



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 34 - 2008

A By-law to amend Traffic By-law 93-93
to make housekeeping amendments
with respect to accessible parking spaces

WHEREAS Section 11(1) 1 of the *Municipal Act* permits a local municipality to pass by-laws respecting highways, including parking and traffic on highways;

AND WHEREAS Section 102(3) of the *Municipal Act* permits a municipality to remove and impound vehicles left contrary to accessible parking regulations;

AND WHEREAS Council also wishes to make a number of other housekeeping amendments with respect to accessible parking;

The Council of The Corporation of the City of Brampton ENACTS as follows:

1. Section 2 of Traffic By-law 93-93 is amended by replacing the definition of "access aisle" with the following:

"access aisle" means an area adjacent to an accessible parking space, on which parking is not permitted, so that persons with disabilities may get into and out of a vehicle parked in the accessible parking space;".

2. Section 2 of Traffic By-law 93-93 is amended by replacing the phrase "shall mean" with the word "means" in the definition of "accessible sign" and "accessible parking permit".

3. Section 2 of Traffic By-law 93-93 is amended by inserting the following definition of "officer":

"officer" means a police officer, a police cadet, a municipal law enforcement officer or any person appointed by Council to enforce this by-law;.

4. Section 48 of Traffic By-law 93-93 is replaced by:

“ACCESSIBLE PARKING REGULATIONS

Definition of “parking lot owner”

- 48. (1) In this section, “parking lot owner” includes the owner or operator of a public parking area.

Obligations of drivers – display permit

- (2) See Section 48(5)(a).

No blocking of access aisle

- (3) Please see Section 55.

Obligations of owners – provide accessible spaces

- (4) Every parking lot owner shall provide accessible parking spaces for the exclusive use of vehicles properly displaying an accessible parking permit, as provided for in this by-law. The minimum number of accessible parking spaces shall be calculated in accordance with the following table:

| Capacity of Public Parking Area (# of parking spaces) | Number of Accessible Parking Spaces to be Provided |
|--|--|
| 1-19 | 0 |
| 20-99 | 1 |
| 100-199 | 2 |
| 200-299 | 3 |
| 300-399 | 4 |
| 400-499 | 5 |
| 500 or more | 6 |

- (5) (a) No person shall park a motor vehicle in a designated accessible parking space in a public parking area, unless a valid accessible parking permit is properly displayed upon the motor vehicle.
- (6) The number of parking spaces to be used to calculate the capacity of a public parking area includes the accessible parking spaces required by this by-law.

Physical Dimensions

- (7) Every parking lot owner shall ensure that an accessible parking space is:
 - (a) 2.7 metres (9 feet) in width;
 - (b) the same length as the other parking spaces in the same public parking area;
 - (c) hard surfaced;
 - (d) level;
 - (e) located so as to be readily accessible to a person with disability, for example, via ramps, depressed curbs or other

means, and, where the public parking area is intended to serve a particular building or complex, located within easy access to the building or complex;

- (f) identified by signs conforming to the Ontario Regulation 581 made under the *Highway Traffic Act*;
- (g) kept free from obstructions, kept clear of snow, ice and slush, and be otherwise maintained to the same standards as all other parking spaces in the same public parking area.

Access Aisles

- (8) Sections 48(9) to 48(10) are the rules with respect to access aisles.
- (9) Every accessible parking space shall have at least one access aisle per space. This aisle must be at least 1.35 m wide, and run the entire length of the parking space, and be marked with hatching to indicate that parking is not permitted on the aisle. An arrangement where there is a single aisle per space is shown in Schedule XXXI.
- (10) Two accessible parking spaces may share one access aisle, located between the two spaces. This aisle must be at least 2.18 m wide, running the entire length of the two parking spaces, and be marked with hatching to indicate that parking is not permitted on the aisle. An arrangement where there is a shared aisle is shown in Schedule XXXI.

Curb Cuts

- (11) Where a public parking area requires the provision of an accessible parking space, and the access aisle has a raised surface abutting or in proximity to the aisle, the parking lot owner shall provide a curb cut to permit a person entering or exiting the access aisle a convenient means of traversing the difference in grade.
- (12) Minimum requirements for curb cuts to satisfy Section 48(10) are set out in Schedule XXXI and it is an offence for a parking lot owner not to comply with any of the provisions of Schedule XXXI.

Accessible Signs

- (13) Where a public parking area requires the provision of an accessible parking space, every parking lot owner must erect and maintain in good repair one or more signs complying with the following rules:
 - (a) The sign must be visible to the public.
 - (b) The sign must comply with all municipal by-laws, the *Highway Traffic Act* and regulations.
 - (c) The sign must be located on a permanent post, building or structure and its bottom edge of the sign between one (1) metre and one and a half (1.5) metres above the surface of the accessible parking space.
 - (d) If the sign is located on a post, the post may be located at the midpoint of one end of the space if it does not block vehicular

access to the accessible parking space or interfere with access to a depressed curb or a curb cut.

(14) In addition to complying with requirements of Section 11 of Regulation 581 of the *Highway Traffic Act*, all persons erecting or permitting to be erected any accessible parking sign shall include:

- (a) on the same sign, or
- (b) on another sign in close proximity to the accessible parking sign

the words:

"Maximum fine \$5000
For enforcement call 905-458-3424".


