

**THE CORPORATION OF THE TOWNSHIP OF SOUTH DUNDAS**

**BY-LAW NO. 99-49**

**WHEREAS** the Municipal Act, R.S.O. 1990, Chapter M.45, Section 210(123), provides that a municipality may regulate traffic on highways and may prohibit the parking, standing or stopping of vehicles on highways or any part of a highway;

**AND WHEREAS** Section 210(124) of the Municipal Act provides that a municipality may make by-laws for allowing the parking of motor vehicles on designated parts of highways for specific periods and during specified hours pursuant to permits issued.

**AND WHEREAS** Section 210(125) of the Municipal Act provides that a municipality may make by-laws for exempting the owners and drivers of vehicles displaying a disabled person parking permit from any provision of a by-law passed pursuant to the Municipal Act or under any other general or special Act for prohibiting or regulating the parking, standing or stopping of vehicles on any highway or part thereof under the jurisdiction of the Council.

**AND WHEREAS** Section 210 (131) of the Municipal Act provides that a Municipality may make by-laws for prohibiting the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property and on property owned or occupied by the Municipality or any local board thereof without the consent of the Municipality or local board.

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

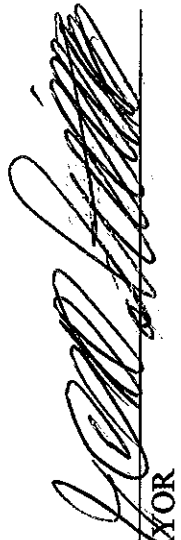
**AND WHEREAS** Regulation 581, R.R.O. 1990, as amended, made pursuant to the Highway Traffic Act provides for the issuance of disabled person parking permits.

**NOW THEREFORE** the Council of the Township of South Dundas enacts as follows:

- 1.** No person shall cause or permit a motor vehicle of any type, for any reason, to engage in parking, stopping or standing upon any portion of a highway within the Municipality which is identified as a disabled person parking space.
- 2.**
  - (a)** No person shall cause or permit a motor vehicle of any type, for any reason to engage in parking, stopping or standing upon any privately owned property within the Municipality or on property owned or occupied by the Municipality or on property owned or occupied by the Municipality or any local board thereof where the owner, occupant, municipality or local board has designated a disabled person parking space unless such person has the prior written consent of the owner, occupant, Municipality or local board, as the case may be.
  - (b)** A disabled person parking space shall be any area distinctly indicated to be such by erecting a sign which complies with the provisions of R.R.O. 1990, Regulation 581, as amended, O. Reg. 908/93 and any successor.
- 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 Municipality at its owner's expense.

5. Any owner and/or driver of a vehicle displaying a disabled person parking permit issued under and displayed in accordance with the Highway Traffic Act and the regulations made thereunder is hereby exempted fro any restrictions imposed by this by-law. Such exemption shall only apply to owners or drivers of vehicles which have conformed to any and all rules and regulations concerning the use of a disabled person parking permit and any improper use of such permit is hereby prohibited.
6. Nothing in this by-law shall affect a highway designated as a connecting link or extension of the King's Highway under subsection 21(1) of the Public Transportation and Highway Improvement Act.
7. Any police officer, police cadet, municipal law enforcement officer or other office 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.

**READ** and passed in open Council, signed and sealed this 23<sup>rd</sup> day of December, 1999.

  
MAYOR

  
CLERK