July 27, 2015

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: SWSD 3-2015]

On May 28, 2015, the Department of Seniors, Wellness and Social Development received your request for access to the following records:

This is a formal request for any and all recommendations and correspondence for your office from Jan. 1, 2012 pertaining to The Buildings Accessibility Act Blue Zone Parking Legislation. This would include The Buildings Accessibility Advisory Board correspondence.

I am pleased to inform you that your request for access to these records has been granted in part. At the time of your application, you were advised that the Buildings Accessibility Advisory Board is with the Department of Service Newfoundland and Labrador (Service NL), and therefore may not be present in the files of the Department of Seniors, Wellness and Social Development, and advised that a separate access to information request may be necessary. We have, however, coordinated with Service NL to provide you with a copy of their responsive records as well as those within the records of Seniors, Wellness and Social Development. These records have been enclosed separately for ease of reference.

Access to some information contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

- Records from Seniors, Wellness and Social Development
  - Section 30(1): The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of the third party’s personal privacy.
  - Section 30.1: The Speaker of the House of Assembly or the officer responsible for a statutory office shall refuse to disclose to an applicant information (c) in the case of a statutory office as defined in the House of Assembly Accountability, Integrity and Administration Act, records connected with the investigatory functions of the statutory office.
• Records from Service NL
  - **Section 18(2)(c):** The head of a public body shall refuse to disclose to applicant a Cabinet record that would reveal including a supporting Cabinet record.”
  - **Section 21(b):** The head of a public body may refuse to disclose to applicant information that would disclose legal opinions provided to a public body by a law officer of the Crown.
  - **Section 23(1)(a)(ii):** The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to harm the conduct by the government of the province of relations between that government and the following or their agencies: the council of a local government body.
  - **Section 30(1):** The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party’s personal privacy.
  - Pages 120, 144-145, 152 and 157-161 have been exempted under **Section 21(b):** The head of a public body may refuse to disclose to an applicant information that would disclose legal opinions provided to a public body by a law officer of the Crown

As required by subsection 7(2) of the Act, we have severed information that is excepted from disclosure and have provided you with as much information as possible.

It should be noted that there is a responsive Citizen’s Representative Report on Blue Zone parking that provides recommendations. Given that this has already been provided to you, a copy has not been included with the enclosed documents.

In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this partial refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Information and Privacy Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John’s, NL. A1B 3V8

Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.
Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact the ATIPP Coordinator, Jennifer Taylor, at (709) 729-6370.

Sincerely,

[Signature]

BRENT MEADE
Deputy Minister

Attach.
Records from Seniors, Wellness and Social Development
Provincial Advisory Council for the Inclusion of Persons with Disabilities
February 8-9, 2012
Meeting Notes

Attendees: Joanne MacDonald (Chair), Carmel Casey, Elizabeth Chaulk, Delia Connell, Sherry Gamin-Walsh, Dennis Gill, Oswald Gould, Leon Mills, Ian Murley, Myles Murphy, Karon-Ann Parsons, Susan Ralph

Regrets: Lynn Green, Ray Mclsaac, Karen Westcott

Opening Comments
Joanne MacDonald welcomed everyone to the meeting and to the Confederation Building.

Greetings from Minister Joan Burke
Joan Burke, Minister Responsible for the Status of Persons with Disabilities greeted the Council, providing an overview of the new Department of Advanced Education and Skills, her ideas and some priorities about advancing inclusion. Council members shared insights about the Council’s make-up and organization, as well as various disability-related issues.

The Learning
Council Member Presentations
Myles Murphy and Oswald Gould shared their

Council Roundtable – Accessibility of the Built Environment
Members shared ideas, perspectives and experiences on accessibility issues, including feedback on accessibility of Confederation Building West Block.

Disability Policy Office Presentation
DPO highlighted new Government policies and strategies, inter-departmental work, status of Convention Report and responded to individual issues raised at the last Council meeting

The Work
Look Back
Council reviewed work to date to identify any outstanding items. Areas highlighted included: long term care and community supports services, children in protective care and follow-up to submitted position statements.

Strategy – Priority Initiatives
Building on previous discussions, Council identified further priority actions to meet Strategy goals: Knowledge - employer directed initiatives, including energy and natural resources industries; Engagement - board mentoring; Accessibility – Universal Design within legislation, remove exemptions; Disability-Related Supports – AT program, needs-based supports to live in community; Services with Dignity – engage Human Rights Commission, Disability Lens.

Supports for Post Secondary Students with Disabilities
Council reviewed and made further suggestions for revisions to the draft position statement concerning supports for post secondary students with disabilities.
Disability-Related Supports
Council reviewed and made suggestions for revisions to the draft position statement concerning supports for disability-related supports.

Building Accessibility
Chair MacDonald provided a presentation on accessibility of the built environment. The Deputy Minister, Assistant Deputy Minister and Director of Inspections from Service NL attended the session to hear from and discuss with Council issues related to the Buildings Accessibility Act.

Future items
Council brainstormed priority initiatives for the next 6 months. This included issues related to accessing disability-related supports wherein Council expressed a sense of urgency as parents who provide care are aging. Second priority was employment; targeting employers to ensure persons with disabilities will benefit from economic opportunities.

