Water	shut off & turn on for benefit of customer (other than initial turn on) after normal business hours	actual	each
Water and Waste Services	Sewer & Water	shut off & turn on for benefit of customer (other than initial turn on) during normal business hours	actual	each
Water and Waste Services	Sewer & Water	thawing or clearing private service	80.00	each
Water and Waste Services	Sewer & Water	turn on for reinstatement after shut-off for non-payment after normal business hours	actual	each
Water and Waste Services	Sewer & Water	turn on for reinstatement after shut-off for non-payment during normal business hours	80.00	each
Water and Waste Services	Sewerage Dumping	flat rate for each truck load dumped	50.00	each load
Water and Waste Services	Sewerage Dumping	annual permit must be purchased	200.00	month
Water and Waste Services	Sewerage Dumping Discharge Permit	Airport Sewage Dump Station Fee-discharging sewage from aircraft	100.00	per year
Water and Waste Services	Water Bulk	Key Deposit	200.00	each
Water and Waste Services	Service Cards	coin operated bulk water station	2.00	1000 litres
Water and Waste Services	Water meter and remote test, repair, supply, or installation	prepare and provide accurate service cards for new privately developed services	250.00	actual
Water and Waste Services	Water meter reading, special		actual	actual
Water and Waste Services	Water only	flat rate/month - Single family dwelling, Commercial & Bulk Water-based on 17000 gallons	80.00	each
Water and Waste Services	Water only	metered rate/bulk rate - each additional 1000 gallons over minimum	57.93	month
Water and Waste Services	Water only		6.90	1000 gal

		Bylaw 2015-26		
		Approved Fee	Date Fee Effective	UNITS
Waste	Curbside Collection	10.30	01-Jan-14	unit/month
Waste	Curbside Collection	22.60	01-Jan-14	unit/month
Waste	Organics Collection	25.00	01-Jun-15	per site/ month
Waste	Organics Collection	20.00	01-Jun-15	per site/ month
Waste	Organics Collection	20.00	01-Jun-15	per site/ month
Waste	Organics Collection	120.00	01-Apr-15	per site/ month
Waste	Organics Collection	130.00	01-Apr-15	per site/ month
Waste	Organics Collection	65.00	01-Apr-15	per site/ month
Waste	Compostable Waste	36.00	01-Feb-15	tonne
Waste	Compostable Waste	5.00	01-Jan-14	per load
Waste	Compostable Waste	3.00	01-Jan-14	per load
Waste	Compostable Waste	0.00	01-Jun-15	per tonne
Waste	Brushing	36.00	01-Jun-15	per tonne
Waste	Clean, sorted, untreated dimensional lumber	36.00	01-Jun-15	per tonne
Waste	Recyclable Waste	0.00	11-Jul-00	no charge
Waste	Controlled Waste	7.00	01-May-13	each
Waste	Controlled Waste	15.00	01-May-13	each
Waste	Controlled Waste	160.00	01-May-13	per load
Waste	Controlled Waste	105.00	01-Jun-15	per tonne
Waste	Controlled Waste	300.00	01-Jun-15	per tonne
Waste	Controlled Waste	35.00	01-May-13	each
Waste	Controlled Waste	10.00	01-May-13	each
Waste	Controlled Waste	15.00	01-May-13	each
Waste	Controlled Waste	23.50	01-May-13	each
Waste	Controlled Waste	94.00	01-Feb-15	tonne
Waste	Controlled Waste	0.00	30-May-12	each
Waste	Controlled Waste	0.00	28-Jun-99	each
Waste	Controlled Waste	23.90	01-Jan-08	each
Waste	Controlled Waste	70.55	01-Jan-08	Tonne
Waste	Controlled Waste	charged per item as per relevant category		
Waste	Controlled Waste	15.00	01-May-13	each
Waste	Controlled Waste	40.00	01-May-13	each
Waste	Residual Waste	5.00	01-May-13	1 to 8 bags
Waste	Residual Waste	10.00	01-May-13	each
Waste	Residual Waste	20.00	01-May-13	each
Waste	Residual Waste	94.00	01-Feb-15	Tonne
Waste	Residual Waste	155.00	01-Feb-15	Tonne
Waste	Residual Waste	15.00	01-May-13	cubic metre
Waste	Mixed Waste	250.00	23-Feb-09	Tonne
Waste	Mixed Waste	250.00	01-May-13	Tonne
Waste	Mixed Waste	250.00	23-Feb-09	Tonne
Waste	Mixed Waste	250.00	01-Jan-10	Tonne
Waste	Mixed Waste	30.00	01-May-13	cubic metre
Waste	Banned Landfill Waste	5.00	01-Jan-12	each
Waste	Banned Landfill Waste	10.00	01-Jan-12	each

