

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 22-2003

BEING a by-law to regulate disabled person parking zones.

WHEREAS the Highway Traffic Act, R.S.O. 1990, c. H. 8, S. 170 provides that the Minister may make regulations prohibiting or regulating the parking, standing or stopping of vehicles upon a highway or any part of a highway or upon any class or classes thereof;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, S. 49 provides that 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 regulation made under it;

AND WHEREAS the Council of the Township of South Stormont deems it expedient to pass a by-law restricting parking, standing, or stopping in areas designated as disabled person parking spaces and wishes to exempt therefrom owners or drivers of vehicles displaying a disabled person parking permit.

NOW THEREFORE Council of the Township of South Stormont enacts as follows:

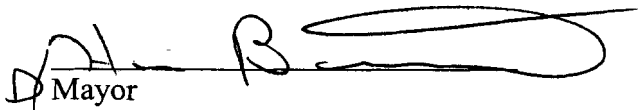
- 1) **Definitions:**

“Designated Parking Space” shall mean 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 thereunder.

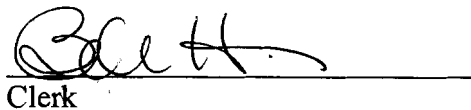
“Permit” shall mean a disabled person parking permit that is issued under the Highway Traffic Act and is currently valid or a permit or other marker or device which is issued by another jurisdiction, is currently valid and recognized under the Highway Traffic Act and the regulations thereunder.
- 2)
 - a) No person shall cause or allow a motor vehicle of any type, for any reason, to engage in parking, stopping or standing upon any portion of a highway within the Township of South Stormont or property owned by the Township of South Stormont, where the Township has determined designated parking spaces, unless a permit has been issued to that person.
 - b) A designated parking space shall be any area distinctly indicated to be such by erecting a sign that complies with the regulations, as amended.
- 3)
 - a) Any person contravening the provisions of this by-law is subject to a fine of not less than \$50.00 and not more than \$2,500.00.
 - b) The driver of a motor vehicle, not being the owner, is liable to any penalty provided under this by-law and the owner of a motor vehicle is also liable to such penalty unless at the time the offence was committed, the motor vehicle was in the possession of a person other than the owner, without the owner’s consent.

- 4) Any vehicle parked in contravention of the provisions of this by-law may be removed or impounded by the Township of South Stormont at its owners' expense.
- 5) Any owner and/or driver of a vehicle displaying a permit is exempted from any restrictions imposed by this by-law. Such exemptions shall only apply to owners or drivers of vehicles, which have conformed to any and all rules and regulations concerning the use of a permit and any improper use of such permit is hereby prohibited.
- 6) Any police officer, municipal law enforcement officer or other officer appointed for carrying out the provisions of this by-law may initiate a prosecution pursuant to the Provincial Offences Act, and may remove any vehicle found in contravention of this by-law. Such enforcement person may move the vehicle or require the driver or operator, or other person in charge of the vehicle, to move it.
- 8) That any by-law inconsistent to this by-law is hereby repealed.

READ AND PASSED in open Council, signed and sealed this 12th day of March, 2003.



Mayor



Clerk