Data Needs
Joined by Joseph Joy, Newfoundland and Labrador Statistics Agency (NLSA), Council identified some of the data required to measure Strategy indicators and progress.

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<tr>
<td>1. DPO will research and respond to specific questions raised by Council members during the two day meeting.</td>
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<tr>
<td>2. DPO will forward revised position statement on supports for post secondary students for Council’s review.</td>
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<tr>
<td>3. DPO will forward revised position statement on disability-related supports for Council’s review.</td>
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<td>4. The Chair will write the Deputy Minister, Service NL outlining main issues of the presentation.</td>
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<td>5. The Chair will propose to the Minister that the Minister, Council and the Minister of Health and Community Services meet on relevant issues identified by Council.</td>
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<td>6. DPO will prepare one-page summaries on issues raised by Council for discussion with Health and Community Services.</td>
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<td>7. DPO will compile provincial data needs identified by Council and provide to NLSA for upcoming deliberations on the National Data Strategy</td>
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<td>8. DPO will follow-up on Council’s request to be consulted on the development of a vehicle modification program.</td>
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Next Meeting
Council identified challenges with meeting at Confederation Building due accessibility barriers and size of meeting room. Council also noted there are advantages to meeting at this location when barriers are addressed.

May 2-3, 2012 was suggested for the next meeting, pending member and location availability.
1. Carbonar hospital has only one accessible bathroom. The washroom does not have sufficient clearance so the door needs to be left open to accommodate an IV pole.
   (1) Patients forced to use commodes in front of family members
      (a) Inhumane and not dignified

4) ACCESSIBILITY IS LONG OVERDUE

Question 4:
1) Province-wide accessible transportation
2) Allocating money to families
3) DPO and Joanne need to focus heavily on what is ongoing with the Long-term care strategy
4) Universal AT program with a subsidy aspect is critical and would have the broadest impact
5) Supports for independent living need to be related to the needs of the individual
6) Long-term care facilities vs. personal care home
   1. In Carmen's opinion personal care home is the same as seniors home which is inappropriate
   2. Have well-trained staff to support clients in independent living situations would save the government a huge chunk of money
      i) expensive prescription medication and Justice system is getting involved which makes it even more expensive
      ii) creating a career field that is rewarding and more efficient
7) Regional interpretation of policies in the education system and many other systems
   1. Cross departmental approach needed

Question 5: Services with dignity and respect
1) Shifting from a charity model to a human rights model and creating that awareness across society
2) 

Flagged Issues:
1. Inquire about MCP and driver's license being linked to solicitation for organ donation – are people with disabilities flagged for non-eligibility?
2. Recommend that the design of accessible parking spaces be assessed (clearance from the ramp)
3. Individual health plan management – critical issue that PAC member would like revisited in future
4. Inquire about how people with disabilities fit into the HCS
   a. Has the component of the strategy around individuals with disabilities been shelved?
   b. Do they think they have included people with disabilities by default?
5. Update on the policy that was proposed for CYFS
6. DPO will propose that Council have an opportunity to inform the process for programs such as vehicle modification and disability-related supports
7. Inquire about issuing a formal report on DPO activity to community – a priority and direction from Council and DPO can try to make that happen
8. Flag for tomorrow's discussion on building accessibility with DM of Service NL

Pages 1-7 of this document (Day 1 notes from Provincial Advisory Council for the Inclusion of Persons with Disabilities meeting, February 8, 2012) are not responsive to the request.
a. Who is responsible for monitoring and enforcement of the Act for non-compliance of the ACT by various businesses, etc?
Other considerations
  o Question: is there a place for these issues within the position paper, or be dealt with separately in a different paper
    • institutions – we are known as a province for closing institutions but they exist in Holyrood – popping up in pockets of the provinces
    • personal care homes turning into institutions
    • merits 2 lines to show our intolerance of the situation
      ➢ may need to define an institution
      ➢ May build into the existing position paper by saying "this framework do not support the institutionalization of an individual"
    • Home support bullets need to be incorporated
    • Supported decision-making
      ➢ Stop gap measure needed
      ➢ Certain depts. will not talk to parents (e.g. AES)
      ➢ Proxy form used in AES – needs language review

Recap of discussion on Accessibility of the Built Environment
  o Joanne asked Service NL for a listing of buildings that have been exempted over a 2 year period. Hasn’t been provided – only a 3 month period

Presentation
  o By Joanne MacDonald

Service NL - Dave Norman (DM), Donna Kelland (ADM), Dennis Eastman (Director)