FEE DESCRIPTION

Eligible premises
Eligible premises - 2 Carts at \$10.30 + \$2.00 admin fee
Industrial, Commercial & Institutional (IC) Customers - Weekly Collection & includes 1 Cart
Industrial, Commercial & Institutional (IC) Customers - Bi-Weekly Collection & includes 1 Cart
Industrial, Commercial & Institutional (IC) Customers - Per additional collection Cart
Industrial, Commercial & Institutional (IC) Customers - LARGE VOLUME - 2 yard bin weekly collection
Industrial, Commercial & Institutional (IC) Customers - LARGE VOLUME - 3 yard bin weekly collection
Industrial, Commercial & Institutional (IC) Customers - LARGE VOLUME - 2nd bin at site weekly collection
Sorted compostable waste; loose or in approved compostable bags
Organic material - small load
Organic material - bagged in compostable bags - 8-20kg
Clean, untreated, uncontaminated sawdust or 2" and smaller diameter wood chips
Sorted, uncontaminated brush
Sorted untreated dimensional lumber
Recyclable Waste
animal carcasses-small
animal carcasses-large
Asbestos - in addition to materials containing asbestos charge
Materials containing asbestos
Materials containing asbestos from outside City boundaries
minimum charge - to be weighed
Bulky items ie. Couch, recliners etc.
Bedsprings, mattresses
C&D and wood - small load
C&D Sorted large load - to be weighed
Clean fill
Designated municipal historic resource
Large metal recovery (small load)
Large metal recovery (weighed)
Re-useable items
White goods
White goods (containing refrigerant)
Residual waste-up to 8 bags
Small load (Max 2mX2.5mX.3m or 6'X8'X2')
Medium load (Max 2mX2.5mX1.2m or 6'X8'X4')
Sorted large load - to be weighed
Sorted waste from outside city boundaries
Volume equivalent for properly sorted residual or C&D waste
C&D unsorted large load - to be weighed
Soil mixed with other controlled waste
Un-sorted large load - to be weighed
Un-sorted waste from outside city boundaries
volume equivalent for contaminated residual or C&D waste
E-Waste - Audio - Small
E-Waste - Audio - Large

Waste	Banned Landfill Waste	E-Waste - Computer - Small	10.00	01-Jan-12	each
Waste	Banned Landfill Waste	E-Waste - Computer - Large	15.00	01-Jan-12	each
Waste	Banned Landfill Waste	E-Waste - Monitors - Small Flat	15.00	01-Jan-12	each
Waste	Banned Landfill Waste	E-Waste - Monitors - Large Flat	30.00	01-Jan-12	each
Waste	Banned Landfill Waste	E-Waste - Monitors - Small CRT	20.00	01-Jan-12	each
Waste	Banned Landfill Waste	E-Waste - Monitors - Large CRT	40.00	01-Jan-12	each
Waste	Banned Landfill Waste	E-Waste - Handheld	1.00	01-Jan-12	each
Waste	Banned Landfill Waste	E-Waste - Copy Equipment - Small	10.00	01-Jan-12	each
Waste	Banned Landfill Waste	E-Waste - Copy Equipment - Large	40.00	01-Jan-12	each
Waste	Banned Landfill Waste	Tires with an inner diameter greater than 62 cm (24.5 inches)	40.00	01-May-13	each
Waste	Other	clean-up of waste not disposed of properly or spilled on street or lane	actual	22-Jun-98	each
Waste	Other	Load inspection fee	100.00	01-Jan-10	per inspection
Waste	Other	removal of condemned waste receptacle	actual	28-Jun-99	each
Waste	Other	removal of waste receptacle on street other than collection day	actual	28-Jun-99	each
Waste	Other	testing weigh scale for accuracy	actual	28-Jun-99	each
Waste	Other	Uncovered Load	250.00	23-Feb-09	each
Waste	Permit	Permit to Collect Waste	0.00	30-May-12	
Waste	Permit	Permit to Dispose Waste	0.00	30-May-12	
Waste	Permit	Permit to Transport Waste	0.00	30-May-12	
Waste	Compost Sale	1-9 cubic yard bulk blended sand/compost	45.00	01-Jul-15	0.765m3 (1 yard)
Waste	Compost Sale	10+ cubic yard bulk blended sand/compost	25.00	01-Jul-15	0.765m3 (1 yard)
Waste	Compost Sale	1-9 cubic yard bulk compost	45.00	01-Jul-15	0.765m3 (1 yard)
Waste	Compost Sale	10+ cubic yard bulk compost	25.00	01-Jul-15	0.765m3 (1 yard)
Waste	Compost Sale	Bagged Compost	5.00	01-Jan-15	20 L bag

