

Authority: Item ,
Report (PED25078)
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON

BY-LAW NO. 25-

To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking

WHEREAS Section 10 of the *Municipal Act, 2001, S.O. 2001, c. 25*, provides that a single-tier municipality may pass by-laws with respect to any public assets of the municipality acquired for the purpose of exercising its authority under this or any other act;

AND WHEREAS section 63 of the *Municipal Act, 2001*, provides that if a municipality passes a by-law for prohibiting or regulating the stopping, standing or parking of a vehicle on or near a highway, it may provide for the removal and impounding or restraining and immobilizing of any vehicle stopped, standing or parked on or near a highway in contravention of the by-law, and may at any reasonable time, enter upon land near a highway for that purpose and that subsection 170 (15) of the *Highway Traffic Act*, R.S.O. 1990, c.H.8 applies with necessary modifications;

AND WHEREAS on the 18th day of September 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That subsection 8. (5) (f) of By-law No. 01-218 be deleted and replaced with:
 - (f) No person shall park a vehicle displaying an accessible parking permit in a metered parking spaces for a period longer than three (3) hours, whether or not there is shown on the meter time which is paid for and unexpired.
2. That subsection 8. (6) of By-law No. 01-218 be deleted and replaced with:
 - (6) The provisions of Sections 8(5)(a), 8(5)(b) and 8(5)(c), shall not apply to vehicles which clearly display, in its entirety, an accessible parking permit in the driver's side front windshield.

3. That section 25 of By-law No. 01-218 and the heading PARKING EXEMPTIONS FOR THE PHYSICALLY DISABLED be deleted and replaced with:

ACCESSIBLE PARKING

25. (1) For the purpose of this section:

- (a) “accessible parking permit” means a valid accessible parking permit issued by the Ministry of Transportation under the provisions of the *Highway Traffic Act*;
 - (b) “accessible parking space” means a parking space identified by a sign displaying the International Symbol of Accessibility for the exclusive use of a vehicle displaying an accessible parking permit in compliance with the *Highway Traffic Act*;
 - (c) “access aisle” means an area marked with high tonal contrast diagonal lines adjacent to the side or rear of an accessible parking space, that allows persons with disabilities to get into and out of a vehicle parked in the accessible parking space.
- (2) No person shall be entitled to the benefit of an exemption under this by-law, unless a currently valid accessible parking permit has been issued to that person or to a passenger being picked up or transported in such vehicle, and such permit is displayed, in accordance with the *Highway Traffic Act*.
- (3) An accessible parking permit shall be deemed to be properly displayed when posted in the driver’s side windshield of a vehicle, readily visible from the exterior of the vehicle, with no portion of the permit obstructed.
- (4) No person shall park a vehicle in an accessible parking space, unless an accessible parking permit is properly displayed;
- (5) No person, including persons driving a vehicle displaying a valid accessible parking permit, shall park on or obstruct an access aisle;
- (6) Notwithstanding all other provisions of this By-law and notwithstanding the display of authorized signs to the contrary, a vehicle properly displaying an accessible parking permit, is exempt from the following provisions of said By-law:
- (a) Section 8(5)(a), and (c); and,
 - (b) Section 9(1);

4. In all other respects, By-law 01-218 is confirmed.

5. The provisions of this By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this _____ day of _____, 2025.

A. Horwath
Mayor

M. Theilard
City Clerk