

## **ACCAC Policy Sub Committee Meeting Tuesday March 20, 2012**

**Present:** Michael Dawthorne, Bonnie Quesnel, Avril Rinn

**Guest:** Shane Maguire

### **Issues**

Shane Maguire, from Parking and Traffic Signals, was asked to explain the process around the enforcement of Accessible Parking Permit (APP) infractions. He shared the following information:

- The provincial Highway Traffic Act (HTA) states that violations related to APP can be enforced on private property by municipal bylaw officers.
- The city of London employs one bylaw office and Commissionaires to issue parking citations
- In order for the bylaw to be enforced, signage must conform to very specific regulations. If it does not, the citation can be challenged in court and will be cancelled. Therefore the city does not cite drivers who are parked in accessible stalls when they know the signage is incorrect.
- This applies only to private property because there are no issues related to enforcement with public (city owned/operated) parking stalls and lots because the signage is correct.
- Most drivers will challenge a citation for an APP violation because of the high cost of the fine (\$325.00).
- Drivers who challenge any citation for an APP violation may have the fine reduced if they are able to convince the Justice of the Peace it is a financial hardship, or by using some other reason.
- There are enough officers available to adequately enforce the bylaw, but not to educate the property owners.
- There is no law forcing them to erect the proper signage.
- It is possible that many property owners are fully aware of the APP signage requirements, but choose to erect incorrect signage so that their tenants or customers don't receive parking tickets.
- Discussion occurred around the advisability of lobbying to change legislation in some way.
- Shane's feeling is that the law is adequate, and that energy would be best directed at educating property owners about the need for correct signage. He suggested the AAC could assist with this matter by contacting landlords known to be using unenforceable signage.

### **Action Items**

- Rewrite and submit amended language for the city's present handicapped parking legislation so that it more closely resembles the wording of the present provincial statute.
- Educate people with disabilities about the proper use of the Accessible APP. It should ONLY be used when the permit holder arrives in the vehicle and will be leaving the vehicle to enter the premises. In order to use an APP, the permit MUST be clearly displayed on the vehicle.
- The Parking and Traffic Signals department may be able to provide us with a list of property owners they know to be using incorrect signage.
- Create a pamphlet or flier to be handed out to owners specifying what the sign should look like and the need to use the proper signage (e.g. explaining that people with disabilities are prevented from using their premises if accessible parking stalls are in use by non-permit holding customers).
- Ask committee members to "educating" property owners about the need to erect proper signage.
- Post this information on our website.