CITY OF WHITEHORSE

BYLAW 2015-21

A bylaw to amend the City Manager Bylaw

WHEREAS section 183 of the *Municipal Act* (R.S.Y. 2002) provides that the council of a municipality must establish by bylaw the position of chief administrative officer and appoint a person or persons to the position; and

WHEREAS section 188 of the *Municipal Act* provides that council shall by bylaw establish the terms and conditions of employment of the chief administrative officer, including remuneration, benefits, expenses, hours of work, and manner of appointment, promotion, discipline, dismissal, and rules of conflict of interest; and,

WHEREAS council deems it proper and expedient to amend the current City Manager Bylaw with respect to the compensation provisions provided therein;

NOW THEREFORE the council of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. City Manager Bylaw 2014-19 is hereby amended by deleting the existing sections 17 and 18 and substituting therefore new sections 17 and 18 as follows:
 - “17. The salary range for the city manager shall be \$175,000 to \$195,000 per annum.
 - (1) Upon the commencement date of employment, the city manager shall enrol in the City’s Group RRSP Plan
 - (a) all monies remitted on behalf of the city manager shall be immediately vested with the city manager;
 - (b) the city manager cannot withdraw from the Group RRSP Plan until termination of employment or retirement from her employment with the city, with the exception of withdrawals for home ownership, Lifetime Learning Plan, and/or settlement from marriage break-ups;
 - (c) the annual base salary is inclusive of a mandatory 6.0% contribution by the city manager to the Group RRSP Plan;
 - (d) the city will contribute an amount equivalent to an additional 12.0% of the annual base salary to the Group RRSP on behalf of the city manager;
 - (e) the city manager may elect to contribute additional amounts out of her annual base salary to the Group RRSP subject to the terms of the city’s Group RRSP Plan and applicable tax laws;

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- (f) the terms of the city's Group RRSP Plan and the city manager's entitlement to contributions may be amended from time to time by the city at its sole discretion.
 - (2) The city manager is eligible to earn an annual performance bonus in an amount up to a maximum of 3% of annual base salary payable at the sole discretion of council."
- "18. The city shall conduct a performance evaluation and review of the city manager on an annual basis, including a review of the city manager's base salary. Any proposed increase arising from the city manager's performance evaluation and review (a performance increase) will be at the sole discretion of council and must be approved by resolution of council."
2. This bylaw shall come into full force and effect on and from the date of adoption thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

City Clerk

CITY OF WHITEHORSE

BYLAW 2015-22

A bylaw to provide for remuneration to be paid to the mayor and councillors

WHEREAS section 173 of the *Municipal Act* (2002) provides that council may by bylaw establish the types, rates and conditions of payments to be made to members of council;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as the “**Council Remuneration Bylaw**”.

Annual Remuneration

2. The basic annual remuneration for the mayor for the 2015 – 2018 term of office shall be eighty-seven thousand nine hundred forty-two dollars (\$87,942.00), effective from October 27, 2015 to October 29, 2018 inclusive.
3. The basic annual remuneration for each councillor during the 2015 – 2018 term of office shall be twenty thousand four hundred ninety-six dollars (\$20,496.00), effective from October 27, 2015 to October 29, 2018 inclusive.
4. The annual remuneration shall be paid bi-weekly and, where a member of council fails for any reason to serve in the respective office for a full twelve months, the remuneration shall be pro-rated on a bi-weekly basis for the period served.
5. One-third of the total annual remuneration shall be paid as remuneration for necessary expenses incidental to the discharge of the duties of the office of mayor or councillor.

Remuneration Increases

6. Following the completion of 18 months in office, council shall review the council remuneration bylaw and may, by bylaw, amend the remuneration for the next term of council based on the average Consumer Price Index for Whitehorse for the previous three year period. This average shall be applied annually. The review of the bylaw shall be completed within a six month period so that the remuneration for the next term of council is established before the final year of the current council's term.

Additional Benefits for Councillors

7. Councillors are entitled to Extended Health Care, Dental Care, Weekly Accident Indemnity, Accidental Death and Dismemberment Insurance, a Childcare Allowance, and the Employee Assistance Program.

