

THE CITY OF YELLOWKNIFE

NORTHWEST TERRITORIES



PARKING BY-LAW NO. 5053

Adopted April 25, 2022

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CITY OF YELLOWKNIFE

BY-LAW NO. 5053

BH 191

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, to regulate the parking of vehicles on municipal highways and the use of vehicle loading zones.

PURSUANT TO sections 70 and 72 of the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22, as amended, and sections 345 through 348 of the *Motor Vehicles Act*, RSNWT 1988, c.M-16, as amended.

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular sessions duly assembled, enacts as follows:

APPLICATION

1. This by-law may be cited as the "Parking By-law".

INTERPRETATION

2. In this by-law:

"Bus"	means a motor vehicle with a maximum seating capacity set by the manufacturer of more than 10 persons, including the driver's seat;
"City"	means the Municipal Corporation of the City of Yellowknife;
"City Manager"	means the City Manager of the City appointed pursuant to Section 41 of the <i>Cities, Towns and Villages Act</i> , S.N.W.T. 2003, c. 22, as amended or their designate;
"Commercial vehicle"	means a motor vehicle used for business purposes, but does not include a public service vehicle;
"Construction vehicle"	means a grader, loader, shovel, tractor, mobile crane,

backhoe, forklift and other similar equipment not normally used for travel on a highway;

“Council”

means Council of the City;

“Crosswalk”

means:

- (1) that part of a roadway at an intersection:
 - a. marked as a pedestrian crossing by a traffic control device;
 - b. that lies between imaginary lines connecting the lateral lines of the sidewalks on opposite sides of the highway where there are no marked pedestrian crossings and the intersecting highways have sidewalks; and
 - c. that lies between an imaginary line connecting the curb or edge of the roadway on opposite sides of the highway and an imaginary line parallel to and 1.5 meters back from the first line where there are no marked pedestrian crossings and the intersecting highways do not have sidewalks; and
- (2) that part of a roadway other than at an intersection, marked as a pedestrian crossing by a traffic control device;

“Curb or edge”

means, in respect of a roadway, the edge of the roadway, if the roadway does not have a curb;

“Driver”

means a person who operates a vehicle or, where the vehicle is not in motion, the person who is in actual physical control of the vehicle;

“Emergency vehicle”

means:

- a. a motor vehicle that is used for emergency purposes, carries rescue or first aid equipment and has markings on the outside of the vehicle indicating that it is used for emergency purposes; or

- b. a motor vehicle that is operated by a member of a fire department in the performance of that member's duties and has markings on the outside of the vehicle indicating that it is used by a fire department;

"Enforcement vehicle"

means a motor vehicle operated by a person authorized to enforce an Act of the Territories or an Act of Canada or the by-laws of the City;

"Governing meter"

means, with reference to metered space, the parking meter nearest to any portion of that space;

"Government vehicle"

means a vehicle that is registered to either the Government of Canada, Government of the Northwest Territories or the City and displays a "G" licence plate issued to that vehicle by the Registrar of Motor Vehicles;

"Highway"

means a road, place, bridge or structure, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage of vehicles and includes:

- a. a privately or publicly owned area that is designed and primarily used for the parking of vehicles, other than the driveway of a private dwelling;
- b. where a plan of survey or other instrument establishes a highway, the area between the boundary lines of the highway as shown on the plan of survey or instrument;
- c. a sidewalk, pathway, ditch or shoulder adjacent to and on either side of the traveled portion of the road or place and the area between the sidewalk, pathway, ditch or shoulder and the traveled portion of the road or place; and
- d. a road on a frozen body of water or water course or a road that can be used for only a portion of a year;

