

REPORT
REGULAR COUNCIL MEETING
1991 APRIL 08

THE CORPORATION OF THE DISTRICT OF BURNABY
COMMUNITY ISSUES AND SOCIAL PLANNING COMMITTEE

HIS WORSHIP, THE MAYOR
AND ALDERMAN:

REPORT OF THE COMMUNITY ISSUES &
SOCIAL PLANNING COMMITTEE

RE: ENFORCEMENT OF PARKING DESIGNATED FOR PERSONS WITH DISABILITIES

The Community Issues & Social Planning Committee recommends that Council approve the following:

- 1) THAT the Municipality designate (SPARC) the Social Planning & Research Council of B.C. as the organization to issue and cancel disabled persons parking permits in Burnaby.
- 2) THAT the R.C.M.P. be requested to enforce designated parking spaces through the provisions of the Motor Vehicle Act Regulations as outlined in Section 4.0 of this report.
- 3) THAT the provision for off-street parking in the Burnaby Zoning Bylaw be amended to include:
 - i) Off-street vehicular parking for use by disabled persons shall be provided in accordance with the requirements of the B.C. Building Code.
 - ii) Every disabled persons parking space shall be marked with a clearly visible sign identifying the space for use by disabled persons only as specified in Schedule 2 of Division 23 of the Motor Vehicle Act Regulations, and marked on the parking surface with the international symbol for wheelchair accessibility.
- 4) That all designated parking spaces provided at Municipal facilities and on Municipal streets be posted with the sign specified in Division 23 of the Motor Vehicle Act Regulations.
- 5) THAT staff distribute information on designated parking regulations to private developments as outlined in Section 4(c) of this report.
- 6) THAT the Municipal Solicitor be directed to bring forward the necessary bylaw amendments to implement the proposals contained in this report.
- 7) THAT a copy of this report be sent to SPARC of B.C. and the Ministry Solicitor General, Motor Vehicle Branch for information.

INTERNAL DISTRIBUTION:
AGENDA - 1991 APRIL 08
COPY - MUNICIPAL MANAGER
- DIR. ADMIN. & COMM. SERV.
- DIR. PLNG. & BLDG. INSP.
- MUNICIPAL SOLICITOR
- OFFICER IN CHARGE, R.C.M.P.

R E P O R T

1.0 INTRODUCTION

At its regular meeting of 1990 April 09, Council received a report on the enforcement of parking spaces designated for use by persons with disabilities. Council adopted the proposals in the report to endorse the disabled persons parking placard of the Social Planning and Research Council (SPARC) of B.C., and to conduct a campaign to raise public awareness of the importance of designated parking spaces for persons with disabilities.

On 1991 January 01, the Province enacted new regulations under the Motor Vehicle Act to provide for the enforcement of disabled persons parking.

This report defines the Municipal role in assisting the R.C.M.P. in the enforcement of designated parking spaces as provided for in the Motor Vehicle Act Regulations.

2.0 PROVINCIAL REGULATIONS

On 1991 January 01, the Province enacted regulations for disabled persons parking. The Provincial regulations make it an offence to park in a "disabled zone" without displaying a permit or for a purpose other than transporting disabled persons.

The Motor Vehicle Act regulations provide for the issuance of a \$50 traffic ticket by a Peace Officer (in Burnaby the R.C.M.P.). The traffic ticket may be issued for the misuse of designated parking spaces situated on private property, public property and highways. The regulations also provide for the issuance of a standard permit for disabled person's parking that is valid throughout the Province. The permit may be issued by the Municipality or by an organization designated for that purpose by the Municipality.

3.0 MUNICIPAL ROLE

The Municipality has a key role in ensuring that the Provincial regulations for the enforcement of designated parking spaces are effective. Specifically, the Municipality can:

- . designate an organization to issue and cancel the required permit, and
- . provide for the posting of the required disabled person parking sign.

A) Required Permit

At its regular meeting of 1990 April 09, Council endorsed the disabled persons parking placard of the Social Planning and Research Council (SPARC) of B.C. as the required identification for use of parking spaces designated for the disabled in Burnaby. The endorsement of the SPARC of B.C. parking placard was made in anticipation of the introduction of Provincial regulations for the establishment a standard permit for the Province.

The new Provincial standards for the disabled persons parking permit are consistent with the placard (permit) issued by SPARC of B.C. The Provincial regulations allow municipalities to issue or to designate an organization to issue the permit on their behalf.

