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## MODEL PARKING BY-LAW

Municipal Resource Package on Designated  
Parking for Persons with Disabilities

Model Parking By-law and Technical Guidelines  
for Persons with Disabilities



[Supported by the Ontario Traffic Conference](#)

Updated January 2004

***THIS BY-LAW IS A SAMPLE BY-LAW ONLY. EACH MUNICIPALITY SHOULD REVIEW THE BY-LAW TO ENSURE THAT IT MEETS THE PARTICULAR NEEDS OF THE MUNICIPALITY AND SHOULD SEEK ADVICE FROM THEIR MUNICIPAL SOLICITOR PRIOR TO ENACTING A BY-LAW***

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**Appendix B**Prescribed Signs under Regulation 581 of the *Highway Traffic Act***I INTRODUCTION**

Parking is an integral part of travelling for many persons with disabilities, often overlooked in planning personal travel and public transportation. If the parking component of a trip is not successful, the individual is prevented from accomplishing what they set out to do. This can result in being unable to go to work, go shopping or missing a medical appointment.

If this happens on a regular basis, it can have a significant impact on a Disabled Person Parking Permit (DPPP) holders' ability to participate in community activities, and can affect their quality of life. It can also have an economic impact on local businesses, which may lose potential customers.

Good parking policy is all about opening up access to a community, its programs and services. Municipalities, which provide leadership by designating parking spaces and providing exemptions from parking restrictions for persons with disabilities, are improving access to activities and opportunities in their communities by residents and visitors. They are also planning for the future where an aging population with disabilities is likely to have an increased need for parking which meets their requirements.

This Resource Package is an update to the 1990 *Model Parking Bylaw and Technical Guidelines*. These Guidelines were developed through extensive consultation with representatives of disability and seniors organizations, municipalities, Association of Municipalities of Ontario (AMO), the Ontario Good Roads Association, Ontario Traffic Conference, and the Ministries of Transportation, Citizenship, Municipal Affairs and Housing and the Solicitor General.

The objective of the 1990 Guidelines was to promote consistent municipal parking programs and by-laws throughout the province while providing technical advice and assistance to municipalities. The 1990 package was distributed to all municipalities and Chiefs of Police in the province. Key participating municipal associations, including the Association of Municipalities of Ontario, the Ontario Good Roads Association and the Ontario Traffic Conference also used various mechanisms (e.g., newsletters, workshops) to encourage the adoption of these guidelines.

Parking by-laws and their enforcement are a municipal responsibility, carried out in conjunction with police forces. The purpose of this updated Resource Package is to provide direction to municipalities when developing new or revising existing parking by-laws for DPPP holders. Municipalities should consider modifying the Model Parking By-laws provided in this Resource Package to meet their specific requirements.

The Resource Package encompasses both on and off street parking. The implementation of both classes of parking is strongly encouraged.

Municipal by-laws should be updated periodically to ensure compliance with changes to the [Highway Traffic Act \[1\]](#), [Municipal Act, 2001 \[2\]](#), [Building Code Act, 1992 \[3\]](#) and the [Ontario Building Code 1997 \[4\]](#).

In addition to a Model By-law, Technical Guidelines are included to help municipalities when considering exemptions to existing traffic control by-laws, physical characteristics and location/

allocation of parking spaces.

The prescribed signs set out in Appendix B are required by regulation under the [Highway Traffic Act \[5\]](#) (i.e. parking spaces designated under municipal by-laws for the use of persons with disabilities must use the prescribed signs). These include signs designating:

- "No Parking" except for holders of DPPP
- "No Stopping" except the stopping of vehicles displaying a DPPP, and
- "No Standing" except the standing of vehicles displaying a DPPP.

The *Highway Traffic Act* defines "parking", "stopping" and "standing" in Section 1 as follows:

### "Parking"

"park" or "parking", when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers

### "Stopping"

*"stop" or "stopping", when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or of a traffic control sign or signal*

### "Standing"

*"stand" or "standing", when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers*

Information concerning eligibility for a DPPP can be obtained from local Ministry of Transportation Drivers and Vehicles Licence Issuing Office, the Ministry's website or by calling the Driver and Vehicle Licensing Call Center at (416) 235-2999 or toll free at 1-800-387-3445. The numbers for these offices can be found in the blue pages of the telephone directory. Individuals seeking information on specific municipal by-laws governing parking for persons with disabilities should be directed to contact the clerk's office of the municipality to which they plan to travel.

[1] R.S.O. 1990, c. H.8.

[2] S.O. 2001, c. 25.

[3] S.O. 1992, c.23.

[4] O. Reg. 403/97.

[5] R.R.O. 1990, Reg. 581 made under the *Highway Traffic Act*.

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## II LEGISLATIVE AND REGULATORY FRAMEWORK

Parking for disabled persons and DPPP are governed by three pieces of legislation, and the regulations there under (in addition to municipal by-laws). These are: the *Highway Traffic Act*, the *Municipal Act, 2001* and the *Building Code Act, 1992* and the provisions of which are briefly summarized below.

### [Highway Traffic Act \[6\]](#)

- Part III - "Parking Permits", deals with DPPP;
- Ontario Regulation 581 - "Disabled Person Parking Permits", made under the *Highway Traffic Act*, deals with issuance of DPPP, prescribed signs and other relevant matters;

- Subsection 210 (4) deals with reports on disabled person parking by-law convictions.
- Subsection 27(2) provides the minimum and maximum fines in relation to Disabled Person Parking Permits.

### **[Municipal Act, 2001 \[7\]](#)**

#### Part III:

- Section 49, "Disabled parking permits"  
This section establishes that if a municipality passes a by-law for a system of parking for people with disabilities, the sole manner of identifying vehicles shall be a Disabled Person Parking Permit as described in Highway Traffic Act and regulations made under it.
- Section 102, "Disabled parking permits"  
This section permits by-laws to be enacted for requiring the owners or operators of parking lots or other parking facilities to which the public has access, to provide designated parking spaces for vehicles displaying a Disabled Person Parking Permit and for prohibiting the use of such spaces by other vehicles.

#### Part XIV

- Section 425 "Enforcement"  
Section 425 (2) sets out the minimum fine of \$300 for contravention of disabled person parking by-laws.