"Idle"

means the operation of a vehicle engine while the

	vehicle is not in motion and “idling” has a corresponding meaning;
“Intersection”	means the area closed by the imaginary extension and connection of the curbs or edges of roadways that intersect or join at an angle;
“Metered space”	means a space of highway distance not more than 300 millimeters from the curb and measured not more than 2.4 meters in width and 6.6 meters in length along the curb from the governing meter to which that space refers;
“Mobile workshop”	means a vehicle containing equipment that must be operated inside or in association with the vehicle or a vehicle serving as a facility for taking measurements, or making observations or conducting maintenance or construction operated by or on behalf of the City, public utility or enforcement, fire or emergency service;
“Motor vehicle”	means a vehicle propelled or driven by power other than muscular power and includes a trailer, but does not include: <ul style="list-style-type: none">a. an aircraft, a marine vehicle or an all-terrain vehicle;b. a mechanically propelled wheelchair;
“NSC vehicle”	means a commercial vehicle or a public service vehicle that is a truck, truck tractor, or trailer, or a combination of a truck or truck tractor and one or two trailers, where the gross weight of the motor vehicle or the combination of motor vehicles exceeds 4,500 kg;
“Officer”	means a motor vehicle officer appointed under subsection 318(1) of the <i>Motor Vehicles Act</i> , and a person who ex officio is a motor vehicle officer under subsection 318(2) of the <i>Motor Vehicles Act</i> ;
“Owner”	means any person named in a certificate of registration for a motor vehicle or, if there is no valid certificate of registration for the motor vehicle, the person who has legal title of the motor vehicle or who is an owner pursuant to sections 3 and 329(4) of the <i>Motor Vehicle Act</i> . In the case of more than one person being listed on

the registration, the owner will default to the first person listed on the registration;

“Park”

in respect of a vehicle, means the stopping of a vehicle, whether occupied or not, except where:

- a. the vehicle is stopped in accordance with the direction of an officer or traffic control device;
- b. the flow of traffic requires the vehicle to be stopped; or
- c. the vehicle is temporarily stopped for the purpose of, and while engaged in, loading or unloading;

“Parking meter”

means a traffic control device designed to indicate the time during which a vehicle may be parked in a metered space;

“Pedestrian”

means a person on foot or in a wheelchair and includes a child in a carriage or carried by a person on foot;

“Person”

means an individual human being or a corporation and includes a partnership, society, and association or a group of persons acting in concert unless the context explicitly or by necessary implication otherwise requires;

“Public service vehicle”

means a motor vehicle used for business purposes to transport:

- (1) freight not owned by the owner of the vehicle;
or
- (2) passengers for compensation;

“Public utility vehicle”

means any vehicle owned or operated by the City;

“Roadway”

means the part of a highway that is improved, designed or ordinarily used for the passage of vehicles, but does not include the shoulder of a highway;

“Senior citizen”

means a person who is sixty years old or older;

“Sidewalk”

means the part of a highway beside or near a curb or edge of a roadway that is improved for the use of

	pedestrians;
“Taxi”	means a motor vehicle, other than a bus, that is used to transport passengers for compensation;
“Traffic”	includes vehicles, ridden or herded animals and all-terrain vehicles;
“Traffic control device”	means a sign, signal, light, line, marking or device placed or erected under a by-law made under subsection 346(1) of the <i>Motor Vehicles Act</i> , or under section 5 of the <i>Public Highways Act</i> for the purpose of regulating, warning or guiding pedestrians or traffic;
“Trailer”	means a vehicle that is designed to be drawn on a highway by a motor vehicle, whether or not part of its weight or load rests on or is carried by that motor vehicle, but does not include a side car attached to a motorcycle;
“Vehicle”	includes any vehicle designed to travel on land that is drawn, propelled or driven by any kind of power, including muscular power, but does not include an all-terrain vehicle or a device that is designed to run on rails.

PARKING

3. (1) No driver shall park a vehicle on a roadway where it is practicable to park the vehicle off the roadway, unless there is a traffic control device authorizing the parking of the vehicles on that roadway.
- (2) No driver shall park their vehicle on a roadway so as to obstruct the passage of vehicles on the roadway.
- (3) Subsections (1) and (2) do not apply to a driver where their vehicle:
 - a. is disabled and cannot be driven to a place on the roadway that does not obstruct the passage of vehicles on the roadway; and
 - b. has been left on the roadway for less than 24 hours.
- (4) A driver who has parked their vehicle on a roadway under the authority of subsection (3) shall, during the period from ½ hour after sunset to ½ hour before sunrise or at any other

time when conditions of poor visibility exist:

- a. place a light that shows white or green to the front and red to the rear to the left side of the vehicle so that the light is visible to the front and back of the vehicle from a distance of 60 meters; or
- b. if the vehicle is equipped with emergency four-way flashers, activate the flashers.