-Joanne saw an intent in the legislation for people using wheelchairs and who have mobility disabilities to be able to move around with dignity
➢ Asked to have a list of exemptions but a challenge to get the information
➢ If the information is not readily available then how is the dept analyzing the exemptions – is there a system that allows this assessment?
➢ "Happening externally but not happening internally."
➢ Issues with police stations, airports, lack of appropriate signage,
➢ "When access is created does it really exist?"
➢ ¼ of a parking permit
➢ No signage – blue zone disappears
➢ Curb cuts that are not indicated with signage may get plowed over
➢ Plows that take up parking AND no permit
➢ Accessibility symbol larger than the space itself
➢ Brand new buildings with inappropriate parking spaces
➢ Regular parking spaces painted blue
➢ Hash marks in front of the walkway into a busy store
Power door operators that are not operational
Why so far to pee???
25 stalls and accessible stall located at the very back
So many designs of “accessible parking” in this province
Steep slopes and inclines
Tight ramp turns
Designated parking next to industrial garbage bins results in garbage dumped onto the parking space
Wind breaks are problematic
  - E.g. make it difficult to navigate, especially when vehicles are parked over the walkway
Legislation not adapting to emerging technology
  - Wheelchairs more sophisticated and complicated – larger
  - Some wheelchairs the size of a stretcher
Propane tanks placed after inspection in the way of the “barrier-free path”
Ice machines in the barrier-free path
Examples for consideration
Awareness of legislation not promoted
“Accessibility means not having to ask” Eric Norman
Accessible fitting rooms that become storage rooms

Why are inspectors not going out to do an assessment and documentation of the non-compliance of the legislation?
It is happening and not being corrected – people want to increase access but may not have the resources or knowledge to do it

Why invest into the wood and labour to install it if it is not going to be of benefit to people using chairs?

- Ramps being removed without warning and without reprimand
- Building under 600 m2 undergoing significant renovations brought down to the studs, renovating completely and rebuilt to be inaccessible.
- There are a lot of buildings that people using wheelchairs will never access because the legislation covers those buildings regardless of the extent of renovation
- Greater ongoing input needed by inspectors and community
- Why are emergency exits not accessible
- Public washrooms with symbols of access not accessible

- As Registrar of motor vehicles when violations used to occur he would write the owner of the vehicle as a form of education
- Dave Norman - Heightened sensitivity in a forum like this seeing so many of the issues at once
- Changed wording of regs - after Feb 15, 2012 signage is to comply with new wording and after Sept 30th existing ones need to be changed
• Increased fines from 100 to 400
• Donna Kelland:
  o Groups of issues
    ▪ Look at requirements of existing legislation to ensure they are being implemented
    ▪ Tied to enforcement of legislation
      • If they are deemed accessible – reassessed to ensure they remain accessible
      • Clearly visible signage blocks in big box stores will be picked on first
      • Increase of $45 fine to $100 fines
    ▪ Issue order to address illegal blockages that compromise barrier-free path of travel
    ▪ Renovations – larger policy issues to work with
      • If a premises voluntarily builds a ramp, they are required to meet requirements of legislation
• Leon: Circumventing the 50% rule by breaking up renovations into smaller projects
  o If the will is there to make it happen then Government can make it happen
  o 1981 intent to make buildings accessible – any building that is 1000m² is required to have assistive listening devices
    ▪ Typo – supposed to be 10m² - It was eventually fixed
• Dennis
  o fire evacuation procedures
  o washrooms need to be accommodating as well as accessible – to preserve dignity of individuals who require support
  o newer buildings (e.g. MacDonald’s) are not truly accessible
  o Tables in health science cafeteria are too low
• Ian
  o people who get ticketed for parking in accessible parking spaces contest tickets and win because of snow covering or no appropriate vertical signage
  o elevators that are not operational 24 hours – locked at the end of a regular work day – dangerous
• timelines of establishment of the Accessibility review committee

• Council member presentation - Oswald Gould
of meetings that we've had, it's come up in various situations. In our last council meeting we had a presentation on the buildings Accessibility Act, and at that time we talked about it I wouldn't say necessarily in depth, but talked about some of the shortcomings that we felt exist in legislation, and as well today we spent some time talking about it, and we have a presentation that we'd like to show you, and then we'd like to have an opportunity to maybe engage conversation with you in terms of our concerns, maybe how they can be addressed or where we go from here or even what your plans may be as a department with respect to the Act, and the establishment of the advisory committee, where that is, and maybe at the end of the presentation we can share some information. So I've put together a PowerPoint presentation that sort of captures some of the things that we see. It's not -- unfortunately it doesn't cover areas around individuals who are deaf, and they have a hearing loss or individuals who have vision loss, I focus mainly on physical access, and that's because most of the pictures I took were from my vehicle, I didn't go inside.

So with that being said, you can certainly I didn't Google, and get the images that was my attempt
for humour this morning.

And know that the pictures were taken in
Newfoundland, and none of them are of federal
buildings. So it's all buildings, all parking areas,
that, you know, are -- I would presume to be covered
under provincial legislation. So what I'd like to do
is lead you through the PowerPoint presentation, and
then just talk about some questions we have and some
observations.

One of the things I guess, before I start the
PowerPoint is to talk to you a little bit I guess in
terms of the intent of the legislation, at least
certainly from my perspective I'm not an expert, not an architect or
drafts-person, I'm a person on a daily basis in our accessible
environment, and that's where my knowledge-base is,
like Susan as well.

I saw the intent of the legislation to create
an environment where all who have a physical
disability and require a wheelchair or walker or
scooter can move around freely, and with dignity in
using the environment. And I think to some degree,
we've been successful with that in some areas. I
think we've regressed in some. I think we're moving
backwards in some areas, purely from my perspective
and probably from even council members as well, and
that concerns me, because the intent and spirit was
to make sure that we have an environment that every
citizen can access with dignity.