### **[Building Code Act, 1992 \[8\]](#) and [Ontario Building Code 1997 \[9\]](#)**

The *Building Code Act, 1992* and its regulation (the *Ontario Building Code 1997*) contain requirements for the construction of buildings, including access to parking areas and barrier-free design. Municipal staff may wish to consult these sources for further guidance in this area

- Ontario Regulation 403/97 made under the *Building Code Act, 1992* (the "*Ontario Building Code 1997*")
  - Article 3.8.2.2. Access to Parking Areas
  - Article 3.8.3.1 Accessibility Signs
  - Section 3.14 Signs
- The *Ontario Building Code 1997* and supplementary guides -

Appendix A (Note: Appendix A to the *Ontario Building Code 1997* is for explanatory purposes only and does not form part of the requirements of the *Ontario Building Code Act, 1992*. The Appendix contains drawings of signs that are *not* prescribed signs for the enforcement of designated parking spaces of holders of DPPP under the HTA ).

[6] *Highway Traffic Act*, R.S.O. 1990, c. H.8.

[7] *Municipal Act, 2001*, S.O. 2001 c. 25.

[8] *Building Code Act, 1992*, S.O. 1992, c. 23

[9] *O. Reg. 403/97*, as amended, (referred to as the *Ontario Building Code, 1997*).

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## **III MODEL PARKING BY-LAW**

Made in pursuance of Section 102 to the *Municipal Act, 2001*, S.O. 2001 c.25 and Part III of the *Highway Traffic Act*, R.S.O. 1990, c. H.8. and the regulations made there under. (See Appendix A for the text of this legislation).

**BY-LAW NO. \_\_\_\_\_**

**ON AND off street PARKING FOR PERSONS WITH DISABILITIES**

Being a by-law to:

1. authorize the creation and designation of parking spaces on highways and/or on municipal or private property for the exclusive use of vehicles which are displaying a Disabled Person Parking Permit in accordance with the requirements of the *Highway Traffic Act* and the regulations made there under and this by-law; and/or
2. create special parking exemptions for the drivers and operators of vehicles which are displaying a Disabled Person Parking Permit in accordance with the requirements of the *Highway Traffic Act* and the regulations made there under and this by-law; and
3. provide for the enforcement necessary to prevent the unauthorized use of designated parking spaces and exemptions.

NOW THEREFORE the Council of the Corporation of the municipality of \_\_\_\_\_ enacts as follows:

1. In this by-law:

1. "designated parking space" means a parking space designated under this by-law for the exclusive use of a vehicle displaying a permit in accordance with the requirements of the *Highway Traffic Act* and the regulations made there under and this by-law;
2. "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;
3. "permit" means a Disabled Person Parking Permit which is issued under the *Highway Traffic Act* and is currently valid or a permit or other marker or device which is issued by another jurisdiction, is currently valid and recognized under the *Highway Traffic Act* and the regulations there under.

2. (1) A designated parking space shall be distinctly indicated in accordance with the requirements of the *Highway Traffic Act* and the regulations made there under.

(2) off street designated parking spaces on municipal or private property shall have a width of not less than 3.9 meters.

(3) Designated parking spaces, for the purpose of this by-law, mean designated parking spaces

(a) On the following streets and highways:

(i) *[describe applicable areas]*  
and

(b) On the following municipal or private property:

(i) *[describe applicable areas]*.

NOTE: Individual locations need not be described. General references should suffice, e.g. shopping malls, hospitals, etc. could be required to reserve a certain number or percentage of designated parking spaces for persons with disabilities.

3. The owners and operators of parking lots or other parking facilities to which the public

has access, whether on payment of a fee or otherwise, shall provide designated parking spaces in accordance with this by-law.

4. (1) Subject to sub-section 4 (2) below, no person or organization shall,

(a) park a vehicle in a designated parking space; or

(b) be entitled to the benefit of an exemption under this by-law, unless a permit has been issued to that person, organization 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 requirements of the *Highway Traffic Act*, the regulations made there under and this by-law

(2) Sub-section 4 (1) does not apply if there is an emergency situation and the vehicle is left parked, standing or stopped there because of the emergency.

5. Despite any other provisions of the Corporation of the municipality of \_\_\_\_\_ (Parking or Traffic) By-law(s) No \_\_\_\_\_, any vehicle on or in which a permit is displayed in accordance with the requirements of the *Highway Traffic Act*, the regulations made there under and this by-law is exempt from:

NOTE: Various exemptions from other traffic control by-laws may be described here. See Technical Guidelines, Section IV.

6. Despite any other provision in this by-law, no person shall park a vehicle on a street or highway in such a manner as to interfere with the clearing of snow from the street or highway.

NOTE: Items other than clearing of snow may be included here.

7. 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 there under and this by-law 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.

8. (1) Any person who contravenes any provision of this by-law is guilty of an offence and shall be liable on conviction to a fine of *not less than \$300.00 exclusive of costs*\*\*. [*Alternatively replace "not less than \$300.00 exclusive of costs" by inserting the amount of fine OR municipality may choose to provide for a minimum and maximum fine i.e. "a fine not less than [amount of minimum fine to be inserted] and not more than [amount of maximum fine to be inserted]"*].

(2) The owner of a vehicle that has been left parked, standing or stopped in contravention of this by-law is guilty of an offence, even if the owner was not the driver of the vehicle at the time of contravention of the by-law, unless, at that time, the vehicle was in the possession of a person other than the owner without the owner's consent, and shall be liable on conviction to a fine of *not less than \$300.00* \*\*. [*Alternatively replace "not less than \$300.00" by inserting the amount of the fine OR municipality may choose to provide for a minimum and maximum fine i.e. "a fine not less than [amount of minimum fine to be inserted] and not more than [amount of maximum fine to be inserted]"*].

**\*\* Please note that the provision for a minimum fine is found in s. 425.2 of the *Municipal Act, 2001*.**

(3) A police officer, police cadet, municipal law enforcement officer or an officer appointed for carrying out the provisions of the *Highway Traffic Act*, upon discovery of any vehicle parked or left in contravention of what is specified in this by-law 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 in accordance with the *Repair and Storage Liens Act*, R.S.O. 1990, c.R. 25.

9. This by-law shall come into force on the date that it is approved by the Council of the Corporation of the municipality of \_\_\_\_\_.

ENACTED AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20

Head of Council

Municipal Clerk

## IV TECHNICAL GUIDELINES

### A. POSSIBLE EXEMPTIONS TO TRAFFIC CONTROL AND OTHER BY-LAWS The authority to implement these exemptions is found under section 102 of the *Municipal Act*, 2001, S.O. 2001, c. 25.

