

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. 6324/04/16

**BEING A BY-LAW TO AMEND BY-LAW NO. 4310/146/02, BEING
A BY-LAW PRESCRIBING ON AND OFF-STREET PARKING FOR
PERSONS WITH DISABILITIES WITHIN THE CITY OF PORT COLBORNE,
AND TO AMEND BY-LAW 6082/48/14, BEING A BY-LAW TO ESTABLISH
A SYSTEM FOR ADMINISTRATIVE PENALTIES RESPECTING THE
STOPPING, STANDING AND PARKING OF VEHICLES**

WHEREAS at its meeting of January 25, 2016, the Council of The Corporation of the City of Port Colborne approved the recommendation of Planning and Development Report No. 2016-01, Subject: Administrative Monetary Penalty System Update;

AND WHEREAS s. 427 of the *Municipal Act, 2001* provides that every person who contravenes an Accessibility Parking By-law is guilty of an offence and upon conviction is liable to a fine of not less than \$300. 2009, c. 33, Sched. 26, s. 5 (2);

AND WHEREAS *Ontario Regulation 333/07* s.6(c) of the *Municipal Act 2001*, which stated the amount of an Administrative Penalty established by a municipality shall not exceed \$100 (one hundred dollars), was revoked on July 1, 2015;

AND WHEREAS Council of The Corporation of the City of Port Colborne considers it desirable and necessary to amend By-law No. 4310/146/02 known as the Parking for Persons with Disabilities By-law and By-law 6082/48/14 known as the Administrative Penalty By-law, to remove the issuance and collection of Parking Infraction Notices related to parking in a Designated Accessibility Parking space on public and private property from the Provincial Offences Court System to an Administrative Municipal Penalty System (AMPS) which is currently in place under the control and operation of the City of Port Colborne;

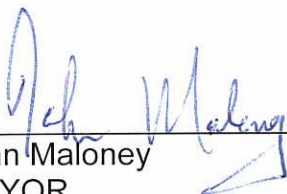
AND WHEREAS The Corporation of the City of Port Colborne designates By-law 4310/146/02, as amended, and By-law 6082/48/14, as amended, to be applicable to this By-law including any changes established through this By-law;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF
PORT COLBORNE ENACTS AS FOLLOWS:**

1. That Section 8 of By-law No. 4310/146/02 be amended by deleting all wording in this section and replacing it with the following:
 - “12. **Offence Created:**
Every person who contravenes a provision of this By-law is guilty of an offence.
 13. **Designation re: Administrative Penalties:**
This By-law is designated as a by-law to which the City’s Administrative Penalty By-law applies.
 14. **Penalties Created:**
Any person who permits a vehicle to be parked, stopped or standing contrary to this By-law and each owner of a vehicle, when given a Penalty Notice in accordance with the City’s Administrative Penalty By-law, is liable to pay the City an administrative penalty in the amount specified in Schedule “F” to this By-law for each day or part of a day on which the contravention continues.”
2. That Part III, Section 3 of By-law No. 6082/48/14 be amended by replacing the words “Schedules “A” “B” and “C” in the first sentence to “Schedules “A”, “B” “C” and “E”.

3. That By-law No. 6082/48/14, as amended, be further amended by adding the following Schedule "F – Administrative Penalties" which Schedule is attached as Schedule "A" to this amending By-law.
4. That Schedule "A" of this By-law refers to the City of Port Colborne Parking for Persons with Disabilities By-law 4310/146/02 and is hereby Designated for the purpose of and the provisions of this By-law shall apply to any contravention of By-law 4310/146/02. Schedule "A" shall set out the short form wording to be used for the contraventions of the Designated By-law and also set out the Administrative Penalties imposed for the contraventions.
5. That this By-law shall come into force and take effect on the date of passing.

ENACTED AND PASSED THIS 25TH DAY OF JANUARY, 2016.



John Maloney
MAYOR



Ashley Grigg
CITY CLERK

Schedule "A" to By-law No. _____

SCHEDULE "F"
ADMINISTRATIVE PENALTY BY-LAW 6082/48/14

CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY BY-LAW
DESIGNATED BY-LAW PROVISIONS
PARKING FOR PERSONS WITH DISABILITIES
BY-LAW 4310/146/02

1. For the purposes of Part III of this By-law, Column 1 in the following table lists the provision in the Parking for Persons with Disabilities, as amended that are hereby designated for the purposes of 3(1)(b) of *Ontario Regulation 333/07*.
2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

<u>Item</u>	<u>Column 1 Designated Provisions</u>	<u>Column 2 Short Form Wording</u>	<u>Column 3 Administrative Penalty</u>
1	12	Park, Stand or Stop in Designated Parking Space.	\$ 300.00