One of the big concerns I think that council
has, and myself included is the exemptions that take
place, and one of the comments raised yesterday, and
I think people were quite eloquent and quite
passionate about it was maybe we need to just really
sit back and look at do we need exemptions in the
legislation, is that something that can be looked at?
We can certainly chat about that, but I want to let
you know that -- and I...before we took our break,
that I had requested a copy of all the exemptions
that have taken place for the past two years, in the
summer of last year, and wasn't really successful in
getting all the information I had requested, and I
requested because I wanted to look at who was being
exempted and why, and I think it was a challenge to
bring that information together, and we were
successful in getting information on buildings over a
three month period, and there was quite a collection
of data there, I won't say it was very helpful for
us, because it was difficult to discern, and a lot of
exceptions based on class D or F, not anything we
would have knowledge of. With all that being said
and with the point of not getting the information,
but with that being said I guess what we are
concerned with is if that information is not readily
available, then how is the department analysing
information, analysing what's happening with the
legislation? So if we can't get it, that means that
you probably don't have a system that is tracking
that. Is there a...budget of 3...make renovations
estimated at $300,000, what happens at the end of the
day if that estimate is actually $750,000? Where
does that relate into the cost? So I guess I'm
digressing a little bit, because at the end of the
day we're concerned that the analysis of the
legislation is not happening internally, it's
happening externally for those using the
environment, so that's a concern for us so just
thinking about that I guess as we go through the
presentation, and if you have any questions as I am
going through, by all means, jump in.

Council members as well, we talked about -- and
I'm overlooking some of the conversation we had, but
we talked about fire evacuation, the concern that
maybe there are not good systems in place or good
accessibility features that may allow for easier access for fire evacuation.

We talked about the inaccessibility of some hockey arenas, and therefore limiting individuals whether parents, children, or whomever, the ability to use that facility on a fairly equal basis, help me out here folks, signage -- accessibility of police stations, airports in terms of not really having good systems that enable individuals who have a hearing loss, to be able to hear appropriately in that environment.

Now, you know, we talked a little bit about whether the jurisdiction is there, whether it's federal or provincial, and we talked about signage, and I've got a number of slides that will certainly speak to that, but the point was that in some cases -- a lot of cases -- during winter, blue-zone parking disappears when there's no signage, and our councillor from Labrador going around her community literally and looking at accessible parking and approximately 70% was being used by people who did not have permits, but as well probably would not have been ticketed because there's no signage indicated that there is a designated blue-zone area.

I'm going to go right to the presentation -- to
council members if there's anything I overlooked or
anything you want to add to, by all means.

So forgive me, I'm going to have to put my back
to you.

So my point is when access is created, does it
really exist? And I'll let that sit for now, because
as you go through the presentation, it may become
quite clear why that quote originated in my head.

Parking challenges, it might be difficult to
see but that red vehicle is parked in blue zone, the
other on hash marks. That one I took yesterday. All
of this to say that that's happening with these
parking spaces is that the hash marks are created,
supposedly to make the space larger or to provide an
area where people can walk or wheel. This is what we
experience, this is what we live with. So if I'm
parked there or if parked there in her van,
if that vehicle parks there, she's not getting in or
out of the vehicle.

SPEAKER: ...

JOANNE MacDONALD: This person probably has half of the
parking permit, maybe a quarter, a quarter. Yeah.
Sign says -- and this is just a collection of signs
that designate accessible parking in our city. What
I want you to see is the diversity of the signs that
are being used, some that are completely
inappropriate, and others, just barely say anything
at all. Handicapped parking. This one is hard to
see, but there is a little designated wheelchair
symbols up here for these parking spaces.

This one says handicapped parking. Again, two
very different signs. I think this is probably the
most preferred one. This is new, this is really new.
And this is confederation building. Right here, two
symbols of access, nothing to indicate I guess the
appropriate signage that I say would be necessary.

I'm not fussy about the word "handicapped",
it's not a word I use within the community, and when
I pull somewhere and it says handicapped, I go and
park in another area, it's inappropriate to use that
word in designated parking.

I threw this one in for fun, this one covers
off everything.

FROM THE GROUP: [Laughter].
JOANNE MacDONALD: Because nobody's going to park in
these hash marks here, because it's covered off.

No signage. Blue-zone parking subsidies
appears. Nothing at all. These are blue zones here
folks. So anybody's essentially can park there. No
signage.
1 SPEAKER: ...
2 JOANNE MacDONALD: No signage, designated parking area. This one is a barrier-free walkway, but I'll guarantee you, once this is ploughed, when there's snow, I would say the person who is plough this, has absolutely no idea that there is a curb cut there, so it is going to get blocked and we're not getting in. So I think, again, signage would be important to ensure that that pathway is clearly visible. Again, something else just for a bit of fun, two designated parking areas, and no permit.