EXEMPTION	COMMENTS
1. Exemption from compliance with signed or unsigned time-limited parking in permitted zones for up to a maximum of 24 hours.	- Recommended
2. Exemption from payment of fees associated with metered parking for up to a maximum of 24 hours.	<ul style="list-style-type: none"> <li>- Recommended</li> <li>- Many persons with disabilities will be unable to manipulate coins to use parking meters in snow conditions.</li> <li>- In designated spaces municipality may choose to remove the meter.</li> <li>-Where ticket issuing devices such as electronic parking meters or pay &amp; display parking machines are not accessible to persons with disabilities</li> </ul>
3. Exemption from compliance with signed or unsigned no parking zones.	<ul style="list-style-type: none"> <li>- Recommended</li> <li>- Municipality may choose to review effect on local traffic control or safety.</li> <li>- Vehicles should not be parked in locations that obstruct sight lines - this is a major safety concern</li> </ul>
4. Exemption from compliance with fire and other emergency routes, snow routes and rush hour routes.	<ul style="list-style-type: none"> <li>- Not recommended</li> <li>- Potentially serious traffic control and general safety concerns.</li> <li>- In some municipalities exemption from compliance with fire and other emergency routes and snow routes is permitted in off street locations where there is sufficient space for fire and other equipment to safely pass.</li> </ul>

5. Exemption from compliance with No Standing restrictions.	- See #4
6. Exemption from compliance with No Stopping restrictions.	- See #4
7. Exemption from compliance with signed or unsigned no parking associated with construction sites and places of assembly (e.g. theatres, churches, schools, etc.)	- Not recommended - These spaces are required for general public safety and crowd assembly and disbursement. - A No Standing-Drop Off/Pick Up Zone for persons with disabilities may be permitted and signed at areas of assembly.

## B. PHYSICAL CHARACTERISTICS AND LOCATION/ALLOCATION OF PARKING SPACES

The guidelines suggested in this section have been taken from the following sources (referred to in Section 5: Guideline Material): *Ontario Building Code 1997*; Barrier Free Design, Public Safety CAN/CSA-B651-95; Clearing Our Path, CNIB, 1998; Housing for Persons with Disabilities, CMHC, 1996.

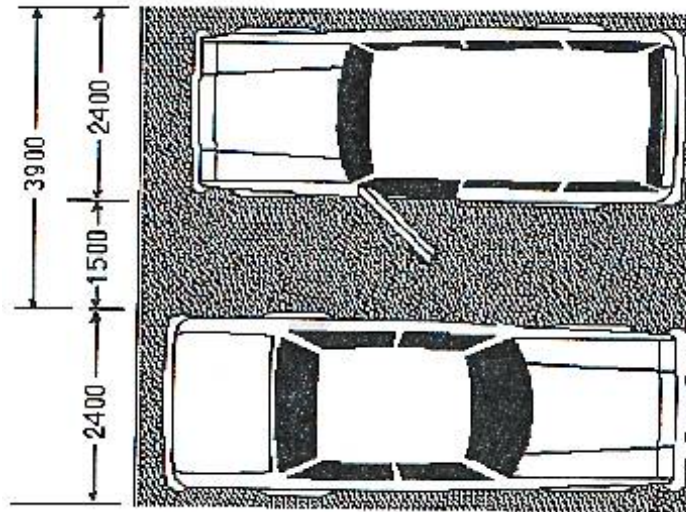
### (1) General

The allocation of parking spaces should be tailored to meet the likely needs of the population being served. More designated parking should be allocated near facilities where persons with disabilities and seniors with disabilities are likely to visit.

***NOTE: The Province of Ontario has entered into reciprocal agreements with all other provinces and territories in Canada as well as many U.S. states. Enforcement personnel should also recognize these official devices as valid.***

A designated parking space for the sole use of a vehicle operated by or carrying a permit holder should:

- i) have a firm, slip-resistant and level surface (avoid slopes);
- ii) be no less than 3900 mm wide for cars and at least 4600 mm for vans to permit side loading and safe deployment of lifts and ramps from vehicles (specifications recommended in Barrier Free Design, Public Safety CAN/CSA-B651-95).



iii) for on street purposes, where parallel parking conditions exist, spaces should be no less than 7000 mm long.

iv) a vertical clearance of 2750 mm must be maintained below overhead structures, such as canopies or signs, building overhangs, and on roadways that provide access to barrier-free entrances to buildings.

vi) be placed so sidewalks, paths, etc., will be accessible to persons with disabilities whether via ramps, depressed curbs, or other appropriate means

vii) placed with sufficient clearance around the vehicle, in terms of other vehicles, or obstacles such as light standards, waste receptacles, etc.;

viii) identified by a prescribed sign (see Appendix B) located upright on a post, no less than 1500 mm above ground level. Painting the universal symbol of wheelchair access on the pavement is not considered a prescribed sign.

## **(2) On Street Parking**

Designated on street parking spaces should be located to minimize the distance to building entrances and exits, preferably within 30 meters (100') and should allow immediate access to sidewalks. Each designated parking space must have its own sign. The following items should be carefully considered when determining the number and location of such parking spaces:

- type of facilities within a city block
- commercial, medical, government
- length of city block
- total number of parking spaces within city block;
- the availability of appropriate off street parking, designated or otherwise from traffic control by-laws, i.e. at off street, unsigned (with the prescribed signs) parking meters

The decision to designate (sign) on street parking is a local responsibility. This decision will depend upon a variety of factors including, the size of municipality, local traffic congestion, availability of on street parking in general, and so on.

Where on street parking is at a premium, designating spaces rather than providing exemption from other traffic control by-laws may, in fact, reduce parking opportunities for drivers with disabilities. In other circumstances, however, designated spaces may be an effective solution.

### (3) Off street Parking

A designated off street parking space should allow immediate access to a walkway without requiring a person to pass behind parked cars or across traffic. The *Ontario Building Code 1997* requires a barrier-free path of travel to be provided from the entrance to an exterior parking area, where exterior parking is provided.

Preferably, the designated spaces should be located at the "open end" of a row of spaces in order to provide the necessary clearance. In this case, parking space of normal width may be sufficient, particularly if the adjacent space is protected from infringement. An upright post with the official sign on it should be used for this purpose.

Since many persons with physical disabilities drive their own vans, operators of public parking facilities should be discouraged from placing crossbars at entrances to prohibit such vehicles (particularly those with a raised roof) from using the facility.

As outlined in the previous paragraph, several factors should be considered when determining the number of spaces to reserve for persons with disabilities in off street parking facilities:

- total number of spaces,
- facilities in proximity to the parking lot or structure
- availability of appropriate on street parking, designated or otherwise exempted from traffic control by-laws i.e., at on street, unsigned (with the prescribed signs) parking meters

Where the off street parking spaces for persons with disabilities are located in a structure, the requirements of the *Ontario Building Code, 1997* should be consulted.