Towing from accessible parking spaces or access aisles

(15) Any officer may remove and impound any vehicle that is parked or left contrary to any of the provisions of this by-law. These actions shall be at the expense of the owner of the vehicle."


- 3. Footnote 48 of Traffic By-law 93-93, which says, "Section 55 is deleted", is deleted.
- 4. Section 56(10) of Traffic By-law 93-93 is amended to replace the phrase:
"a bag with the words, "No Parking" on the bag"
with the phrase:
"a bag with the words, "No Parking", "No Stopping", or similar words or symbols".
- 5. The attachment to this by-law called "Schedule XXXI" is added as Schedule XXXI of Traffic By-law 93-93.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this **13** day of February, 2008.

THE CORPORATION OF THE CITY OF BRAMPTON



 Susan Fennell Mayor
 GRANT GIBSON ACTING MAYOR



 Kathryn Zammit City Clerk

Approved as to form and content

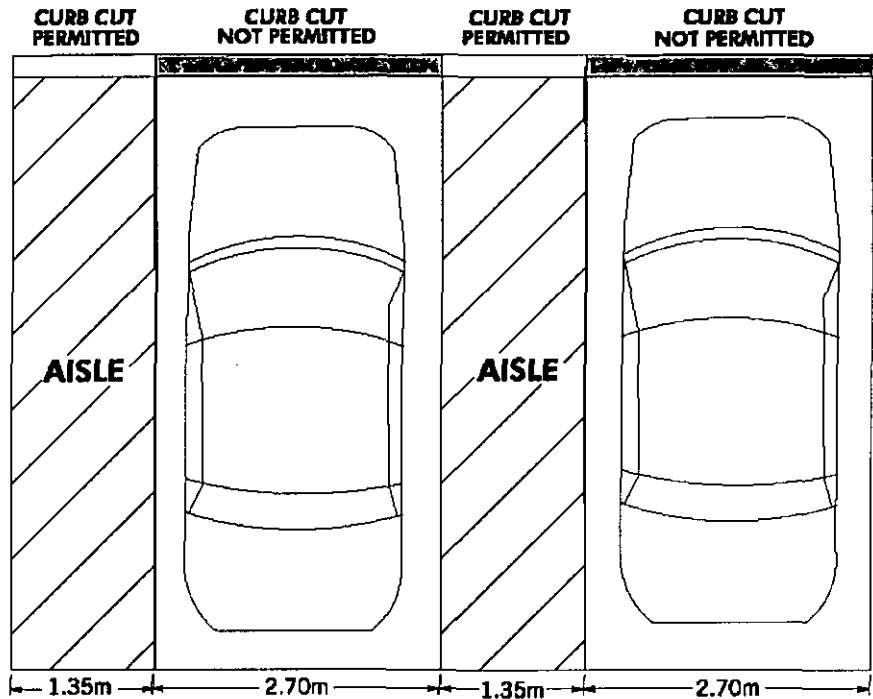

 Ted Yao,
 Legal Counsel

Schedule XXXI

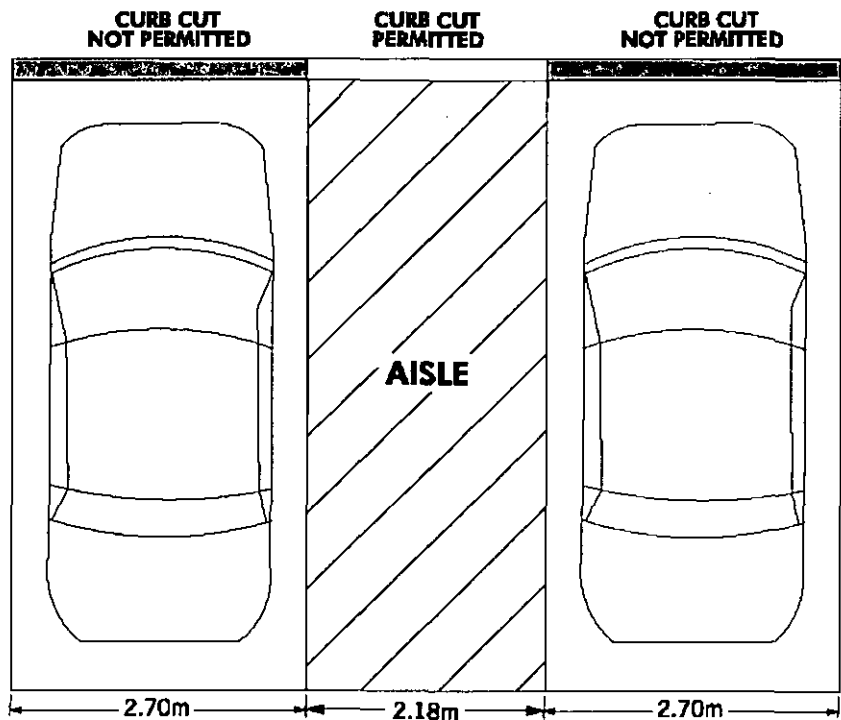
MINIMUM REQUIREMENTS FOR CURB CUTS FOR ACCESS AISLES

- Where the access aisle abuts a curb along one side only, the following diagram indicates where a curb cut will not be permitted.

Single Aisle



Shared Aisle



- Where the access aisle abuts a curb along two sides, the following diagram indicates where a curb cut will not be permitted.