4. (1) No person shall park a vehicle on a highway:

- a. in front of a public or private driveway;
- b. within an intersection;
- c. on a sidewalk;
- d. within 3 meters of a fire hydrant or in a fire lane;
- e. within a crosswalk or within 6 meters of a crosswalk;
- f. within 5 meters in front of a stop or yield sign or traffic light located at the side of the roadway;
- g. within 6 meters of a driveway to a fire station on the side of a street on which the fire station is located;
- h. adjacent to or opposite a street excavation or obstruction, where parking obstructs the flow of traffic;
- i. on the highway side of a vehicle parked at the curb or edge of a roadway;
- j. on a bridge or other elevated structure; or
- k. on any portion of a highway designated as a "loading zone" by a traffic control device located above or to the side of the highway;
- l. except as provided in section 5, on any portion of a highway designated as a "no parking", "restricted parking" or "no stopping" area by a traffic control device located above or to the side of the highway;
- m. with curbside wheels more than 30 centimeters from the curb;
- n. on private property without authority from the owner, tenant, occupant or person in charge or control of the private property;
- o. in a lane or alley way, unless a sign directs otherwise, but lanes may be used for:

- i. the loading or unloading of goods from a commercial vehicle for a period not exceeding thirty (30) minutes with the operator in attendance; or
- ii. the loading or unloading of goods or passengers from a vehicle for a period not exceeding five (5) minutes with the operator in attendance; however
- iii. the loading or unloading of passengers or goods from vehicles in a lane or alley way shall not obstruct other vehicles from passing along lanes or alley ways;
- p. on any portion of the highway designated as an accessible parking area by a universal access signage device located above or to the side of the highway, except those vehicles displaying a valid accessible parking permit issued and registered with the Yellowknife office of the Northwest Territories Disabilities Council or its successor.
- q. on any portion of a highway designated as "taxi parking" by a traffic control device located above or to the side of the highway.

(2) Notwithstanding subsection 1(b) a person may park a vehicle within the intersection of Otto Drive and Harriet's Lane.

(3) Notwithstanding subsection 1(e) a person may park a vehicle within a crosswalk or within 6 meters of a crosswalk at the intersection of Otto Drive and Harriet's Lane.

(4) Notwithstanding subsection 1(l) a person may park a maximum of 50% of a vehicle with two wheels on the traveled portion of the highway in front of 22 and 24 Otto Drive contrary to the posted "No parking" signs located to the side of the highway.

5. Section 4 does not apply:

- (1) to the parking of a bus in a "bus stop" area;
- (2) to the parking of a NSC vehicle or construction vehicle in a "truck parking only" area;
- (3) to the parking of a taxi in a "taxi only" parking area;
- (4) to a vehicle parked for a period not exceeding one hour in a "one hour parking" area;
- (5) to a R.C.M.P. vehicle in a "R.C.M.P. parking only" area;
- (6) to the parking of a delivery vehicle in a "loading zone" space for the purpose of loading or unloading goods for a period not exceeding thirty (30) minutes;
- (7) to the parking of taxi vehicles in a "loading zone" space only for the purpose of loading or unloading goods or passengers for a period not exceeding five (5) minutes;

where in each case such parking areas are so designated by traffic control devices located above or

to the side of the highway.