### (4) Disability Advice

It is suggested that municipalities consult with their disability and seniors advisory committees on issues related to the number and location of designated parking spaces and/or the need for exemptions from other traffic control by-laws. Where these advisory committees do not exist, municipalities should consult with local disability and seniors organizations.

### (5) Guideline Material

A number of useful publications exist to assist municipalities in developing standards in this area:

Document	Availability
<i>Ontario Building Code 1997</i> and Supplementary Guides (contains <i>Building Code Act, 1992, Ontario Building Code 1997</i> and explanatory materials).	Can be obtained by phoning the Orderline at 1-888-361-0003 or by visiting <a href="http://www.orderline.com">www.orderline.com</a> . The <i>Code</i> comes in binder format, CD-Rom, or paperback version.
<i>Barrier Free Design, Public Safety</i> CAN/CSA-B651-95	Canadian Standards Association 178 Rexdale Blvd., Rexdale, ON M9W 1R3 Tel: (416) 747-4044

<i>Clearing Our Path, 1998: Chapter 4 - Exterior Design Elements</i>	CNIB - Ontario Division, 1929 Bayview Ave., Toronto, ON. M4G 3E8 Tel: (416) 480-7520
<i>Housing for Persons with Disabilities, 1996: Chapter 1, Exterior Areas</i>	Canada Mortgage and Housing Corporation (CMHC), Canadian Housing Information Centre, 700 Montreal Road., Ottawa, ON K1A 0P7 e-mail: <a href="mailto:chic@cmhc-schl.gc.ca">chic@cmhc-schl.gc.ca</a> Tel: 1-800 668-2642

## C. PRESCRIBED SIGNS

Prescribed signs are found in Ontario Regulation 581 to the *Highway Traffic Act* and are set out in Appendix B to this document. Where it is a municipality's desire to provide exclusive privileges to DPPP holders, this can be achieved by designating the spaces(s) with a prescribed sign. Some municipalities may choose to designate on street spaces, as well as off street spaces, if suitable conditions exist.

Municipalities that have municipal by-laws in place must include the prescribed signs as the recognized signage for designated parking spaces for persons with disabilities in their jurisdiction. The prescribed signs must be posted on each space as described in Regulation 581 of the *Highway Traffic Act*. In areas designated by the *French Language Services Act*, [10] the prescribed bilingual signs may be required.

The use of permanently secured signs is preferred to signs affixed to cement blocks. Signs should be located at eye level so that drivers can easily see them.

Note: Painting the universal symbol of wheelchair access on the pavement is not considered a prescribed sign

[10] R.S.O. 1990, c. F.32

## APPENDIX A

***The Highway Traffic Act***

***The Municipal Act, 2001***

Compiled December 2003

Check with the latest versions of the Statutes or Regulations for updates or amendments

[Government of Ontario e-laws:](#)

**Highway Traffic Act,  
R.S.O. 1990, c. H. 8**

**Part III Parking Permits**

**Disabled person parking permits**

**26. (1)**

The Minister shall issue a disabled person parking permit to every person or organization that applies therefor and meets the requirements of the regulations. R.S.O. 1990, c. H.8, s. 26 (1).

**Term**

**26. (2)**

A disabled person parking permit is in force during the period of time shown on the permit. R.S.O. 1990, c. H.8, s. 26 (2).

**Cancellation of permit**

**26. (3)**

The Minister may cancel a disabled person parking permit or may refuse to issue a replacement permit if the permit has been used in contravention of this Part or the regulations or of a municipal by-law passed for establishing a system of disabled parking under the sphere of jurisdiction "highways, including parking and traffic on highways" set out in the Table to section 11 of the Municipal Act, 2001 or passed under section 102 of that Act. R.S.O. 1990, c. H.8, s. 26 (3); 2002, c. 17, Sched. F, Table.

**Refusal to issue new permit**

**26. (4)**

If the Minister cancels a disabled person parking permit, the Minister may refuse to issue a new permit to the holder of the cancelled permit. R.S.O. 1990, c. H.8, s. 26 (4).

**Offence, disabled person parking permit**

**27. (1)**

No person shall,

- (a) have in his or her possession a disabled person parking permit that is fictitious, altered or fraudulently obtained;
- (b) display a disabled person parking permit otherwise than in accordance with the regulations;
- (c) fail or refuse to surrender a disabled person parking permit in accordance with this Part or the regulations;
- (d) use a disabled person parking permit on land owned and occupied by the Crown otherwise than in accordance with the regulations;
- (e) give, lend, sell or offer for sale a disabled person parking permit or permit the use of it by another person otherwise than in accordance with the regulations; or
- (f) make, permit the making of, give, lend, sell or offer for sale a fictitious or altered disabled person parking permit. R.S.O. 1990, c. H.8, s. 27; 2001, c. 32, s. 26 (1).

**Penalty**

**27. (2)**

A person who contravenes clause (1) (a), (b), (c), (d), (e) or (f) is guilty of an offence and on conviction is liable to a fine of not less than \$300 and not more than \$5,000. 2001, c. 32, ss. 26 (2).

### **Inspection, disabled person parking permit**

#### **28.(1)**

Every person having possession of a disabled person 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 Act, surrender the permit for reasonable inspection to ensure that the provisions of this Part and the regulations and any municipal by-law passed for establishing a system of disabled parking under the sphere of jurisdiction "highways, including parking and traffic on highways" set out in the Table to section 11 of the Municipal Act, 2001 or passed under section 102 of that Act are being complied with. R.S.O. 1990, c. H.8, s. 28 (1); 2002, c. 17, Sched. F, Table.

#### **Officer may take possession of the permit**

#### **28. (2)**

An officer or cadet to whom a disabled person 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 this Part;
- (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 the regulations or of a by-law passed for establishing a system of disabled parking under the sphere of jurisdiction "highways, including parking and traffic on highways" set out in the Table to section 11 of the Municipal Act, 2001 or passed under section 102 of that Act. R.S.O. 1990, c. H.8, s. 28 (2); 2002, c. 17, Sched. F, Table.

