

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 28-85

BEING A BY-LAW TO REQUIRE PARKING SPACES
FOR DISABLED PERSONS.

WHEREAS the Municipal Act, R.S.O. 1980, Chapter 302, sub-sections 210, (119) and (150) authorizes the council to pass by-laws to require owners or operators of parking lots or other parking facilities to which the public has access to provide designated parking spaces for the sole use of vehicles operated by or conveying a physically handicapped person in respect of which a permit has been issued.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. In this by-law:
 - (a) "City" means The Corporation of the City of North Bay.
 - (b) "Disabled Persons" means a person who is physically disabled in such a way that his or her mobility is severely restricted, including those persons who use a wheelchair, crutches, braces and other mobility assisting devices.
 - (c) "Identifying Marker" means a marker consisting of the international symbol for the disabled, to be used to identify an authorized vehicle.
 - (d) "Parking Authority" means The North Bay Parking Authority.
 - (e) "Permit" means a permit issued on an annual basis to a disabled person by the Parking Authority or any license plate issued under the Highway Traffic Act for a disabled person.
 - (f) "Public Parking Area" means any public or private parking lot or any other parking facility to which the public has access.
 - (g) "Signs" means a sign consisting of the international symbol for the disabled and which is used for the purpose of designating parking spaces for the sole use of physically handicapped persons.
 - (h) "Unauthorized Motor Vehicle" means a vehicle that does not have affixed thereto a current identifying marker.

2. The Parking Authority is hereby authorized to issue annual permits in respect of vehicles that are used by disabled persons and to issue identifying markers in connection with a permit for a fee of \$2.00 per year.
3. (a) No person other than a disabled person shall acquire or use a permit in respect of a motor vehicle.
(b) No person other than a person who has acquired a permit shall acquire or use an identifying marker issued in connection with a permit.
(c) No person shall use other than in the manner provided for in this by-law, an identifying marker issued in connection with a permit.
4. (a) The identifying marker issued in connection with a permit shall be affixed to the sun visor of the passenger's side of the motor vehicle so that it is readily visible from outside of the vehicle when the visor is turned down.
(b) An identifying marker issued in connection with a permit shall be deemed to be properly displayed when the visor is turned down and the identifying marker is readily visible from outside the vehicle.
5. Where authorized signs are on display, no vehicle shall be parked without a permit in the parking space designated thereby.
6. Every owner and operator of a parking lot or other parking facility to which the public has access shall provide designated parking spaces for the sole use of vehicles operated by or used to convey a disabled person in at least the number prescribed by the following table:

<u>Capacity of Public Parking Area (number of parking spaces)</u>	<u>Minimum number of spaces to be reserved for phy- sically disabled persons</u>
1-19	0
20-99	1
100-199	2
200-299	3
300-399	4
400-499	5
500 and more	6

7. The reserved parking spaces referred to in section 6 shall be
- (a) of a width,
 - (i) of three point sixty-six (3.66m) metres each, or
 - (ii) as specified on a site plan control agreement;
 - (b) of a length to be of the same length as the other parking spaces in the same parking facility
 - (c) hard surfaced
 - (d) level
 - (e) located so as to be accessible to disabled persons via ramps, depressed curbs or other appropriate means and so placed as to permit easy access by such persons to or from a motor vehicle parked therein, and
 - (f) identified by authorized signs as prescribed herein.
8. (a) The authorized sign to designate a disabled person's space shall be at least .3 metres wide and .45 metres in height and displayed as symbols in colours as shown in Schedule "A" to this by-law, but one or both of the arrows may be deleted.
- (b) The public parking area owner and operator shall be jointly responsible for the procurement and installation of the authorized signs.

- (c) The Public parking area owner and operator shall be jointly responsible for the maintenance of the authorized signs and for ensuring that the signs conform to the provisions of subsection (1).

- 9.
 - (a) No person shall park a motor vehicle in a public parking area in a parking space reserved for physically disabled persons and identified by authorized signs unless a valid permit is displayed as required herein.

 - (b) Subject to subsection (c) hereof, no public parking area owner or operator shall authorize any person other than a disabled person with a permit to park their motor vehicle in any space reserved for disabled person with a permit to park their motor vehicle in any space reserved for disabled persons and identified by authorized signs.

 - (c) No person other than the person to whom it was issued or a person to whom it was issued or a person conveying the person to whom it was issued shall use or display the disabled permit to enjoy the privileges or avoid the restrictions set out in subsection (a) hereof.

- 10. Any vehicle which contravenes the provisions of section 5 and which is obstructing access for disabled persons to enter their vehicle to the designated disabled parking space shall be towed away at the owner's expense.

- 11. Any public parking area owner or operator who contravenes the provisions of section 8 shall be guilty of an offence and upon conviction shall be subject to a penalty of \$50.00 for the first offence and for not more than \$200.00 for each subsequent offence exclusive of costs.

12. Any person who contravenes any provisions of this by-law, except section 9 shall be guilty of an offence and upon conviction shall be subject to a penalty of not less than \$8.00 and not more than \$15.00 for the first offence and not less than \$8.00 and not more than \$25.00 for each subsequent offence, exclusive of costs.

13. Every owner and operator of a parking lot or other parking facility to which the public has access shall comply with the provisions hereof within six months of the enactment of this by-law.

READ A FIRST TIME IN OPEN COUNCIL THE 4TH DAY OF MARCH , 19
85
READ A SECOND TIME IN OPEN COUNCIL THE 18TH DAY OF MARCH , 19
85
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH
DAY OF MARCH , 1985.


MAYOR


CITY CLERK