Mayor and Council Remuneration Bylaw 2015-22

- (1) Premiums for Extended Health Care and Dental Care will be paid 90% by the employer and 10% by the councillor.
- (2) Dental coverage includes 100% basic unlimited and 50% major restorative to a yearly maximum of \$2,500.00 per person.
- (3) Weekly Accident Indemnity coverage in the amount of \$300.00 per week is available to councillors injured in an accident who are gainfully employed on a full-time basis immediately before the date of injury.
- (4) Accidental Death and Dismemberment (\$100,000.00 Policy) includes 24 hour coverage.
- (5) Councillors with dependents living in their home who are younger than 13 years of age will be eligible to claim a childcare allowance for all official meetings of council. For the purposes of the 2015 – 2018 term of office:
 - (a) The childcare allowance will be equal to the established minimum wage as at May 1, 2015, and the rate shall be \$10.30 per hour; and
 - (b) Official meetings shall include Standing Committee and Regular Council meetings, Council and Senior Management meetings, and all training, meetings, events or business functions where the attendance of council members is required by the mayor or council.

Additional Benefits for the Mayor

8. A vehicle allowance in the amount of \$450.00 per month is included in the base annual remuneration for the mayor.
9. The mayor is entitled to the benefits of the Management and Confidential Employee Bylaw and is considered a contract employee entitled to Extended Health Care, Dental Care, Short Term Disability, Long Term Disability, Group Life Insurance, Accidental Death and Dismemberment Insurance, and the Employee Assistance Program.
 - (1) Premiums for Extended Health Care, Dental Care, and Group Life Insurance will be paid 90% by the employer and 10% by the mayor.
 - (2) Dental coverage includes 100% basic unlimited, 50% major restorative to a yearly maximum of \$2,500.00 per person, and 50% orthodontic to a lifetime maximum of \$1,500.00 per person.
 - (3) Group Life/Accidental Death and Dismemberment is two times the annual salary rounded up to the next highest thousand.
 - (4) Short Term Disability (Weekly Indemnity) coverage is 100% employer paid. The mayor qualifies after the third day of illness and a physician's statement is required.
 - (5) The mayor pays 100% of the premium for Long Term Disability coverage. Payments will be based upon 65% of the first \$3,500.00 monthly earnings and 55% of the remaining monthly earnings to a maximum benefit of \$4,000.00 per month.

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- (6) The mayor is entitled to time off with pay for periods of absence of three working days or less by reason of bonafide non-occupational illness or accident, medical, dental and optical appointment, or illness of a member of the mayor's immediate family.
- (7) The mayor is entitled to the above-noted benefits as per the Management and Management Staff Employee Bylaw, but is not entitled to any of the other benefits outlined in the bylaw. With respect to vacation time, the mayor is permitted to take paid personal leave as he or she sees fit and therefore, at the end of the mayor's term of office, there will not be any entitlement to a vacation pay-out.

Appointment of Deputy Mayor

10. Council shall annually, by resolution, appoint councillors to perform the duties of deputy mayor and reserve deputy mayor.

Additional Payments for Councillors

11. In addition to the annual remuneration provided for in section 3 of this bylaw, a councillor shall be paid an **honorarium** for periods when the councillor is engaged in representing the city at any **business function, event, meeting or training** where such representation has been approved in advance by the mayor or council. The **honorarium** shall be paid as follows:
 - (1) For periods of between one and four hours: : \$100.00
 - (2) For periods of four hours or more \$150.00
12. No honorarium shall be paid to councillors representing the city for periods of less than one hour.
13. The honorarium provided for in section 11 of this bylaw shall be paid with respect to periods when a councillor:
 - (1) represents the City at business functions, events, meetings or training as authorized by the mayor or council; or
 - (2) is required to be absent from the City for six or more hours for the purpose of travelling to and from and representing the city at a business function; event, meeting or training; or
 - (3) is required to act as deputy mayor during the absence of the mayor.

Expenses

14. Prior approval of council is required for funding or reimbursement of expenses incurred in conjunction with travel by council members outside of the City of Whitehorse.
15. Council members shall be reimbursed for travel expenses in accordance with the City of Whitehorse Travel Expenses Administrative Directive.

Mayor and Council Remuneration Bylaw 2015-22

16. The Council Expense Policy identifies the types of expenses that are eligible for funding and sets out the approval process.

Bylaw Repeal

17. Bylaw 2012–32, including all amendments thereto, is hereby repealed.

Coming Into Force

18. This bylaw shall come into full force and effect on and from the 27th day of October, 2015.

**FIRST and SECOND READING:
THIRD READING and ADOPTION:**

Mayor

City Clerk