**29. Repealed:** 2002, c.17 Sched. F, Table.

### **Regulations, disabled person parking permits**

#### **30.**

The Lieutenant Governor in Council may make regulations,

- (a) prescribing any form for the purposes of this Part and requiring its use;
- (b) respecting the issuance, renewal, cancellation, replacement and disposal of disabled person parking permits;
- (c) prescribing the requirements for obtaining a disabled person parking permit;
- (d) prescribing the period of time or the method of determining the period of time during which disabled person parking permits shall be in force;
- (e) governing the manner of displaying disabled person parking permits on or in vehicles;
- (f) requiring the erection of signs and the placing of markings to identify designated parking spaces for the use of vehicles displaying a disabled person parking permit, and prescribing the types, content and location of the signs and markings;
- (g) prescribing the conditions of use of a disabled person parking permit on land owned and occupied by the Crown;
- (h) requiring and governing the surrender of disabled person parking permits;
- (i) providing for and governing the recognition of permits, number plates and other markers and devices issued by other jurisdictions as being equivalent to disabled person parking permits issued under this Part. R.S.O. 1990, c. H.8, s. 30.

Municipal Act, 2001

S.O. 2001 c. 25

Section 210: councils of local municipalities may pass by-laws.

### **Disabled parking permits**

#### **49.**

If a municipality passes a by-law for establishing a system of disabled parking, the sole manner of identifying vehicles shall be a disabled parking permit issued under and displayed in accordance with the Highway Traffic Act and the regulations made under it. 2001, c. 25, s. 49.

### **Disabled parking permits**

#### **102.**

A local municipality may require the owners or operators of parking lots or other parking facilities to which the public has access, whether on payment of a fee or otherwise, to provide designated parking spaces for vehicles displaying a disabled parking permit and if it does so, the local municipality,

- (a) shall prescribe the conditions of use of the disabled parking permit and shall prohibit the improper use of the permit; and
- (b) may provide for the removal and impounding of any vehicle, at its owner's expense, parked or left contrary to the by-law. 2001, c. 25, s. 102.

### **Offences**

#### **425. (1)**

By-laws may be passed by all municipalities and by police services boards for providing that any person who contravenes any by-law of the municipality or of the board, as the case may be, passed under this Act, is guilty of an offence. 2001, c. 25, s. 425.

### **Disabled parking offences**

#### **425. (2)**

Despite subsection (1), a by-law passed for establishing a system of disabled parking shall provide that every person who contravenes the by-law is guilty of an offence and on conviction is liable to a fine of not less than \$300. 2002, c. 17, Sched. A, s. 80.

### **Illegally parked vehicles, owner's liability**

#### **439. (1)**

A by-law passed for the purposes of section 425 may provide that, where a vehicle has been left parked, stopped or standing in contravention of a by-law under this Act, the owner of the vehicle, even though the owner was not the driver of the vehicle at the time of the contravention of the by-law, is guilty of an offence and is liable to the fine prescribed for the offence 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. 2001, c. 25, s. 439 (1); 2002, c. 17, Sched. A, s. 81.

### **Payment out of court**

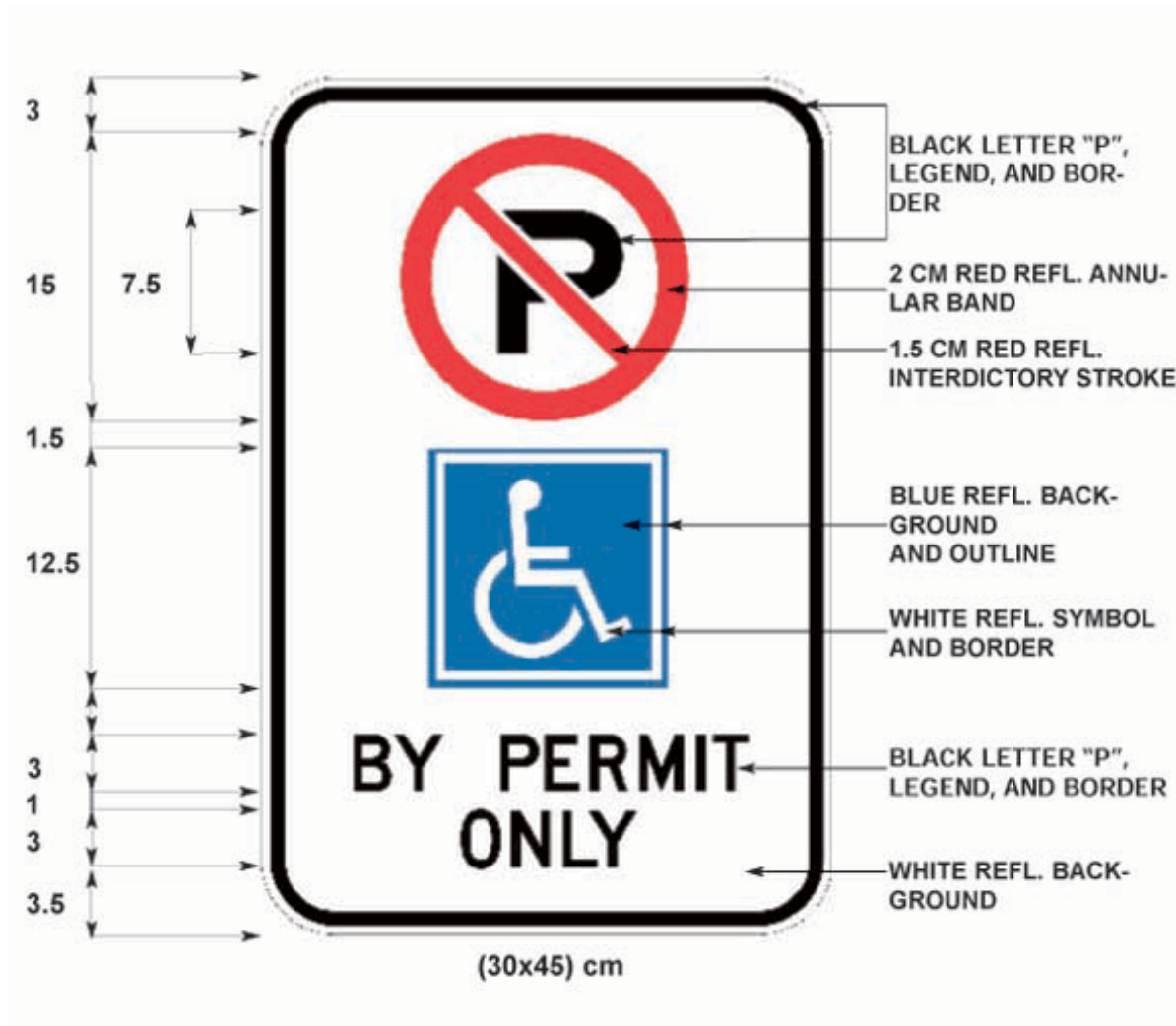
#### **439. (2)**

A by-law passed for the purposes of section 425 may provide a procedure for the voluntary payment of penalties out of court in cases where it is alleged that a by-law related to the parking, standing or stopping of vehicles has been contravened. 2001, c. 25, s. 439 (2).