12 SPEAKER: I was going to say no permit.
13 JOANNE MacDONALD: And it's all gone to the dogs.
14 FROM THE GROUP: [Laughter].
15 JOANNE MacDONALD: Some designs just don't work. This is designated parking, this is the ramp in front, this is the curb cut, this is my vehicle, this is what is left. You can see I'm well over. If someone parks here, I'm not going to get out, or if someone parks there, I'm not getting in.
21 Similar thing, there's a curb cut, this is a vehicle. There's no way, there's no way I'm getting in or no way anybody's getting out, certainly in a scooter, if you can't park independently, you're waiting until that person comes out. And that
happens, that happens on a fairly regular basis, this is what we live with, this is the message I want you to hear, and this person I think has gone a quarter over on blue zone.

So what you have here is accessibility symbol that's larger than the parking space itself. So it's a regular parking spot they put in an accessibility symbol and created the hash marks, but it's not going to work.

Again, similar situation. You park there, this is gone. Again, same situation. This is a brand-new building, brand-new. Trust me. Would you park here? Anybody else is not getting in or getting out.

Similar situation. This is brand-new again. I won't tell you where it is, but maybe my folks from behind me will probably recognize it. But these spots are just regular parking areas that have been painted blue, it looks great because there's four there, but if you're using the van depending on the passenger or driving side, you're going to...virtually taking up part of this. It's just a really complicated system of design as far as I'm concerned. It's not workable.

This one here, another depression but slightly different, these are two parking spots here, blue
zone, this is the hash marks, but this is actually a point of travel for everybody going to the store, all customers. This is a busy store, I sat there and watched anybody with a van was putting down a lift, is going to take part of this. What is going to happen? There's people coming and going all the time. It's not a great design folks, it's not.

Another design that doesn't work, this is a business that has a nice little door opener, I've gone in there, and that door opener has not been working or hanging off by a thread or piece of wire, once that happens, you have no access to that door, because if that doesn't work, you have no room to get in there and open that door.

This is what we live with. Hard to see this very well.

FROM THE GROUP: [Chuckling].

JOANNE MacDONALD: -- but this is a washroom in a very large shopping mall. 25 stalls in here, one that's accessible at the very back. So I say why not have it closer? Poor design as far as I'm concerned.

And I can guarantee you that's the one that's used mostly by people who do not require it.

So many different designs, and I just want to show you that there's so many different designs of
designated parking in our community. I'm not sure who is going to fit in there, some interesting vehicle.

This is, again, a brand-new building. Completely different design than I've ever seen, but you can mark it down that this parking space will only be this big, because these hash marks will be used by other vehicles, absolutely. It's happening over and over. Difficult slopes, pretty challenging. Probably difficult to see, but this is a pretty steep incline. Again, this one is hard to -- I really found it hard to get a picture of this to clearly illustrate how difficult it is to use these two blue zones over here, because it's really steep incline. When you get out of your chair, you cannot get in that building independently. Not using a manual chair anyway.

I don't think anything needs to be said about that one, I think it's pretty obvious.

Undignified access. I cannot tell you in this city how many places there are with designated parking next to major garbage bins. It's -- this one has three. There's the blue zone. Dumpster, yeah. This is wheelchair parking, this is curb cut, this is garbage, area...area, and as well, this is a drive
through, when you come around, people come this way, so you're really exposed to traffic there, obviously it's a drive-through, and it's busy.

Trust me, this is not a rare occurrence. This happens. I don't want to really use that curb cut. That parking area, I don't want to use.

Now we have windbreaks that are evolving into our city, and as far as I'm concerned, they're creating much more barriers in terms of getting around, and I don't know what happens with legislation with respect to how it's governed, but, for example, this design here, this is the designated area, this is your curb cut, this is your point of entry right here. This vehicle is parked way back so you cannot wheel by the windbreak here and the vehicle. Really poor design. What we're seeing many more wind breaks that are being put on new buildings or older buildings, and they're causing problems. Brand-new one that's gone up here recently. Looked pretty good, but trust me, if you're in a chair that is larger chair than mine, if it's a powered chair, you're going to have some challenges getting around this curb cut or dropped area around and in, you're going to be challenged to do that.

SPAKER: ...you cannot get in or out...
JOANNE MacDONALD: Another windbreak right here, inside and the access point is in around.

   It's just so complicated. It's probably quite easy for me in my chair because it's a little smaller. But anyone in a larger scooter or powered chair, they're not going in here, and that's unacceptable.

   Another situation, designated parking, curb cut, this is your entry point right here, anybody that parks over this little bit, you're not getting in -- or when you're coming out, you're waiting until they move their vehicle so you can get out of there.

   Again, wind breaks, posts, and a little open sign. This is your door to get in. It's challenging, and these are just popping up all over the place. I can show you pictures. I have wind breaks that are set up on the top of ramps, so you come to the top of the ramp, there's a wind break, I mean really?

   The problem with me with the wind breaks right now is I don't think our legislation is progressive enough that it's even adapting to change of technology. The chairs I have today or maybe even

   s. 30(1) the chair that [REDACTED] has today is very different than what we had 15, 20 years ago. Wheelchairs are
becoming much more sophisticated, much more complicated, there are power chairs on the market right now that are 25 to $30,000, very large pieces of equipment, not going to manage there.

SPEAKER: And some other things that are happening is that they're enough having motorized wheelchairs that are almost the size of a stretcher that are being used by folks to get around, so you take that into consideration as well. In terms of our turning radius is what I'm getting at.

