

Highway - Street

Chapter 499 - Parking – Accessible

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WHEREAS it is deemed expedient to amend the City of Woodstock Municipal Code adopted by By-law Number 6790-90 by repealing and replacing Municipal Code Chapter 499 entitled "Parking-Disabled;"

AND WHEREAS the City of Woodstock deems it desirable to provide for a system of accessible parking within the municipality;

AND WHEREAS section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may provide a system of parking;

AND WHEREAS section 427 of the *Municipal Act, 2001*, S.O. 2001 c.25, provides that every person who contravenes a by-law which provides a system of disabled (accessible) parking is guilty of an offence and on conviction is liable to a fine of not less than \$300;

AND WHEREAS Part III of the *Highway Traffic Act*, R.S.O. 1990, c. H.8 gives a police officer, police cadet, municipal law enforcement officer or an officer appointed for carrying out the provisions of this by-law, specific authorities to inspect and take possession of disabled (accessible) parking permits.

Article 1 - Short Title

499.1.1 Citation

This Chapter may be cited as the "Accessible Parking By-law."

Article 2 - Interpretation

499.2.1 Designated parking space - defined

"designated parking space" means a parking space designated under this Chapter for the exclusive use of a vehicle displaying a permit in accordance with the requirements of the *Highway Traffic Act* and the regulations made thereunder and this Chapter.

499.2.2 Municipal or private property - defined

"municipal or private property" means any open area or portion of a structure, other than a street or highway, intended for the temporary parking of vehicles and on which there are designated parking spaces, whether their use involves the payment of a fee or otherwise.

499.2.3 Permit - defined

"permit" means an accessible parking permit issued under the *Highway Traffic Act* or a permit, number plate or other marker or device issued by another jurisdiction and recognized under the Act.

Article 3 - General Provisions

499.3.1 Permit - displayed - exemption - parking regulations

Despite any other provisions of The Corporation of the City of Woodstock Traffic By-law 8021-04, as amended, any vehicle on which or in which a permit is displayed in accordance with the requirements of the *Highway Traffic Act*, the regulations made thereunder and this Chapter is exempt from the parking, standing or stopping traffic restrictions in force from time to time while transporting, delivering or picking-up a disabled person at a designated parking space.

499.3.2 Permit - displayed - normal fees - paid

The driver or operator of a vehicle which displays a permit in accordance with the requirements of the *Highway Traffic Act* and the regulations made thereunder and this Chapter shall not be required to pay an amount in excess of the normal fee paid by other users of the same parking lots or other parking facilities to which the public has access.

499.3.3 Designated parking - maintenance required - all lots

Every owner and operator of parking lots or other parking facilities to which the public has access, whether on payment of a fee or otherwise, shall not fail to maintain designated accessible parking spaces in accordance with this Chapter.

Article 4 - Designated Accessible Parking Space(S)

499.4.1 Indicated - distinct - requirements - regulations

A designated accessible parking space shall be distinctly indicated in accordance with the requirements of the *Highway Traffic Act* and the regulations made thereunder and this Chapter.

499.4.2 Location - streets - highways - Schedule I

Designated accessible parking spaces on streets and highways are described in Schedule I.

499.4.3 Location - parking - municipal - private - Schedule II

Designated accessible parking spaces on municipal or private property are described in Schedule II.

499.4.4 Minimum number of parking spaces

The minimum number of designated accessible parking spaces which must be provided shall be calculated in accordance with the City of Woodstock Zoning By-law.

499.4.5 Use - entitlement - benefit - limited

No person shall:

- a) park a vehicle in a designated parking space; or
- b) be entitled to the benefit of an exemption under this Chapter; unless a currently valid permit has been issued to that person, the organization for which that person is then operating the vehicle or to a passenger, being picked-up or transported in the vehicle and such permit is displayed on or in the vehicle in accordance with the requirement of the Highway Traffic Act, the regulations made thereunder and this Chapter.
(See Set Fine)

499.4.6 Signage - municipal streets - Schedule I

Each designated space described in Schedule I of this Chapter shall be distinctly indicated by erecting an accessible parking permit sign at either end of the space with directional arrows indicating the location of the space, or to the centre most portion of the space. Each sign shall meet the requirements set forth in Schedule III of this Chapter which are approved by the Province of Ontario pursuant to the Highway Traffic Act and the regulations made thereunder.