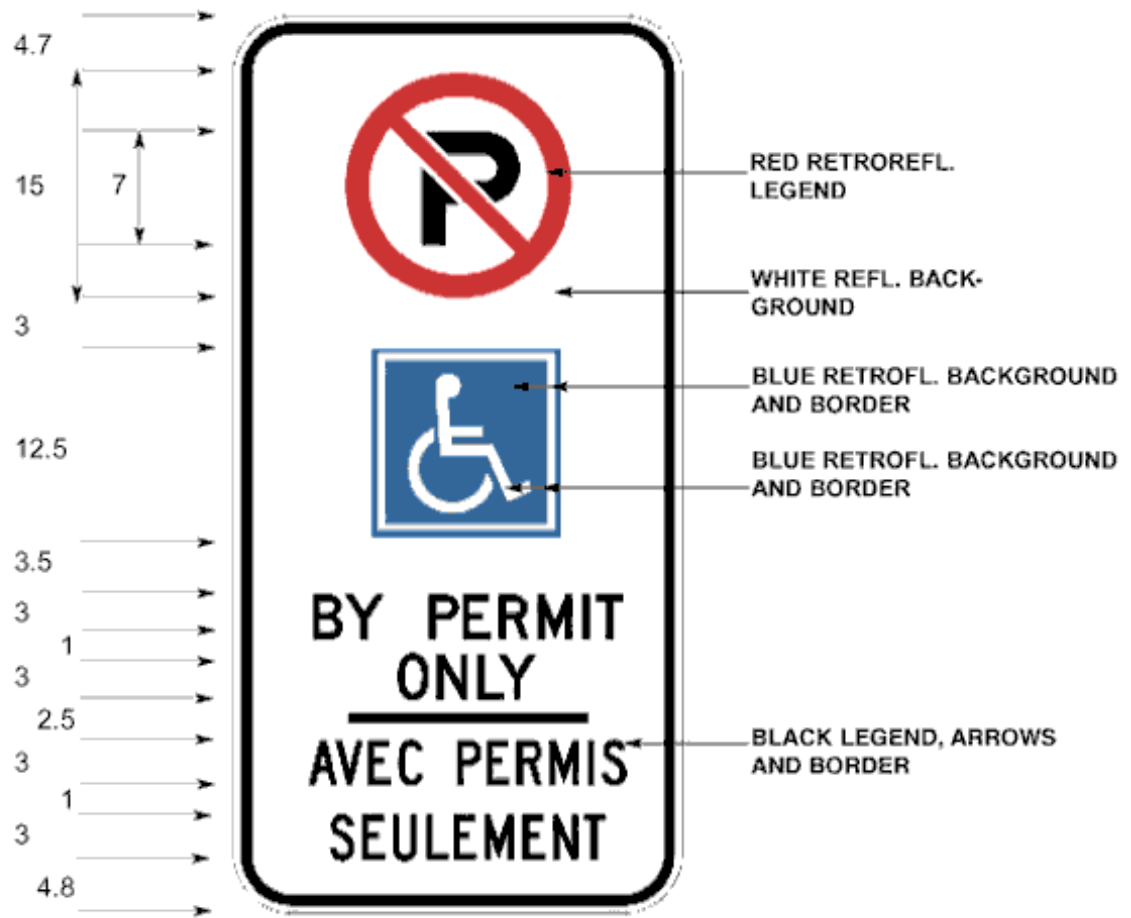
## APPENDIX B

### PRESCRIBED SIGNS UNDER THE *HIGHWAY TRAFFIC ACT*

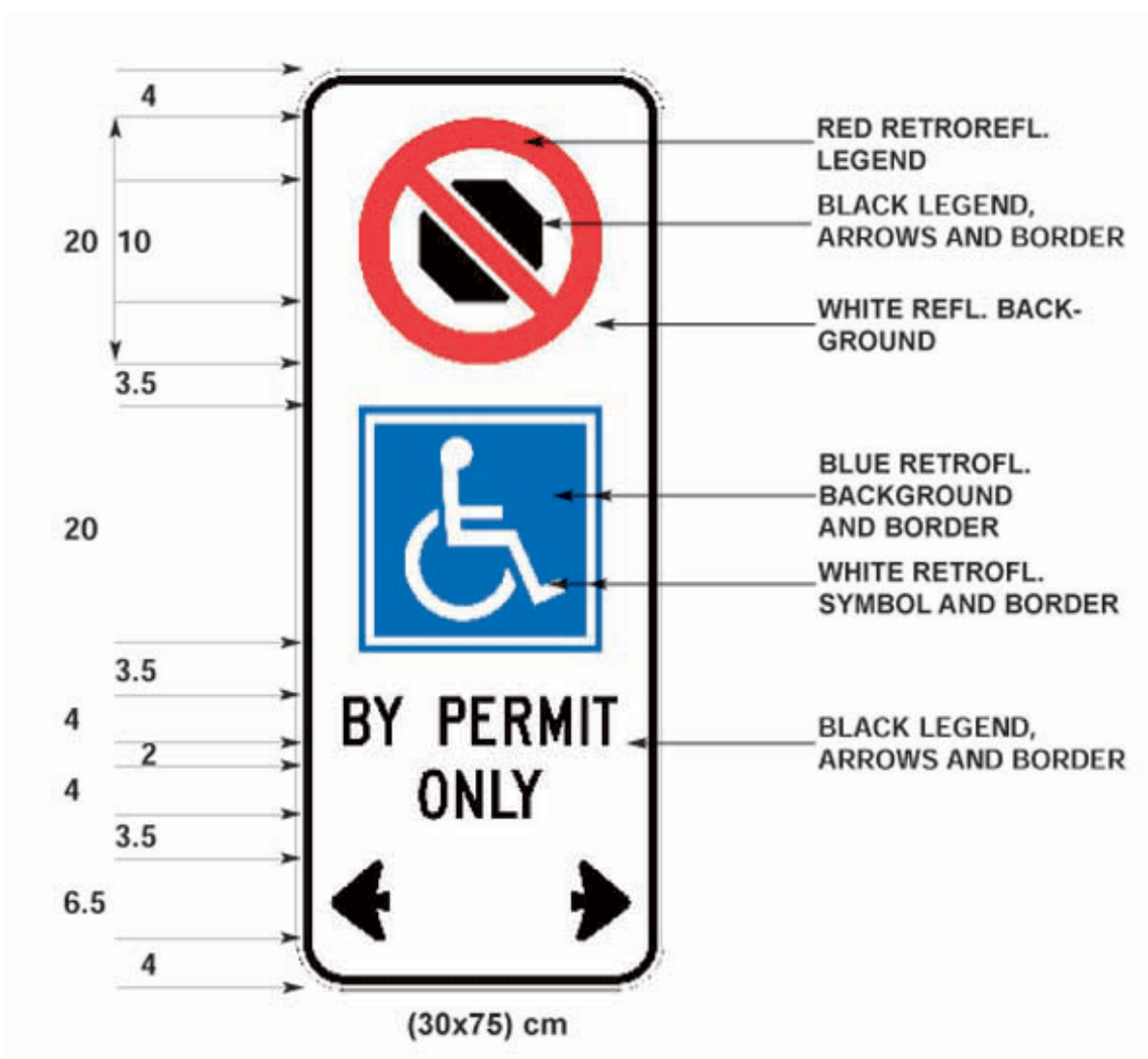
#### Prescribed Signs for Parking Spaces Designated under a Municipal By-law for the Use of Disabled Persons