We would propose that the Municipality designate SPARC of B.C. as the organization to issue and cancel disabled persons parking permits for Burnaby. This would be in keeping with Council's endorsement of the SPARC of B.C. parking placard in 1990 April. In addition, it would further reinforce the establishment of a standard disabled persons parking permit. This would assist in the monitoring of the use and distribution of parking permits, and reduce the possibility of abuse.

Further information of the SPARC of B.C. parking placard is provided in Attachment 1.

B) Required Sign

The new Provincial regulations establish a standard sign for parking spaces designated for persons with disabilities. Only those parking spaces identified by the disabled persons parking sign described in Schedule 2 of Division 23 of the Motor Vehicle Act Regulations may be enforced through the issuance of a traffic ticket. See Attachment 2.

In order to provide for the enforcement of designated parking spaces through the Motor Vehicle Act, we would propose that the provisions for off-street parking in the Burnaby Zoning Bylaw be amended to include:

- 1) Off-street vehicular parking for use by disabled persons shall be provided in accordance with the requirements of the B.C. Building Code. Existing B.C. Building Code Regulations for disabled persons parking is provided in Attachment 3.
- 2) Every disabled persons parking space shall be marked with a clearly visible sign identifying the space for use by disabled persons only as specified in Schedule 2 of Division 23 of the Motor Vehicle Act Regulations, and marked on the parking surface with the international symbol for wheelchair accessibility.

These amendments would assist in ensuring that designated parking spaces in new or renovated developments are provided in accordance with the B.C. Building Code, and that they are correctly marked to allow for the issuance of a traffic ticket by the R.C.M.P.

It should be noted that existing designated parking spaces in Burnaby are not posted with the sign required by the Provincial regulations. Most designated parking spaces are marked by an unofficial sign design which consists of a white stylized outline of a wheelchair on a blue background, usually with the words "Disabled Persons Parking Only - Approved Identification Required."

We would propose that the specified sign be posted by designated spaces at all Municipal facilities, and on any on-street designated parking spaces. In addition, where feasible, we would also propose that the parking surface be marked with the international symbol for wheelchair accessibility. This would provide for uniform enforcement of designated parking in the Municipality.

The Engineering Department would be responsible for posting signs at the Municipal Administration Complex and on-street. The Parks & Recreation Department would be responsible for posting signs at Municipal parks and recreation facilities.

The Parks & Recreation Department and the Engineering Department advise that they will attempt to post the required signs under existing budget allocations. If additional funding is required, it will be included for consideration in the 1992 Provisional Operating Budget.

4.0 ENFORCEMENT DESIGNATED PARKING SPACES

With the introduction of Provincial regulations for disabled persons parking, there is an expanded enforcement role for the R.C.M.P. In addition, there would continue to be a role for Municipal staff and private property owners in encouraging the proper use of designated parking spaces.

A) Role of the R.C.M.P.

The new Provincial regulations allow for the enforcement of designated parking spaces by the R.C.M.P. In preparing this report, the R.C.M.P. advised that the enforcement of designated parking spaces on public highways would be treated as a routine matter. They further advised that enforcement on private lots, such as shopping centre parking lots, would be conducted on a complaint basis only.

We would propose that the R.C.M.P. be requested to enforce designated parking spaces pursuant to the provisions of the Motor Vehicle Act Regulations as outlined above.

B) Role of Municipal Staff

Designated parking spaces at Municipal facilities are monitored by Municipal staff responsible for the facility and parking lot. Once posted with the required sign, the R.C.M.P. could assist staff in enforcing these designated parking spaces on a complaint basis.

The Parks & Recreation Department have identified a need for improved enforcement of designated parking spaces at Municipal facilities. It is anticipated that enforcement by the R.C.M.P. on a complaint basis will assist in encouraging the proper use of designated spaces in the community. Once enforcement by the R.C.M.P. has begun, staff will investigate the necessity and feasibility of a separate enforcement program for Municipal facilities.

C) Role of Private Parking Lot Owners/managers

The majority of designated parking spaces in Burnaby are provided at private developments through the provisions of the B.C. Building Code. One designated space is required for the first 50 to 100 parking spaces. An additional space is required for each additional 100 spaces, or part thereof.

The use of designated spaces for the disabled on private lots is currently controlled at the discretion of the private lot owner, or manager. Enforcement practices vary from development to development. Some property owners actively enforce designated parking spaces, while others monitor and enforce on complaint.

