

Authority: Item 8.1, Committee of the Whole
Report PED06157(b)
CM: May 13, 2009

Bill No. 102

CITY OF HAMILTON

BY-LAW NO. 09-102

**To Amend By-law No. 01-216, as amended,
Being a By-law to Regulate Municipal Parking Facilities
and 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, Chapter 25, as amended, confers upon the councils of all municipalities the power, among other things, to enact by-laws to provide any service or thing that the municipality considers necessary or desirable for the public.

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-216 to regulate Municipal Parking Facilities

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-laws No. 01-216 and No. 01-218, as amended;

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

1. By-law No. 01-216, as amended, is hereby further amended by deleting subsection (3), in its entirety, from Section 8 thereof and by inserting in its place the following subsections, namely;

“(3) The provisions respecting the payment of parking fees in subsections 6(2) and 11(6) of this by-law and clauses 8(1)(a), 8(1)(b), 8(1)(c) and 8(1)(d) of this by-law shall not, on November 11th of any year, apply to persons in respect of a parked vehicle to which a valid Ontario veteran license plate is registered and affixed.

(4) The provisions respecting the payment of parking fees in subsections 6(2) and 11(6) of this by-law and clauses 8(1)(a), 8(1)(b), 8(1)(c) and 8(1)(d) of this by-law shall not apply, at any time, to persons in respect of a parked vehicle to which both a valid Ontario veteran license plate is registered and affixed and a valid Veteran’s Parking Permit is registered and affixed.

(a) For the purposes of this subsection;

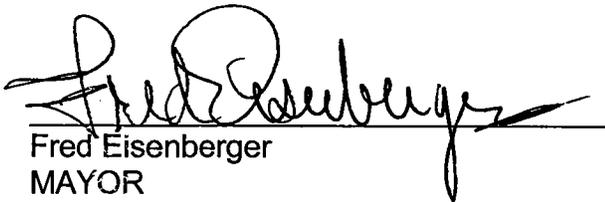
- (i) "Veteran's Parking Permit" means an annual, vehicle specific permit issued by the Hamilton Municipal Parking System to an Eligible Veteran to provide for a parking fee exemption at on-street parking meters and in municipal parking facilities.
 - (ii) "Eligible Veteran" means any person:
 - (A) Who resides in the City of Hamilton;
 - (B) Who honourably served in World War II or the Korean War or who honourably served in the Canadian Forces and who has attained the age of 60 years; and,
 - (C) Who has affixed to a vehicle registered in their name and to the Hamilton municipal address at which they reside, a valid Ontario veteran licence plate.
 - (b) Notwithstanding the display of a Veteran's Parking Permit, all other parking and stopping regulations shall continue to remain in force and effect respecting any vehicle displaying said permit.
 - (c) Every Veteran's Parking Permit remains the property of the City and as such may be suspended or revoked, without notice, at the absolute discretion of the Senior Director, Parking and By-law Services, or his designate or successor.
 - (d) An Eligible Veteran is entitled to apply for or renew their Veteran's Parking Permit for so long as they reside in the City of Hamilton.
 - (e) In cases where an Eligible Veteran is no longer licensed to operate a motor vehicle, any person who is designated, in writing, as a primary care giver for said Eligible Veteran may apply for or renew the Veteran's Parking Permit on the Eligible Veteran's behalf, with respect to a vehicle registered and insured in the name of the Eligible Veteran and operated exclusively for the benefit of the Eligible Veteran.
 - (f) The eligibility requirements set out in Subsection (4)(a)(ii) shall be deemed to have been satisfied upon the presentation of bona fide copies of the applicant's service record, proof of issuance of an Ontario veteran licence plate, and proof of residence, to the Senior Director, Parking and By-law Services, or his designate or successor.
2. By-law No. 01-218, as amended, is hereby further amended by deleting subsection (8), in its entirety, from Section 8 thereof and by substituting in its place the following subsections, namely;

- "(8) The provisions respecting the payment of parking fees in clauses 8(5)(b) and 8(5)(c) of this by-law shall not, on November 11th of any year, apply to persons in respect of a parked vehicle to which a valid Ontario veteran license plate is registered and affixed.
- (9) The provisions respecting the payment of parking fees in clauses 8(5)(b) and 8(5)(c) of this by-law shall not apply, at any time, to persons in respect of a parked vehicle to which both a valid Ontario veteran license plate is registered and affixed and a valid Veteran's Parking Permit is registered and affixed.
- (a) For the purposes of this subsection;
- (i) "Veteran's Parking Permit" means an annual, vehicle specific permit issued by the Hamilton Municipal Parking System to an Eligible Veteran to provide for a parking fee exemption at on-street parking meters and in municipal parking facilities.
- (ii) "Eligible Veteran" means any person:
- (A) Who resides in the City of Hamilton;
- (B) Who honourably served in World War II or the Korean War or who honourably served in the Canadian Forces and who has attained the age of 60 years; and,
- (C) Who has affixed to a vehicle registered in their name and to the Hamilton municipal address at which they reside, a valid Ontario veteran licence plate.
- (b) Notwithstanding the display of a Veteran's Parking Permit, all other parking and stopping regulations, including on-street meter time limit regulations, shall continue to remain in force and effect respecting any vehicle displaying said permit.
- (c) Every Veteran's Parking Permit remains the property of the City and as such may be suspended or revoked, without notice, at the absolute discretion of the Senior Director, Parking and By-law Services, or his designate or successor.
- (d) An Eligible Veteran is entitled to apply for or renew their Veteran's Parking Permit for so long as they reside in the City of Hamilton.
- (e) In cases where an Eligible Veteran is no longer licensed to operate a motor vehicle, any person who is designated, in writing, as a primary care giver for said Eligible Veteran may apply for or renew the Veteran's Parking Permit on the Eligible Veteran's behalf, with

respect to a vehicle registered and insured in the name of the Eligible Veteran and operated exclusively for the benefit of the Eligible Veteran.

- (f) The eligibility requirements set out in Subsection (9)(a)(ii) shall be deemed to have been satisfied upon the presentation of bona fide copies of the applicant's service record, proof of issuance of an Ontario veteran licence plate, and proof of residence, to the Senior Director, Parking and By-law Services, or his designate or successor.
3. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-216 and By-law No. 01-218, each as amended and including all Schedules thereto, if any, are hereby confirmed unchanged.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 13th day of May, 2009


Fred Eisenberger
MAYOR


Kevin C. Christenson
CLERK