JOANNE MacDONALD: Yes. Brand-new area, folks. This is the designated area, this is the curb cut, great to park except this is poorly designed. What's happened is the path of travel is now been cut off by these propane tanks that have been set up since the building passed for inspection.

So useless. I went in, asked, I said, "Why is this happening?" Well, the manager is not here right now, but I'll certainly have a conversation with him. That was last year, guess what? It's still there. And this is not the only incident in the city. But this one bothers me because it's brand-new. It should not be happening. This is what we live with.

Is this compliments of our council members who took this picture. So we have a ramp that starts all
the way and stops right at the door, so we have to go
down a step to get into the business or the area.

FROM THE GROUP: [Laughter].

JOANNE MacDONALD: Enough said, yeah.

Your curb cut. This is your...machine. This
is where you have to walk or wheel, right here, well,
if you're in a chair this is where you have to go.
Again, from a council member I thought it was really
interesting to throw in.

I don't know. For a small wheelchair only.

SPEAKER: You can park your wheels here.

JOANNE MacDONALD: I'm presenting examples for
consideration. And what I'm trying to do here is
that this is a building that didn't -- was not
required to make its facility accessible. It
predates legislation. However, they did make it
accessible. They've got great parking, both sides,
good walkway, ramps that go for the entry and exit
signage, good handrails. Did not have to do it. So,
they obviously spent some time researching and
talking with and finding out if we're going to do
this, how do we do it properly, and they did, they
did a good job.

The previous ones where you saw the ramps that
went nowhere, I don't blame the owner of that. I
guess I blame our system, I blame legislation that
maybe is not providing good information and advice to
people who really want to create access.

This owner obviously did, this business. This
is just an example of what I think is very good
parking area, good signage that's permit, and a
parking spot that's wide enough, that's not going to
be compromised by somebody finding hash marks that
they can come and park.

This is a business, probably was required to be
accessible or -- but I don't think it is, because I
think it's under 600 metres squared, but look at it,
it's got designated parking, only for individuals who
have a permit, it's got -- look at the ramp, the
grade on the ramp, signage, I suspect that they did
not have to comply to legislation, but chose to, and
did a very decent job. So it can be done, and a
willingness here to do it. That's the end of my
presentation. I just want to say that Eric Norman
was a strong advocate on accessibility, and he was
well-known not only in Newfoundland but in Canada,
and that was his favourite quote, accessibility means
not having to ask, not calling and saying, "Can I get
into your business, can I reserve a table, can I --
but just basically go out to the business. So those
are some of the pictures that I wanted to show you.

So what I was saying this morning to -- in
terms of my quote, when I said when we had access,
does it really exist? And there's only so much that
legislation and regulations can do. But, again,
something that we live with, the automatic door is
there, and the opener is not working, then it's not
accessible.

We have accessible counter space that I think
I've already said that did I already -- so didn't me
repeat myself, folks. Fitting rooms have been
designed so that there's accessible, but they become
storage units.

Washrooms in convenience stores that become
storage units for cleaning supplies or buckets or
mops that have to be moved out when we need to go in
and pee.

Board walks that are created, really nicely
accessible, and all of a sudden we have to make
changes because it's being used by larger vehicles,
maybe ATV, motorcycles, they're for scooters, power
users can no longer use them. That's my point, when
access is created, do we really have. I know there's
only so much legislation can do, but I guess to say
the awareness has to go hand in hand with this, we
cannot continue to be in a situation where inspectors
go out and see these things happening and do
something about it. We can't continue with that. We
have inspectors that do accessibility checks, if they
went out and did or saw a violation around fire,
safety, electrical, would they just say, "Oh, not my
day to do it or I have no responsibility to do it, or
I'm not at work right now?" No, of course if we saw
a safety issue in our community, we would be the
first to jump in by heavens, we can't allow that.
Why are inspectors going out either not recognizing
or seeing or documenting these violations? There's
no way you can look at that building that I showed
you in terms of the propane tanks that have been set
up that block access completely to that. There's no
way an inspectors can look at that and not identify
as a problem, or the many other areas, the design
principles that have been developed, they're not
working, so my concern is that it's happening, it's
not being corrected, and we have to do something
about it, as well we have people who really want to
create access in our province. Maybe don't have the
resources to do it, that's a whole other area, but
don't have the information and knowledge, we have to
do something about it. If someone's out there and
wants to create access, we have to be in the position
to provide them the knowledge to do it, give them
good resources and information, so when they're
building that ramp it's going to work. Why invest
the money into the materials if it's not going to
benefit individuals who are using the chairs?

Another point, we had situations in this
province where people are -- buildings that are
accessible, they do renovations, it is no longer
accessible. I don't know what the requirements are
there. Like, I don't know if this legislation can
cover, but I know there are examples in this province
where ramps have been existing for years, the
business has been used by people in that community
for years. Next year they go back to get some
supplies, the ramp is gone completely. No access at
all. I don't know where it is in legislation, I
don't know if it's governed by it? It shouldn't
happen, it should not be happening, but it is.

I know, I'm on my band-wagon, I apologize.