To encourage the proper use of designated parking spaces on private lots, the Municipality undertook a program to increase public awareness of the importance of designated spaces for the disabled. The Municipality wrote to the managers of Burnaby's major shopping centres to request that they actively enforce the proper use of designated parking spaces at their centres. In addition, an article was included in information Burnaby, and local newspapers were encouraged to publish public service advertisements.

The Committee believes that the private parking lot owners should continue to be encouraged to actively enforce the proper use of designated parking spaces. We would propose that staff distribute information on designated parking regulations to all private developments in Burnaby through the Business Licence renewal billing. The notice would:

- . advise the business community of the new regulations for the enforcement of designated parking spaces,
- . request owners/managers of businesses to actively enforce their designated parking spaces, and

To further raise public awareness, staff would also include an article in information Burnaby on the recent improvements to the regulation of designated parking spaces in Burnaby.

In addition, to facilitate the posting of the required sign on existing designated spaces, staff will investigate the feasibility of making the required sign available to property owners/managers at cost through the municipality.

5.0 VIEWS OF PERSONS WITH DISABILITIES

The issue of the enforcement of designated parking stalls in Burnaby was first raised by Burnaby's Access Advisory Committee (formerly the National Access Awareness Week Advisory Committee) in 1988. This issue was included in all subsequent action plans prepared by the Advisory Committee and endorsed by Council.

Burnaby's Access Advisory Committee was formed in Burnaby in 1988. The purpose of the Advisory Committee is to assist staff to assess the status of Municipal efforts to address the needs of persons with disabilities. Membership in the Advisory Committee includes representation from the disabled community, Municipal and School Board staff. Each summer, Council receives a report and action plan prepared in consultation with Advisory Committee on proposals to improve access for persons with disabilities.

Members of the Advisory Committee report that designated parking spaces are often used by able-bodied persons who do not require the extra space and proximity to building entrances provided by these spaces. The Advisory Committee strongly supports the implementation of regulations to better enforce the proper use of designated parking spaces.

The Advisory Committee supports the adoption of the SPARC of B.C. parking permit and the issuance of traffic tickets to persons using designated parking spaces without this permit. The Advisory Committee reports that the SPARC of B.C. permit is widely known and accepted in the disabled community as the required identification for use of designated spaces.

The Advisory Committee anticipates that the proposals in this report will further improve the regulation of designated parking spaces and increase public awareness of the importance of designated spaces for persons with disabilities.

6.0 CONCLUSION

Staff, in consultation with the Burnaby Access Advisory Committee, will continue to monitor the use of designated parking spaces in Burnaby. The Committee will report back as necessary on any proposed changes to the regulation of designated spaces in the community.

It is recommended that Council adopt the proposals contained in this report, and that the Municipal Solicitor be directed to bring forward the necessary bylaw amendments.

Respectfully Submitted,

Alderman E. Nikolai
Chair

Alderman J. Young
Member

Alderman D. Evans
Member

Alderman D. Lawson
Member

Alderman C. Redman
Member

Attachments

ATTACHMENT 1

SPARC OF B.C. PARKING PLACARD PROGRAM

In 1974, to help encourage proper use of designed parking stalls, (SPARC) of B.C. started a parking program for persons with disabilities. The program began by issuing vehicle parking decals to persons with disabilities. In 1982 the decal was replaced with a placard showing the international symbol of access.

In 1985, an updated placard showing the international symbol of access (white stylized outline of a wheelchair on a blue background) was introduced in cooperation with the City of Vancouver. The current placard has an identification number which is registered to the disabled person that provides for improved monitoring of placard use.

Parking placards are issued to persons with permanent or temporary disabilities. Placards for permanent disabilities are valid for a period of three years. Placards for temporary disabilities have an expiry date based on a physician's assessment. A fee of \$6 is charged for the placard (except in cases of hardship). The placard can be transferred between vehicles used by the disabled person. A copy of the SPARC application form for the parking placard is attached below.

The SPARC placard has become the accepted identification for using disabled parking stalls in most areas of B.C., and is recognized in other provinces across Canada. Approximately 8,000 permanent SPARC placards have been issued. The SPARC placards are used throughout the Province with nearly 80% of the placards issued in areas outside of the City of Vancouver.