499.4.7 Signage - municipal - private lots - Schedule II

Each designated space described in Schedule II of this Chapter shall be distinctly indicated by erecting an accessible parking permit sign at the centre most portion of the space. Each sign shall meet the requirements set forth in Schedule III of this Chapter which are approved by the Province of Ontario pursuant to the Highway Traffic Act and the regulations made thereunder.

499.4.8 Signage - installation

Every required accessible parking space sign shall be installed in accordance with Sections 499.4.6 and Section 499.4.7 and shall be affixed to a permanent vertical post or wall. The sign as prescribed in Schedule III shall be installed to a level not less than one metre and not more than two metres above ground where the post or wall meets the ground.

Article 5 - Inspection of Accessible Parking Permits

499.5.1 Inspection - accessible parking permit

Every person having possession of an accessible parking permit shall, upon the demand of a Police Officer, Police Cadet, Municipal Law Enforcement Officer or an officer appointed for carrying out the provisions of this Chapter, surrender the permit for reasonable inspection to ensure that the provisions of this Chapter are met.

499.5.2 Officer - may take possession of the permit

An officer or cadet to whom an accessible parking permit has been surrendered may retain it until disposition of the case if the officer or cadet has reasonable ground to believe that the permit:

- a) was not issued under the governing provincial ministry;
- b) was obtained under false pretences;
- c) has been defaced or altered;
- d) has expired or been cancelled; or
- e) is being or has been used in contravention of this Chapter.

499.5.3 Offence - accessible parking permit

No person shall:

- a) have in his/her possession an accessible parking permit that is fictitious, altered or fraudulently obtained; (See Set Fine)
- b) fail or refuse to surrender an accessible parking permit in accordance with Section 499.5.1; (See Set Fine)
- c) give, lend, sell or offer for sale an accessible parking permit or permit the use of it by another person otherwise than in accordance with this Chapter; (See Set Fine) or
- d) make, permit the making of, give, lend, sell or offer for sale a fictitious or altered accessible parking permit. (See Set Fine)

Article 6 - Enforcement

499.6.1 Fine - for contravention

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine as prescribed in the *Provincial Offences Act*.

499.6.2 Enforcement - issuance of notice

A Police Officer, Police Cadet, Municipal Law Enforcement Officer or an officer appointed for carrying out the provisions of this Chapter may issue:

- a) a Provincial Offences Notice where applicable fines have been ordered by the Province of Ontario under this Chapter to the owner or operator of the motor vehicle found in contravention by way of Part I of the *Provincial Offences Act*;
- b) a Parking Infraction Notice to the vehicle or person in control of the vehicle found in contravention by way of Part II of the *Provincial Offences Act*; or
- c) a Summons to the person in control of the vehicle found in contravention by way of Part III of the *Provincial Offences Act*.

499.6.3 Owner - liable - for contravention - exception

The owner of a vehicle may be charged with and convicted of an offence under this Chapter for which the driver of the vehicle is subject to be charged unless, at the time of the offence, the vehicle was in the possession of some person other than the owner without the owner's consent and on conviction the owner is liable to the penalties prescribed or provided for the offence.

499.6.4 Vehicle - in contravention - removed - owner expense

A Police Officer, Police Cadet, Municipal By-law Enforcement Officer or an officer appointed for carrying out the provisions of the *High-way Traffic Act*, upon discovery of any vehicle parked or left in contravention of this Chapter, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by Part III of the *Repair and Storage Liens Act*.

Article 7 REPEAL - ENACTMENT

499.7.1 By-law - previous

All previous by-laws relating to disabled parking shall be repealed on the effective date of this Chapter.

499.7.2 Effective date

This Chapter shall become effective as of the third and final reading of the enabling by-law. By-law 8425-08, February 21, 2008.