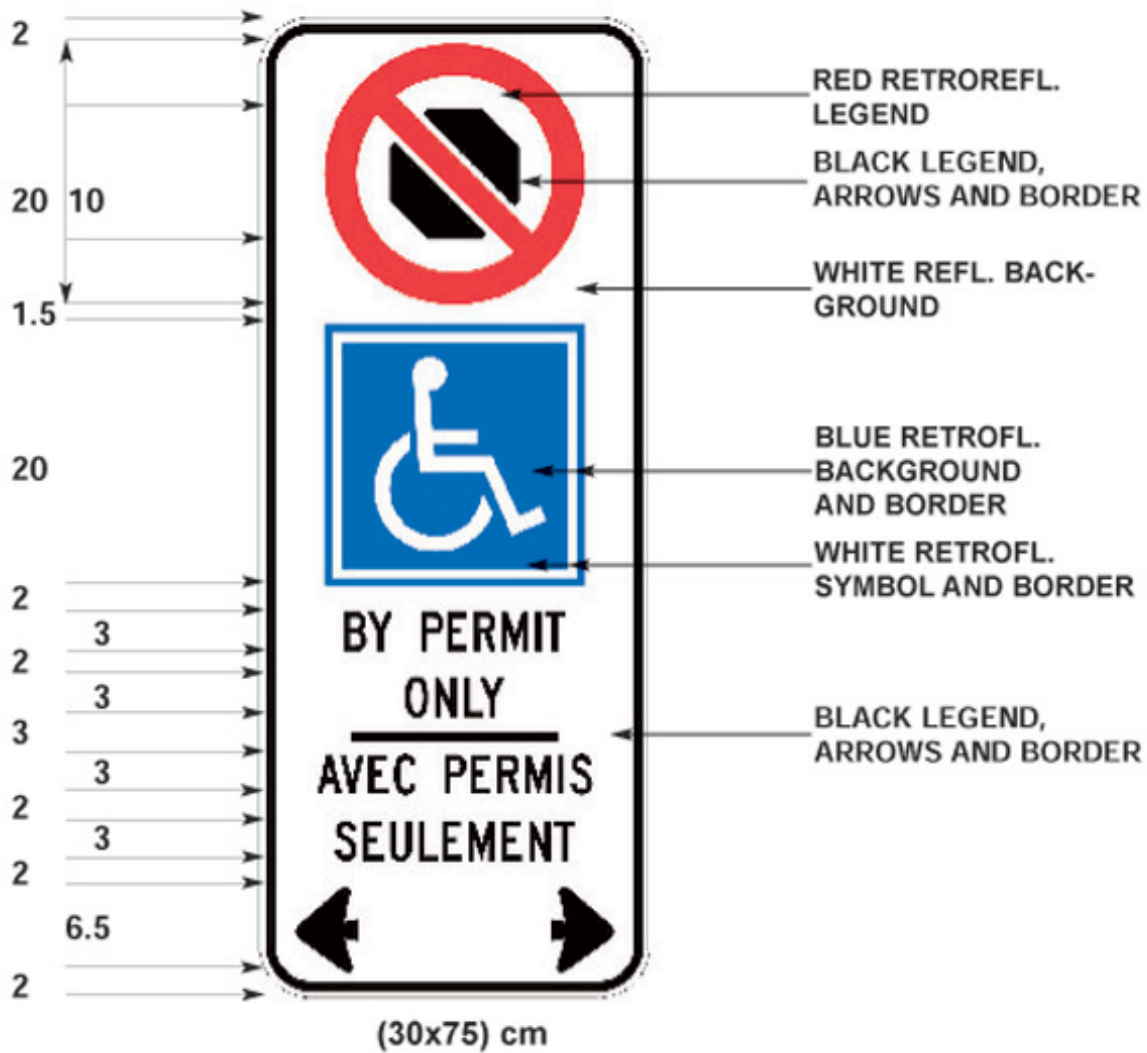
#### Prescribed Signs for Parking Spaces Designated under a Municipal By-law for the Use of Disabled Persons