Burnaby residents would be able to pick-up an application form for the parking placard from their doctor, at the Reception Counter of the Municipal Hall, or by writing directly to SPARC of B.C. at:

SPARC of B.C. Parking Placard Program
#106A 2182 West 12 Avenue
Vancouver, B.C.
V6K 2N4

Fax 736-8697
Telephone 736-4367

APPLICATION FORM

Parking Placard Program



For People with Disabilities

Since 1975, SPARC of B.C. has been issuing an automobile identification symbol for people requiring parking stalls designated for people with disabilities.

The updated placard, first issued in September 1985, is now required by City of Vancouver By-Laws and in many other municipalities throughout B.C. Vehicles not displaying this placard may be ticketed or towed.

The placard is portable and is to be hung from the rear-view mirror only when the vehicle is parked. **The placard can only be used when the registered holder is leaving the vehicle.** Privileges will be revoked for misuse of the placard.

No more than one placard per person will be issued. Placards issued for permanent disabilities must be renewed every three years (based on date of issue).

Please allow 4 weeks for delivery of placard.

September 1990

To be filled out by: PERSON WITH PHYSICAL DISABILITY <i>Please print clearly</i>	
LAST NAME	
FIRST NAME	MIDDLE INITIAL
ADDRESS	
CITY	
POSTAL CODE	
HOME PHONE	
WORK PHONE	
TYPE OF MOBILITY IMPAIRMENT <i>I agree to be responsible for the appropriate use of this placard. If this placard is mis-used in any way, I agree to forgo the privilege of using it and will return it to SPARC of B.C. upon written notice.</i>	
SIGNATURE	DATE

PHYSICIAN

PLEASE CHECK ALL APPROPRIATE BOXES

- has lost the use of one or more lower extremities
- has significant limitation in the use of lower extremities
- has a diagnosed disease or disorder which substantially impairs or interferes with mobility
- is so severely disabled as to be unable to move without the aid of an assistant device
- suffers from lung disease to such an extent that her/his forced (respiratory) expiratory volume 1 second when measured by spirometry if less than 1 liter or her/his arterial oxygen tension (pO₂) is less than 60 mm/Hg on room air at rest

- is impaired by cardiovascular disease to the extent that her/his functional limitations are classified in severity as
 - CLASS III: marked limitation of physical activity; comfortable at rest; ordinary physical activity without discomfort; ordinary physical activity causes fatigue, palpitation, dyspnea or anginal pain.
 - CLASS IV: inability to carry on any physical activity without discomfort; symptoms of cardiac insufficiency or of the anginal syndrome may be present even at rest, discomfort is increased by physical activity
- is blind to such an extent that her/his central visual acuity does not exceed 20/200 in the better eye, with corrective lenses, as measured by the Snellen Test, or visual acuity that is greater than 20/200, but with a limitation in the field of vision such that the widest diameter of the visual field subtends an angle not greater than 20 degrees

Check ONE of the following:

- temporary disability

Date of anticipated recovery or reassessment
A temporary placard will not be issued without an anticipated date of recovery

- permanent disability

PHYSICIAN'S NAME

ADDRESS

CITY

POSTAL CODE

PHONE

Physician's signature
original signatures only please—stamps and photocopies will not be accepted

Date: _____

ATTACHMENT 1

SPARC

SPARC of B.C. is a non-profit society, not a government agency. Provincial and Civic funding cover only a portion of operating costs connected with the Parking Placard Program for People with Disabilities. A \$10.00 fee is charged for the permit. This fee will be waived in cases of hardship.

In addition to the placard fee, donations and/or membership contributions are appreciated. *It is not necessary to take out a SPARC membership to obtain a parking placard but we do welcome any support that you can give.* Membership fees and donations are tax deductible and a receipt will be issued. For information about our activities, contact SPARC.

- \$10 PERMIT FEE \$ _____
All payments over \$10 will be treated as donations

The following are tax deductible & optional:

- DONATION TO SPARC \$ _____
 - *MEMBERSHIP (\$20 and up)
** Membership does not include placard*
- Total amount enclosed \$ _____**

Please make cheques and money orders payable to SPARC of B.C.

Mail application and payment to:
SPARC of B.C.
(Social Planning and Research Council of British Columbia)
#106—2182 West 12th Avenue
Vancouver, British Columbia V6K 2N4

26/58

MOTOR VEHICLE ACT
MOTOR VEHICLE



30 x 60 cm

DISABLED PARKING (Regulatory)

Only vehicles transporting or driven by disabled persons may park in parking spaces which display this sign.

