



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 316-81

To amend By-law 33-79, as amended, to authorize certain on street parking of vehicles operated by or conveying physically handicapped persons, and the issuing of permits in respect thereof.

WHEREAS paragraph 119 of section 210 of The Municipal Act (R.S.O. 1980 c. 302, as amended) confers upon the councils of local municipalities the power to pass by-laws for exempting, pursuant to permits issued, the owners and drivers of vehicles operated by or carrying a physically handicapped person, as defined by the by-law, from any provision of a by-law passed by the council under The Municipal Act or under any other general or special Act for prohibiting or regulating the parking, standing or stopping of motor vehicles on any highway or part thereof under the jurisdiction of the council;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BRAMPTON ENACTS AS FOLLOWS:

1. By-law 33-79 as amended, being a by-law for the regulation of traffic on City of Brampton Highways, is further amended as follows:

- i) Part 1, section (1) is amended by adding after the paragraph headed "HIGHWAY TRAFFIC ACT" the following paragraph:

"IDENTIFYING MARKER" means a marker consisting of the International Symbol for the physically handicapped person issued in connection with a permit.

- ii) Part 1, section (1) is further amended by adding after the paragraph headed "PEDESTRIAN CROSSOVER" the following paragraphs:

"PERMIT" means a permit issued on an annual basis by the City to a physically handicapped person.

"PHYSICALLY HANDICAPPED PERSON" means any person who is permanently confined to a wheelchair, restricted to the permanent use of crutches or braces, or who is otherwise permanently disabled in such a way that his or her mobility is seriously restricted.

iii) Part 2 is amended by adding section (3) as follows:

(3) PERMITS AND IDENTIFYING MARKERS

I) The Commissioner of the Buildings and By-law Enforcement Department is authorized to issue on an annual basis permits in respect of motor vehicles driven by or conveying physically handicapped persons, and to issue identifying markers in connection with a permit.

II) No person, other than a physically handicapped person, shall apply for, acquire or use a permit in respect of a motor vehicle.

III) No person, other than a person who has lawfully acquired a permit, shall acquire or use an identifying marker.

IV) No person shall, other than in the manner provided for in this Section, use an identifying marker.

V) The identifying marker shall be affixed to the sun visor of the driver's side of the motor vehicle in respect of which such permit was issued, in such a manner so that said identifying marker is readily visible from outside of the vehicle when the sun visor is turned down.

VI) An identifying marker shall be deemed to be properly displayed when the visor is turned down and the marker affixed to it is readily visible from outside of the vehicle.

VII) No person, other than the person to whom it was issued, or a person conveying the person to whom it was issued, shall use or display an identifying marker.

iv) Part 5, section (11) is amended by adding the following:

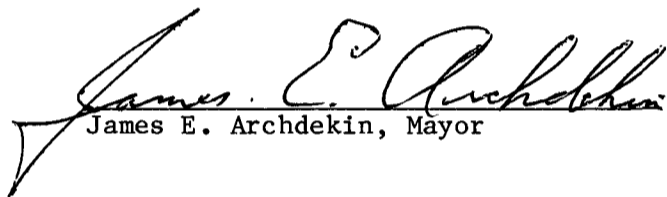
IX) Where a vehicle is operated by or is conveying a physically handicapped person who has obtained a permit and identifying marker for said vehicle, and where the identifying marker is properly displayed on said vehicle, the owner and driver of said vehicle are exempt from the provisions set out in paragraphs II and III of this Section.

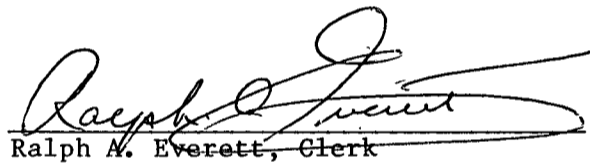
v) Part 6 is amended by adding sections (4) and (5) as follows:

(4) Notwithstanding section (1) of this Part, any person who contravenes paragraphs II, III or IV of section (3) of Part 2 is guilty of an offence, and upon conviction shall be subject to a penalty of not more than two thousand dollars (\$2,000).

(5) Notwithstanding section (1) of this Part, any person who contravenes paragraph VII of section (3) of Part 2 is guilty of an offence, and upon conviction shall be subject to a penalty of fifty dollars (\$50) for the first offence and not more than two hundred dollars (\$200) for each subsequent offence.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 14th day of December, 1981.


James E. Archdekin, Mayor


Ralph A. Everett, Clerk

PASSED under 14th 1981



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