

TOWNSHIP OF WOOLWICH

BY-LAW NUMBER 32-89

A BY-LAW OF THE TOWNSHIP OF WOOLWICH TO
AUTHORIZE CERTAIN ON-STREET AND OFF-STREET
PARKING OF VEHICLES FOR USE BY PHYSICALLY
HANDICAPPED PERSONS, AND THE ISSUING OF
PERMITS IN RESPECT THEREOF

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH
ENACTS AS FOLLOWS:

1. In this By-law:
 - a) "Municipality" means the Township of Woolwich;
 - b) "Physically Handicapped Persons" means any person who is permanently or temporarily confined to a wheelchair, restricted to the permanent or temporary use of crutches or braces, or otherwise permanently or temporarily disables in such a way that his or her mobility is seriously restricted;
 - c) "Permit" means a permit issued on an annual basis by the municipality to a physically handicapped person or a person who regularly transports a physically handicapped person or physically handicapped persons;
 - d) "Identifying Marker" means a marker consisting of the International Symbol for the physically handicapped, to be used to identify the authorized vehicle;
 - e) "Designated Parking Space" means a parking space located on-street, in Township owned or operated parking lots, and on private property so named in Schedule "A" of this By-law, and marked by a sign indicating such space to be for the sole use of vehicles operated by or conveying a physically handicapped person;
 - f) "Sign" means a sign consisting of the International Symbol for the physically handicapped and used for the purpose of designating parking spaces for the sole use of physically handicapped persons;
 - g) "Unauthorized Motor Vehicle" means a vehicle that does not have affixed thereto a current identification marker identifying the vehicle as one operated by or conveying a physically handicapped person in accordance with the provisions of this by-law;
 - h) "Enforcing Official" means an officer or constable of the Waterloo Regional Police Force, a By-law Enforcement Officer of the Township of Woolwich and, in respect of certain specified properties, a specially arranged Parking By-law Enforcement Officer, whose name appears in Schedule "B" hereto.

2. The Clerk's Department is hereby authorized to issue permits in respect of vehicles that are used by physically handicapped persons, and to issue identifying markers in connection with a permit.
3. No person, other than a physically handicapped person, or person who regularly transports a physically handicapped person or physically handicapped persons, shall acquire or use a permit in respect of a motor vehicle.
4. A permit issued hereunder is not transferable.
5. Notwithstanding Section 11 hereof, no person shall stop, park or leave a vehicle displaying a permit issued hereunder in any designated parking space at any time, unless that person is transporting or picking up a physically handicapped person or physically handicapped persons at that time.
6. No person, other than a person who has acquired a permit, shall acquire or use an identifying marker issued in connection with a permit.
7. No person shall use, other than in the manner provided for in this by-law, an identifying marker issued in connection with a permit.
8. The identifying marker issued in connection with a permit shall be affixed to the sun visor of the driver's side of the motor vehicle in respect of which such permit was issued, and such identifying marker shall be affixed in such a manner so that it is readily visible from outside of the vehicle when the visor is turned down.
9. An identifying marker issued in connection with a permit shall be deemed to be properly displayed when the visor is turned down and the identifying marker is readily visible from outside of the vehicle.
10. Signs designating parking spaces for the physically handicapped may be erected on private property and shall be subject to enforcement the day following the date upon which Council adds the municipal address of the private property to Schedule "A" of this by-law.
11. No person shall stop, park or leave a vehicle at any time in any designated parking space, other than a vehicle displaying proper identifying markers.
12. A specially appointed By-law Enforcement Officer whose name appears in Schedule "B" hereto may enforce the provisions of Section 11 of this By-law only on a property of which the municipal address is listed beside his name in said Schedule "B".
13. An officer or constable of the Waterloo Regional Police Force, upon discovery of any vehicle parked or standing in contravention of the provisions of 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 same manner provided by Section 52 of the Mechanic's Lien Act.

14. Every person who contravenes any provision of this By-law is guilty of an offence and is liable upon conviction to a penalty of not more than Two Thousand Dollars (\$2000.00), exclusive of costs, for each offence recoverable under the Provincial Offences Act, R.S. O. 1980, as amended.
15. Notwithstanding any other provisions of this by-law in respect to penalties for violation of the provisions of this by-law, any person may, upon presentation of a parking infraction notice issued by an enforcing official alleging commission of any of the offences under this by-law, pay out of Court within seven (7) days of the issuance of the said parking infraction notice an early voluntary payment in the amount of Fifty Dollars (\$50.00). Upon such payment, no further proceedings shall be taken under this by-law in respect of the said alleged offence. In the event of failure to make such payment, the procedures of the Provincial Offences Act or any successors thereof shall apply.
16. The driver of a motor vehicle, not being the owner, is liable to any penalty provided in this by-law, and the owner of the motor vehicle is also liable to such penalty unless at the time the offence was committed, the motor vehicles was in the possession of a person other than the owner or his chauffeur without the owner's consent.
17. by-law 46-86, 58-86 and 72-87 of the Township of Woolwich, and all by-law amending the same, are hereby repealed as of the effective date set out in Section 18.
18. This by-law will come into force and take effect on September 1, 1989.

PASSED this 25th day of April, 1989.

Bob Waters
Mayor

Kris Fletcher
Clerk

Schedule 'A'

to By-law Number 32-89

Designated Parking Spaces

Royal Canadian Legion,
Elmira Branch 469

11 First Street East, Elmira

Freiburger's Food Market

6 Arthur Street South, Elmira

Zehr's Food Market

232 Arthur Street South, Elmira

Schedule "B"

To By-law Number 32-89

Name _____ Municipal Address of Area of Jurisdiction

Set Fine Schedule
Part 2 Provincial Offences Act
By-law No. 32-89: Handicap Parking By-law

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Park in designated disabled space	Section 11	\$300*
2	Stop in designated handicap space	Section 11	\$300*
3	Leaving a vehicle in a designated handicap space	Section 11	\$300*
NOTE: The penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33			

* Fines amended from \$100 to \$300 by by-law 53-2003 – A by-law to amend by-law 32-89 being a by-law to authorize certain on-street and off-street parking of vehicles for use by physically handicapped persons, and the issuing of permits in respect thereof.

TOWNSHIP OF WOOLWICH

BY-LAW NUMBER 53-2003

A BY-LAW TO AMEND BY-LAW 32-89 BEING A
BY-LAW TO AUTHORIZE CERTAIN ON-STREET AND
OFF-STREET PARKING OF VEHICLES FOR USE
BY PHYSICALLY HANDICAPPED PERSONS,
AND THE ISSUING OF PERMITS THEREOF

THAT COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH
ENACTS AS FOLLOWS:

1. THAT Schedule "1" items #1, #2 and #3 of By-law 32-89 is hereby amended by changing the set fine to \$300.00.
2. This by-law shall come into effect on the date of final passage.

PASSED this 23rd day of June, 2003.

Wm. L. Strauss
Mayor

Christine Broughton
Clerk