We have buildings that are under 600
metres-squared, we have buildings that undergo
significant renovations, folks, and it was mentioned
this morning about one of the establishments,
buildings that are existing when undergoing
renovations are brought literally back to the studs,
and no back-up. And no access. Now, I ask you we
lived with those buildings on-end, we lived with them
before, and now they're still not accessible to us.
So we have under 600 metres-squared, we have
buildings that are exempt because they predate
legislation, all to say that we will never access
because they're so well-covered by I won't say
loopholes in the legislation, but inefficiencies in
the legislation that need to be corrected.

I think it's time for the 600-metre-squared to
go from the legislation it needs to go, it needs to
go.

Buildings with a specific purpose, and I
apologize if I go over time, Mary. But buildings
with a specific purpose for supporting, treating or
housing children or adults with medical requirements
or disabilities must have a greater degree of
accommodation.

The intent of the facility must be taken into
consideration. So the end product accommodates all,
and not just one or two, because of the confines of
the legislation. We have examples of that in the
community. I've said that we need legislation that's
progressive, that responds to the needs of the current day that looks at where we are now. We've got legislation that's been around for 30 years, granted there have been legislative reviews and some changes, but we have to have a process whereby maybe it happens on a more consistent basis, maybe there needs greater input from inspectors who are seeing these violations in the community or in the city. I say "violations", maybe that's a bit strong of a word. But there needs to be some ongoing input that enables this kind of changes that take place. Whether it's a combination of inspectors, community organizations, owners, whatever, but we have to have some kind of regular process of inputting, oh, my God that shouldn't happen, we're stick for 10 years with that old legislation.

I have a backload of questions, but I'm going to stop. Yeah, I think -- I mean I can throw them out really quickly, but maybe I should save some time and I'll throw out a few.

FROM THE GROUP:  [Chuckling].

JOANNE MacDONALD:  I know. Why are emergency exits not accessible? Don't know. Why do we have public washrooms with international symbols of access that are not accessible? Why do we have public washrooms
with toilet paper dispensers that literally sit on the floor? You literally fall off the toilet trying to get toilet paper out of the dispenser, I'm not kidding, I've been there.

Why are there no requirements to make examination rooms accessible. You get in the door, that's as far as you're going. Why not have examination rooms that are accessible for individuals?

I'd like to know what the department is doing to create knowledge of the buildings accessibility act with municipalities and other sectors in the community.

I'd like to know what advice or guidance is provide to business owners wanting to increase accessibility of premises, I think I've said that,

Those are my comments. Those are our pictures.

I think I could say collectively that those are our concerns as council. I would hope that I would have their agreement to be able to say that, and to reiterate my point earlier, we live with this, we live with these pictures, we live with these situations, we live with the inaccessibility of many of these buildings in our community, and from where I sit 30 years later, it is not acceptable. So thank
you.

DAVE NORMAN: First I'd like to thank you for the invitation to listen. You've mentioned so much, Joanne, I don't know where to start.

JOANNE MacDONALD: And I controlled myself, Dave.

DAVE NORMAN: Yeah, you know the issues on signage and that sort of thing, go back to my days when I was registered in the motor vehicle I've always been sensitive to that. When I used to see that violations occur with people without permits, excuse me -- I actually used to write the registered owner of the vehicle and tell them, you know, you can't park there, it's, you know, quote whatever the mobility parking regulations stated as a form of education of seeing one time I saw a guy parked in Dominion in Robok [phonetic] when it existed, it was range and I saw the guy pull up in the pick-up, he hopped out, and he ran in there, and then he ran back out, he flicked a couple of access, while he was in there I got his plate number, checked to make sure that there was nobody in his household that parking, and there wasn't anybody, and so I wrote him just explaining you know, this is what the purpose is, you parked there, you shouldn't park there and all that sort of thing, I had a gentleman who used to contact
me, I'm going back a long time. He actually used to contact me by e-mail and otherwise and say, "I saw this one at Wal-Mart...black and blank, that's not the answer to your issues that are here, but it's just to give an idea that I am sensitive to what you're saying. A lot of those pictures that you've shown there, I know exactly what you're talking about, I know exactly where they're located, and, you know, we're -- we need to look at these issues, and I think it's in these forums, when you bring all of these issues forward that I think we have a heightened sensitivity to it, when you mention things like where you mention the curb comes down, you pointed where everybody comes out and there's not enough space to get there. It's all very important, and it may not be perfectly, you know, sensitive to that, when that's being looked at.

In terms of the signage, you know, I suppose there's a little bit of good news in this respect, we've recently made changes to the designated mobility impaired parking regulations...I think I've said it right?

SPEAKER: Yes.

DAVE NORMAN: Which will look at things such as -- let me find it here... Requiring signs for accessible
parking space be currently installed and maintained in good repair. Requiring building accessibility design registration application received after October 31st, 2011, to comply with the signage amendment.

...that's not the date is it?

SPEAKER: 2012.

DAVE NORMAN: 2012, you correct me on this, this one says February 15th, that's for new ones, and for current ones, it's September 30th.

So we've just recently made those changes to the regulations.

JOANNE MacDONALD: Sorry, Dave.