Colour: White background throughout, red top circle and centre slash, black centre "P", green bottom circle, black centre symbol, black arrows and black border. White, red and green reflectorized.

If any signs in this schedule are so located that they are adequately illuminated during the hours of darkness by street lighting or other similar light sources, then the requirement for reflectorization may be waived.

Parking

Parking stalls

3.7.3.4.(1) Where parking is provided, one parking stall for *disabled persons* shall be provided for each sleeping unit required to conform to Article 3.7.3.22. and for each viewing position required to conform to Article 3.7.3.23. and shall

- (a) be at least 3.7 m wide,
- (b) have a firm, slip-resistant and level surface,
- (c) be located close, and be *accessible*, to an entrance which shall conform to Article 3.7.3.5., and
- (d) be clearly identified as being for their use only.

(2) In all other *occupancies*, where more than 50 parking stalls are provided, parking stalls for *disabled persons* in the ratio of 1 for every 100 or part thereof shall be provided.

Parking stalls for disabled persons should be located close to an accessible building entrance or in a central location where a parking lot serves several buildings. In large parking lots or structures directions to the locations of these parking stalls should be given as close as possible to the points of entry, and in all instances such stalls should be clearly identified as being for use only by disabled persons. Careful consideration should also be given when locating parking stalls in order to prevent, or at least minimize, persons in wheelchairs having to travel behind other cars since they are difficult to see, especially for drivers using a rearview mirror.

The required width of 3.7 m for a parking stall for disabled persons includes approximately 1200 mm for entering and leaving the car. Figure 3.7.12., which also shows the sequence of transferring from a car to a wheelchair, illustrates how the 1200 mm wheelchair access space should be serve more than one parking stall. The wheelchair access spaces should be on the same level as the car space and be clearly marked to ensure the proper parking of cars. (See comment under Sentence 3.7.3.18.(2).)

For many occupancies the number of parking stalls for disabled persons can be easily determined; for example, one for each sleeping unit required in a hotel or for each viewing position required in a theatre or arena. In all other occupancies required to be accessible and which have more than 50 parking stalls at least one per cent of them must conform to Sentence 3.7.3.4.(1). Where parking lots with 50 parking stalls or less are built, it is recommended that careful consideration be given to including parking stalls for disabled persons depending on the occupancy they serve, for example a medical building or a small retail or office development.

In instances where parking stalls may be used by the same people over an extended period of time, such as by staff and students at a school or college, it is recommended that the number of parking stalls for disabled persons be calculated to suit the particular need.

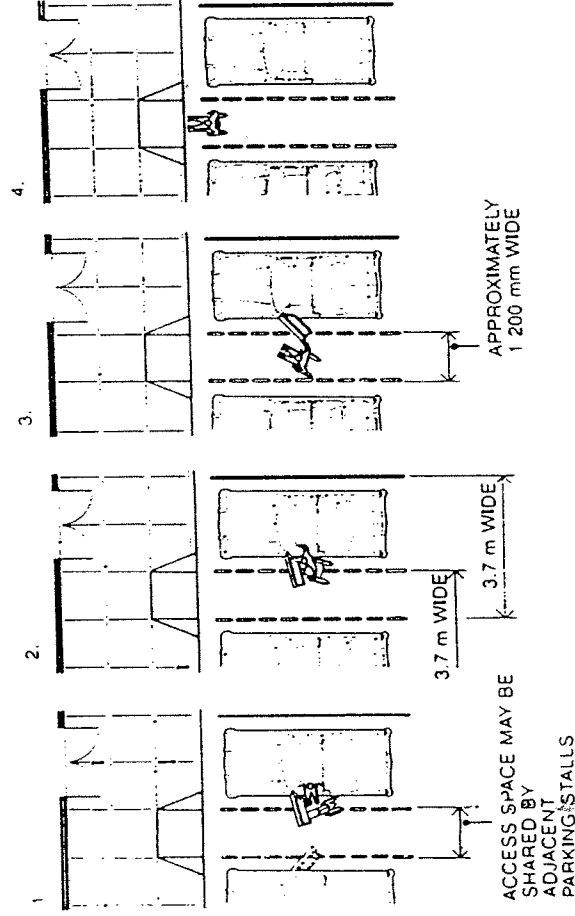


FIGURE 3.7.12. — Parking Stalls