6. (1) Bona fide delivery vehicles which require the use of loading zones shall make an application to the City for a Loading Zone Permit.
- (2) The permit referred to in subsection (1) shall be affixed to the lower right hand portion of the front windshield of the vehicle.
7. No person shall stop, park or leave a vehicle, or trailer, on a highway for a period of time exceeding 72 consecutive hours.
8. (1) An officer may require the driver of a vehicle to move, or the officer may move, a vehicle stopped or parked in contravention of this by-law.
- (2) Where an unattended vehicle is parked in contravention of this by-law, an officer may take the vehicle into custody and cause it to be taken to and stored in a suitable place.
- (3) All costs and expenses incurred or arising out of any movement or storage of a vehicle under subsections (1) or (2) shall be chargeable to the owner and the driver of the vehicle, jointly and severally, who shall be deemed to have authorized such movement and storage at their respective risk and cost.
9. Unless otherwise permitted by this by-law, a person shall park a vehicle only:
 - a. on a two-way roadway, on the right-hand side of the roadway, and
 - b. on a one-way roadway, on the right-hand or left-hand side of the roadway,with curbside wheels within 30 centimeters of the curb or edge of the roadway.
10. No driver shall leave a vehicle on a highway that is unattended without first taking the action that may be reasonably necessary in the circumstances to prevent the vehicle from moving or being set in motion while the vehicle is unattended.
11. No vehicle shall be parked within ninety meters of a place of residence or business with the engine running for more than ten (10) minutes if the vehicle has a carrying capacity of more than 1,000 kilograms unless the vehicle is engaged in loading or unloading.
12. (1) No person shall cause or permit an unattended vehicle engine to idle for more than 3 minutes in a 60-minute period.
- (2) Subsection (1) does not apply to the following:
 - a. enforcement or emergency vehicles while engaged in operational activities;
 - b. vehicles assisting in an emergency activity;

- c. a mobile workshop while such vehicle is being used as a mobile workshop;
 - d. vehicles with power take-off while they are in the course of being used for their basic function;
 - e. vehicles for which idling is required to service the engine or conduct repairs;
 - f. armoured vehicles which a person remains inside the vehicle while guarding the contents, or while the vehicle is being loaded or unloaded;
 - g. vehicles remaining motionless because of an emergency, traffic, weather conditions or mechanical difficulties over which the driver has no control;
 - h. vehicles engaged in the course of a parade, procession or race or any other event authorized by Council;
 - i. vehicles idling while passengers are embarking or disembarking;
 - j. vehicles when the ambient temperature outside is less than -10 degrees Celsius, and then for no longer than 15 minutes.
- (3) An unattended vehicle which is left idling with the keys in the ignition must have all the doors locked.
13. No driver shall move a vehicle that is parked unless the driver makes the appropriate right or left turn signal.

PARKING METERS

14. Council hereby delegates to the City Manager the power to prescribe where metered spaces shall be located and directs the City Manager to keep and maintain a record of such locations.
15. (1) Each metered space shall be equipped with a parking meter except that where double parking meters are used, the parking meter mechanism on the side towards each metered space shall be the parking meter for that particular space.
- (2) Meter rates shall be as set out in accordance with the Fees and Charges By-law No. 4436 or any successor by-law.
16. (1) Unless otherwise provided by any Act or by-law, no vehicle shall be parked or allowed to remain parked during the period commencing at nine o'clock in the morning and ending at five o'clock in the afternoon on the day to which this by-law applies, in a meter space while the digital display of the governing meter indicates "no time remaining".

- (2) No vehicle shall be parked or allowed to remain parked in such a manner as to occupy more than one metered space.
 - (3) Subsection (1) does not apply:
 - a. on a Saturday or Sunday or on any public holiday authorized by or under an Act of Parliament or an Act of the Northwest Territories or a civic holiday authorized by Council;
 - b. to an officer during the officer's hours of duty;
 - c. to an enforcement or emergency vehicle;
 - d. to a taxi loading or discharging one or more passengers or goods, unless the taxi has been parked in the metered space for more than two minutes;
 - e. to a public utility vehicle;
 - f. where the governing meter is out of order; or
 - g. to a vehicle displaying a valid accessible parking permit issued and registered with the Yellowknife office of the Northwest Territories Disabilities Council, or its successor, or a recognized issuer of accessible parking permits from another jurisdiction in Canada and such vehicle is being operated by or used for the transportation of a person with a disability, for the maximum time limit on the meter.
17. A person parking a vehicle in a metered space during a period described in subsection 16(1) shall put the meter into operation by depositing a coin, as described in Section 19, in the governing meter.
18. Section 16 and Section 17 do not apply to a vehicle parked in a metered space that has a valid parking pass or payment has been made using an electronic method authorized by the City.
19. (1) No person shall deposit in a parking meter a coin or coins that are not legal tender in Canada or the United States or any slug, device, token, false imitation or any substitute for a coin that is legal tender in Canada or the United States.
- (2) The only coins that may be used in a parking meter under this by-law are nickels, dimes, quarters, loonies and toonies.
20. (1) The City Manager upon application and the payment in accordance with Fees and Charges By-law No. 4436 or any successor by-law, may issue a prepaid parking certificate for a vending stand as defined in Business Licence By-law No. 3451 or any successor by-law; and a prepaid parking sticker to vehicles registered as commercial vehicles, public service vehicles and government vehicles, with such restrictions as the City Manager deems necessary or expedient.