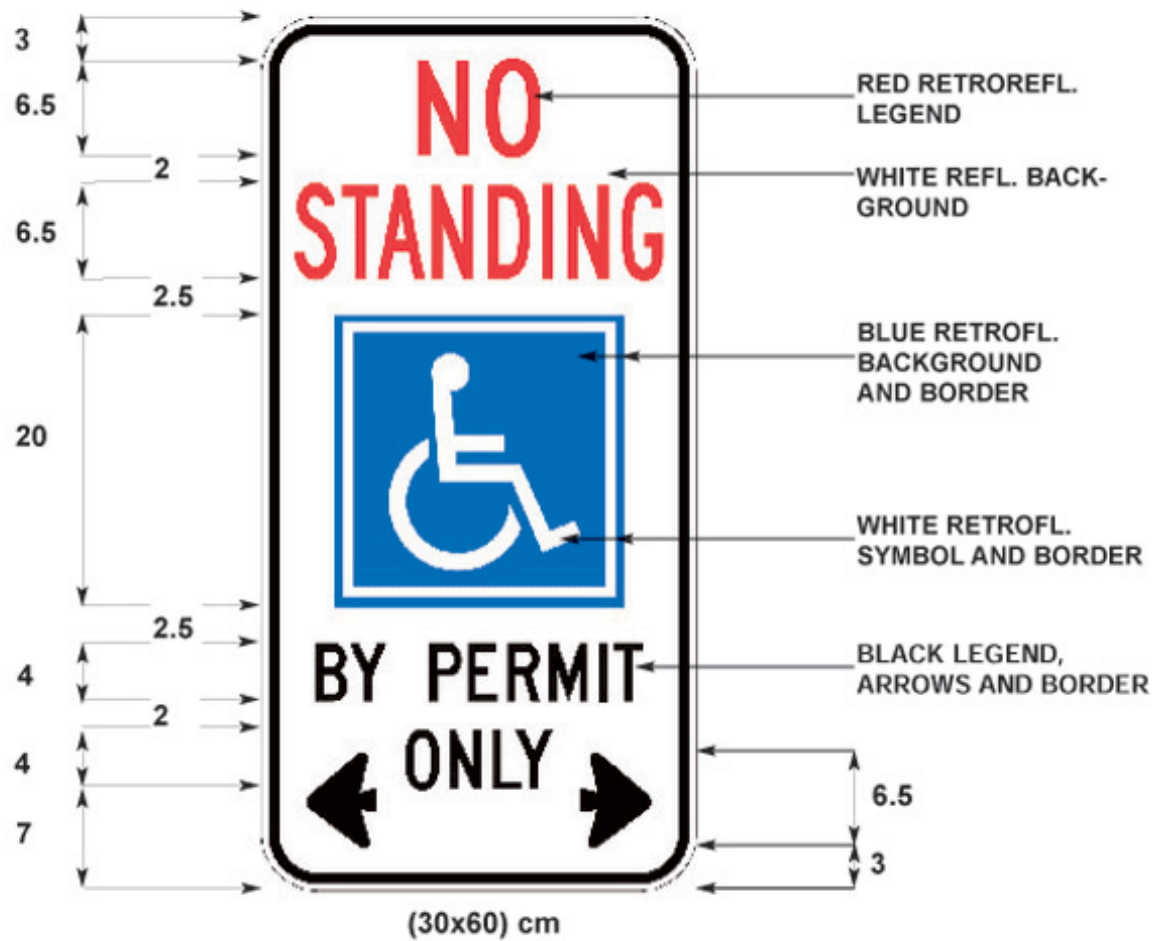
**Prescribed Signs for Prohibiting Stopping except the Stopping of Vehicles Displaying a Permit**



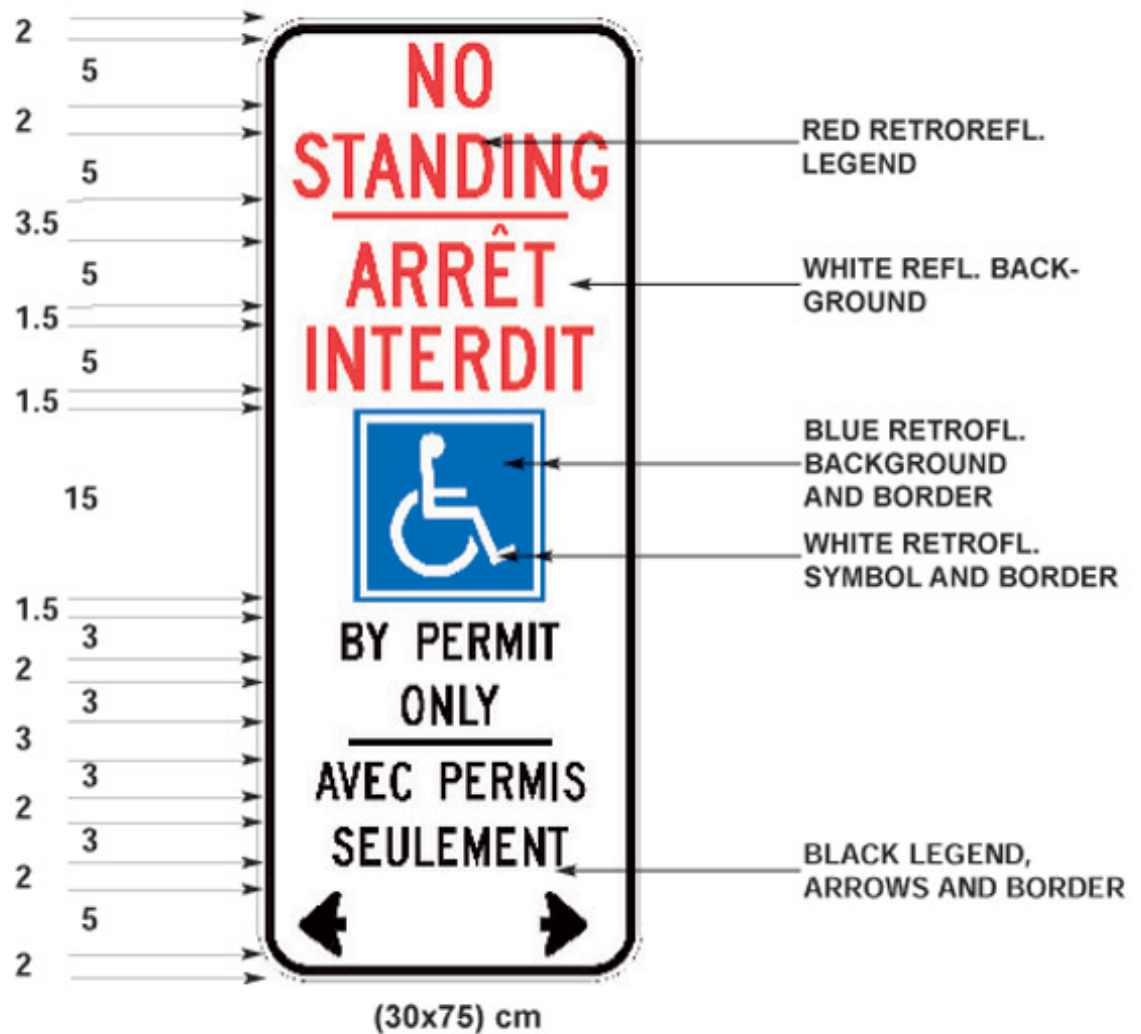
Prescribed Signs for Prohibited Stopping except the Stopping of Vehicles displaying a Permit (in an Area Designated by the *French Language Services Act*)



Prescribed Signs for Prohibiting Standing except the Standing of Vehicles Displaying a Permit



Prescribed Signs for Prohibiting Standing except the Standing of Vehicles displaying a Permit (in an Area Designated by the *French Language Services Act*)



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