



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 151 - 2006

A By-law to Amend Traffic By-law 93-93, as amended
to use language that conforms to the intent of
the *Accessibility for Ontarians with Disabilities Act, 2005*

Whereas Section 11(1) 1 of the *Municipal Act, 2001* permits a local municipality to pass by-laws respecting highways, including parking and traffic on highways;

And whereas the City's Accessibility Advisory Committee has recommended that the language in the Traffic By-law be amended to conform with the spirit and intent of the *Accessibility for Ontarians with Disabilities Act, 2005*;

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

Amendments relating to inappropriate language

1. The definition of "disabled permit" in Section 2 of Traffic By-law 93-93 is deleted and replaced by the following:

"accessible parking permit" shall mean a permit issued to a person who meets the requirements of the Ministry of Transportation as set out in Section 5 of Ontario Regulation 612/05 (Accessible Parking for Persons with Disabilities) of the *Highway Traffic Act*;
2. The definition of "handicapped sign" in Section 2 of Traffic By-law 93-93 is deleted and replaced by the following:

"accessible sign" shall mean a sign with the international symbol for accessibility;"
3. The definition of "identifying marker" in Section 2 of Traffic By-law 93-93 is deleted.
4. The definition of "physically handicapped person" in Section 2 of Traffic By-law 93-93 is deleted.
5. The definition of "wheelchair" in Section 2 of Traffic By-law 93-93 is replaced by the following:

"wheelchair" includes a motorized scooter or other self-propelled device, designed to transport one person who has a disability."
6. The phrase "disabled permit" in Sections 40(3), 42(14), and 51.1 of Traffic By-law 93-93 is replaced by the phrase "accessible parking permit".

7. The phrase "handicapped parking space" in Section 43(1)(k) of Traffic By-law 93-93 is replaced by the phrase "designated accessible parking space".
8. The heading to Section 48, and the first sentence of Section 48 of Traffic By-law 93-93 are replaced by the following:

ACCESSIBLE PARKING REGULATIONS

48. Provision of accessible parking spaces

- (1) Every owner or operator of a public parking area shall provide designated accessible parking spaces for the exclusive use of vehicles properly displaying an accessible parking permit as provided for in this by-law.

9. Section 48(3) (a)(v) of Traffic By-law 93-93 is deleted and replaced by the following:

- (v) located so as to be readily accessible to a person with a 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;

10. The phrases "an identifying marker" or "a valid identifying marker" in Sections 43(1)(k) , 48(5)(a) and 48(5)(b) of Traffic By-law 93-93 are replaced by the phrase "a valid accessible parking permit".
11. The phrase "designated parking space" in Section 48(3)(b), Section 48(5)(a), and Section 48(5)(b) of the Traffic By-law 93-93 is replaced by "designated accessible parking space".
12. Section 48(4)(a) of Traffic By-law 93-93 is replaced by:

"Any accessible parking sign shall conform to the requirements of this by-law and any applicable regulation under the *Highway Traffic Act*."
13. Section 48(4)(b) of Traffic By-law 93-93 is replaced by:

"An accessible parking sign shall be mounted on a permanent post one metre in height, located at the midpoint of one end of the space and shall not be located so as to block vehicular access to the designated accessible parking space."
14. Section 49:1 of Traffic By-law 93-93 is deleted and the following substituted in its place:

"The provisions of Section 49 shall not apply to vehicles which clearly display a valid accessible parking permit"
15. Section 55 of Traffic By-law 93-93 and its heading are deleted. The Clerk may insert in the appropriate place for consolidated version of the By-law the words "Section 55 is deleted."
16. Section 56(9) of Traffic By-law 93-93 is deleted and the following substituted in its place:

Where a parked vehicle has a valid accessible parking permit properly displayed, the owner and driver of the parked vehicle are exempt from the provisions of subsections (2) and (3) of this section.

Amendment relating to "Call Enforcement" sign

17. The following is added as Section 48(4)(d) of Traffic By-law 93-93:

48(4)(d) In addition to complying with the 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

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

the words:

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

Amendment relating to bagged meters

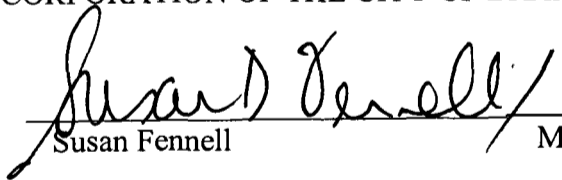
18. Section 56 of the Traffic By-law 93-93 is amended by adding the following as Section 56(10) and renumbering the existing section 56(10) as new 56(11):

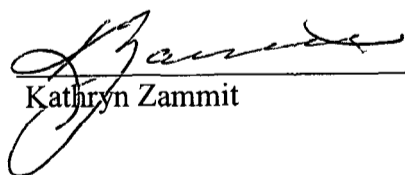
56(10) When a meter is covered with a bag with the words, "No Parking" on the bag, no person shall stop any vehicle on the portion of the highway controlled by the meter. For greater certainty, this prohibition against stopping also applies to persons operating a vehicle displaying an accessible parking permit.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 24th day of May, 2006.


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THE CORPORATION OF THE CITY OF BRAMPTON


Susan Fennell Mayor


Kathryn Zammit Clerk

Approved as to form and content


Ted Yao, Legal Counsel