- (2) Notwithstanding any other provisions of this by-law, exemption stickers may be made available at no cost to owners of vehicles used exclusively by senior citizens.
 - (3) A prepaid parking sticker issued pursuant to subsection (1) and (2) shall be displayed on the lower right hand corner of the windshield of the vehicle for which it is issued.
21. No person shall display or permit to be displayed on a vehicle a card or sticker purporting to exempt that person or vehicle from the provisions of this by-law unless the card or sticker has been authorized pursuant to this by-law.

AUTHORITY TO CHALK TIRES

22. For the purposes of the enforcement of the parking provisions of this by-law an officer may place an erasable chalk mark on the tread base of the tire of a parked or stopped vehicle without the officer or the City incurring any liability for doing so.
23. No person shall disturb, wipe off, or otherwise remove or conceal an erasable chalk mark placed under this by-law while the vehicle remains parked in the location where it was marked.

MISCELLANEOUS RULES

24. No person shall open the door of a vehicle if the opening of the door interferes with the movement of traffic.

STREET CLEANING

25. Notwithstanding the provision of this or any other by-law, when signs have been placed in accordance with the requirements of **Schedule A**, attached to and forming part of this by-law, no person shall park a vehicle on any highway or parking lot on which such signs have been erected.
26. No person shall park a vehicle in any driveway so as to prevent, hinder or interfere with the orderly use of equipment by the City to sweep, clean or clear ice, snow and other debris from any street.
27. Where a vehicle is parked in contravention of section 25 or 26 of this by-law, the City may remove the vehicle.

HEAVY BURDENS

28. (1) In this part, truck means "NSV vehicle".
- (2) No person shall park a NSV vehicle or construction vehicle in an area of the City zoned as commercial or residential under the Zoning By-law, as amended, or any successor by-law.

- (3) Subsection (2) shall not apply to a person parking a truck while attending to business which necessarily requires the use of such truck.

DELEGATION AND DESIGNATIONS

29. Council hereby:

- (1) delegates to the City Manager the power to prescribe where traffic control devices for controlling and regulating parking in public places are to be located; and
- (2) directs that the City Manager keep and maintain a record of such locations, which shall be open to public inspection during normal business hours.

30. The City Manager is hereby authorized to designate:

- a. the specification of the types of vehicles which are prohibited from parking on certain City streets, and shall cause signs to be erected setting forth such a prohibition;
- b. any area as one in which parking privileges are temporarily suspended, and shall cause such areas to be marked;
- c. passenger or truck loading or unloading spaces and shall cause the same to be marked;
- d. distances from any intersection within which no parking is permitted. This provision shall not apply to vehicles stopped in compliance with any provision of this by-law; and
- e. portions of highway where parking is limited to a period of time, and shall cause signs to be erected indicating such parking limitations.

OFFICERS

- 31. (1) Council may appoint such persons as it sees fit and upon such terms as it sees fit, pursuant to by-law or by resolution, to be officers under this by-law.
- (2) Every member of the Royal Canadian Mounted Police is an ex officio officer under this by-law.

LIABILITY OF OWNER

- 32. If a vehicle is involved in a contravention this by-law, the owner of that vehicle is guilty of that offence.

ENFORCEMENT

- 33. Every person who contravenes this by-law is liable to pay the administrative monetary penalty indicated in Column A of **Schedule B**, attached to and forming part of this by-law.
- 34. The early payment discount indicated in Column B of **Schedule B** may be paid as the administrative monetary penalty if payment is made within 14 days of delivery the penalty notice.
- 35. This by-law shall be enforced using administrative monetary penalties pursuant to the *Administrative Monetary Penalty By-law*.

SEVERABILITY

- 36. Should any provision of this by-law be found to be invalid by a court of competent jurisdiction, such invalid provision shall be severed and the remaining provisions of the by-law shall be maintained.