Schedule

Schedule I – Designated

Location	Number of Spaces
Aileen Drive at 65 Aileen Drive	1
Dundas Street at 388 Dundas Street	1
Dundas Street at 449 Dundas Street (Art Gallery)	1
Dundas Street at 485 Dundas Street	1
Dundas Street at 615 Dundas Street (Police Station)	1
Finkle Street at 452 Dundas Street	1
Graham Street at 16 Graham Street	1
Hunter Street at 445 Hunter Street (Library)	1
Market Street at 21 Market Street	1
Perry Street at 422 Dundas Street	1
Reeve Street at 9 Reeve Street	1
Reeve Street at 500 Dundas Street, located at the north side of Market Street and West side of Reeve Street	1
Sutherland Drive at 690 Sutherland Drive (Loyal Order of Moose Lodge)	2

By-law 8425-08, February 21, 2008; Schedule 'I'; By-law 8504-08, November 20, 2008; By-law 8620-10, July 15, 2010. By-law 8936-14, September 4, 2014, By-law 9011-15, October 15, 2015

Schedule II - Designated Accessible Parking Spaces

Municipal and Private Lots

Municipal Lots	Number of Spaces
Adelaide Street Lot	1
Brock Street Lot	3
Civic Centre Arena at 895 Nellis Street	2
Cole Walkway Lot	1
Community Complex at 381 Finkle Street	6
Engineering and Public Works at 944 James Street	1
Finkle Street Lot	1
Jack Dunn Memorial Ball Diamond at 347 Finkle Street	1
Graham Street Lot	1
Light Street Lot	1
Market Centre Lot	4
Canadian Mental Health Association at 522 Peel Street	1
Perry Street Lot	1
Southgate Centre at 191 Wellington Street South	9
Southside Aquatic Centre at 315 Finkle Street	2
Southside Park at 192 Old Wellington Street south	4
Young Street Lot	2

By-law 9260-18, December 13, 2018

Private Lots	Number of Spaces
576 Brant Street (Royal Canadian Legion)	1
410 Buller Street (Board of Health)	1
423 Devonshire Avenue (The Village of Oxford Gardens)	4
400-404 Dundas Street (TD Bank)	1
645 Dundas Street (Foodland / Zellers)	4
808 Dundas Street (YMCA)	3
943 Dundas Street (Rochdale Credit Union)	2
969 Dundas Street (Zehrs)	8
1717 Dundas Street (Toyota Motor Manufacturing)	8
558 Durham Crescent	6
560 Durham Crescent	4
562 Durham Crescent	6
564 Durham Crescent	4
159-163 Ferguson Drive (Oxford Condominium Corp. No. 28)	8
369 Finkle Street (Fanshawe College)	4
93 Graham Street (Social Services)	1
56-64 Hiawatha Road (Oxford Condominium Corp. No. 47)	5
415 Hunter Street (Court House)	2
959 James Street (Oxford County Naval Veterans)	3
300 Juliana Drive (Oxford County, Woodingford Lodge)	3
310 Juliana Drive (Woodstock General Hospital)	28
535 Mill Street (Travel Centres Canada)	10
851 Nellis Street (Woodstock Slots)	3
855 Nellis Street (Woodstock Agricultural Society)	2
875 Nellis Street (Oxford Auditorium)	2
467-523 Norwich Avenue (Calloway Real Estate)	20
715-751 Parkinson Road (Trillium Place)	2
192-236 Springbank Avenue North (Springbank Plaza)	2
100 Victoria Street South (VIA Rail Canada Inc.)	2
21 Reeve Street (Administrative Building)	2

By-law 8425-08, February 21, 2008; Schedule 'II'; By-law 8438-08, March 20, 2008; By-law 8482-08, 4 September, 2008; By-law 8504-08, November 20, 2008; By-law 8558-09, 9 July 9, 2009; By-law 8620-10, July 15, 2010; By-law 8662-11, 17 February, 2011; By-law 8703-11, August 11, 2011; By-law 8735-12, 19 January 19, 2012; By-law 8781-12, 7 June 7, 2012.

By-law 8936-14, September 4, 2014; By-Law 8970-15, April 2, 2015, By-Law 9034-16 By-law 9241-18 – August 9, 2018

Schedule III - Designated Accessible Parking Spaces

Signage Requirements

Each sign shall be not less than 45 centimetres in height and not less than 30 centimetres in width and bear the markings and have the dimensions as described and illustrated in the following figure:



By-law 8425-08, February 21, 2008; Schedule III.