TRANSITIONAL

- 37. A summary offence ticket information for a parking contravention issued prior to the effective date of this by-law shall be dealt with under the Highway Traffic By-law No. 4063, as amended.

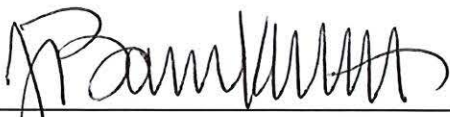
EFFECT

- 38. That this by-law shall come into effect on September 1, 2022 and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22, as amended.

Read a First time this 11 day of APRIL, A.D. 2022.



 Mayor



 City Manager

Read a Second Time this 11 day of APRIL, A.D. 2022.

[Signature]
Mayor

[Signature]
City Manager

Read a Third Time and Finally Passed this 25 day of APRIL, A.D., 2022.

[Signature]
Mayor

[Signature]
City Manager

I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Municipal Corporation of the City of Yellowknife.

[Signature]
City Manager



**CITY OF YELLOWKNIFE
BY-LAW NO. 5053
SCHEDULE A**

Illustrated is the general form of a moveable sign that the Department of Public Works of the City will place on or near a highway, roadway, parking lot or otherwise. The sign shall be placed at intervals of not less than thirty meters nor greater than ninety meters and shall be placed twenty-four hours prior to the commencement of the operations by the City equipment.

<p>NO PARKING</p> <p><set out time(s)></p> <p>STREET CLEANING</p>	<p>NO PARKING</p> <p><set out time(s)></p> <p>SNOW REMOVAL</p>
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**CITY OF YELLOWKNIFE
BY-LAW NO. 5053
SCHEDULE B**

Specified Administrative Monetary Penalties

Section	Offence	Column A Penalty	Column B Discounted Penalty
3	Unauthorized parking on roadway	\$50.00	\$35.00
4 (1)(a)	Blocking a public or private driveway	\$50.00	\$35.00
(b)	Parking within an intersection	\$50.00	\$35.00
(c)	Parking on a sidewalk	\$50.00	\$35.00
(d)	Parking within 3 meters of a fire hydrant or within an approved fire lane	\$250.00	\$150.00
(e)	Parking within 6 meters of a crosswalk	\$50.00	\$35.00
(f)	Parking within 5 meters in front of a stop or yield sign or traffic light	\$50.00	\$35.00
(g)	Parking within 6 meters of a driveway to a fire station	\$50.00	\$35.00
(h)	Parking adjacent / opposite street construction that obstructs traffic	\$50.00	\$35.00
(i)	Double parked	\$50.00	\$35.00
(j)	Parking on a bridge	\$50.00	\$35.00
(k)	Parking in a loading zone	\$50.00	\$35.00
(l)	Parking in a no parking, restricted parking or no stopping zone	\$50.00	\$35.00
(m)	Parking more than 30 centimeters from curb	\$50.00	\$35.00
(n)	Parking on private property	\$50.00	\$35.00
(o)	Parking in lane or alley way	\$50.00	\$35.00
(p)	Parking in an accessible parking area without displaying an accessible parking permit	\$250.00	\$150.00
(q)	Parking in a marked taxi stall	\$50.00	\$35.00
7	Parked more than 72 hours	\$50.00	\$35.00
9	Parked facing traffic / unlawful manner	\$50.00	\$35.00
10	Failing to brake unattended vehicle	\$50.00	\$35.00
11	Large vehicle illegally idling	\$50.00	\$35.00
12 (1)	Vehicle illegally idling	\$50.00	\$35.00
12 (3)	Unattended vehicle idling with keys in ignition and doors unlocked	\$50.00	\$35.00
13	Moving parked vehicle without signaling	\$50.00	\$35.00
16 (1)	Meter violation	\$50.00	\$35.00
16 (2)	Occupying more than one metered space	\$50.00	\$35.00
19	Depositing illegal coin in parking meter	\$50.00	\$35.00
21	Unauthorized display of parking sticker	\$50.00	\$35.00
23	Disturb, wipe off, remove, or conceal chalk mark	\$50.00	\$35.00
24	Opening door dangerously	\$100.00	\$75.00
25	Parking contrary to street cleaning signs	\$50.00	\$35.00
26	Obstructing street cleaning	\$50.00	\$35.00