DAVE NORMAN: We've increased the from 100 to 400, go ahead, Joanne?

JOANNE MacDONALD: I'm sorry, I was seeking clarification on signage. So there's I guess --

DAVE NORMAN: After the 15th of this month, any new -- I'll use the word construction -- whatever words you want to use, will be required to have permanent signage, and after September 30th, all existing ones will have to comply with that, so like I said three or four days ago, so it's brand-new, something we've been working on now for some time.

Some of the technical answers that you've
asked, I don't have that or Dennis can answer some of those, I don't know if you want us to do that in this forum or if you want to give us, you know, a list of whatever the questions and that for us to address.

I don't know, Dennis if you have any comments based on the issues that were raised, there's a lot here.

OTHER SPEAKER: Hi, Donna...assistant deputy minister with responsibility for building accessibility legislation, and I apologize for being late.

Joanne, if I could characterize some of your issues into broader groups, I think what I heard was, you know, looking at the requirements of existing legislation, in making sure they're being implemented, so whatever rules do exist are clearly and consistently being applied.

DONNA KELLAND: Tied to enforcement of that legislation, so that if things are made inaccessible after they've been approved, there's a need to make sure that they continue to be accessible.

Dave's mentioned the changes to the signage, and that issue was designed initially to get at these moveable blocks, particularly you'll see them in some of the big-box areas. I'll pick on them a little bit because there's a few of those. That has changed now
that they'll no longer be able to use the moveable blocks, they'll have to be permanently installed in the ground clearly visible to the public and people parking.

Now, we know there's still issues around parking and signage, particularly enforcement, we're hoping that the changes to the minimum level of fines which is increased from $45 to $100, will improve the deterrent, and there's a piece of awareness and, you know, education that has to go around that.

JOANNE MacDONALD: Donna, just in terms of I guess responding to Dave's comment as well, in terms of our expectations, I don't have an expectation that you're able to respond to all of the points, I guess what we really want to do is paint a picture for you in terms of what we're saying and maybe at some point maybe we can discuss next step with discuss with council working with you, or whatever. I want to make sure you don't feel you're on the spot.

DONNA KELLAND: Not at all, I was trying to help clarify some of your questions, because to me they were grouping themselves into groups of issues, that I think to some extent we can address through clarification, to some extent we may need to look at things that need to be changed.
So let's talk about I guess -- because a lot of your pictures related to -- or some of them related to areas that should be accessible that are brand-new, you know, curb cuts are in the right place, but something is blocking the entrance, either propane tanks or ice machines or wind breaks or something like that. Those are -- and Dennis, you can correct me if I'm wrong, illegal, and if they are, we can order those premises to be accessible, is that correct.

SPEAKER: The way I see barrier-free path is compromised, absolutely.

DONNA KELLAND: So what we need in that regard is a bit of help, because we don't have X number of inspectors around the province constantly monitoring them, with the resources we have, but if people bring attention to, Dennis and his group would be the point of impact. We have the ability to issue orders that would address those issues. Now, we may need to give a little bit of time, but we certainly have that ability under the legislation. In cases where we do get complaints, we can respond to those complaints.

The issues around renovations, I think, you know, I mean there are debates whether or not it should be the 50% rule, whether or not every building
should be accessible, those are larger policy issues which I think we need to have some time to explore with folks, and work our way around. There are being previous advisory boards, building accessibility advisory boards have made recommendations like that. Obviously there's a balance in trying to make something in downtown St. Johns versus a new premises which is fairly easy to do that.

But there are rules around that. We also in the last round of changes, introduced rules around if you do decide to voluntarily make your premises accessible, you have to meet the requirements of the legislation, so that the ramps have to be of the proper grade, the doors have to be of a proper width, but when you're looking at voluntary, that is a voluntary process for buildings that would otherwise be exempt, but they're still required now I'll use the word go-forward, nobody likes that word but to meet the requirements of the legislation.

There's a whole bunch of things that I know there are issues, but those are some of the points that we can do.

JOANNE MacDONALD: I do appreciate that, Leon?

LEON MILLS: You brought up the building accessibility advisory board, I was on that.
DONNA KELLAND: Yes, I know.

LEON MILLS: And I was one of the people, I made the initial suggestion that this whole thing about the 50% rule and all that kind of stuff should be null and void, because I just don't agree with it.

And I was told, the chair told us at the time that for something like that to happen -- I said all buildings should be made accessible retroactively, given a certain time-frame, I know that's probably out there, but, you know, there had to be some exceptions probably, but based on sheer dollars, maybe, I don't know. But there was two things that really bothered me was that the -- when we talked about the renovations and what was supposed to happen, given a dollar figure, and what was happening then, instead of the people circumventing that, they were breaking it up into smaller projects, so that he, you know, it seemed -- well, ... people break it up into smaller projects so it didn't -- you know, any one project didn't match the breaking point or whatever it was, the cut-off point. So, you know, it just -- and the other point that was pointed out to me was if you want to make retroactive, back to 1981 with all these places that were supposed to be accessible or not, it would take an order in council,
which would probably never happen, so I guess it's a big political thing, that's what I was told. And I don't agree with that, if the will is there to make it happen, the government can make it happen. It's just a matter of coming up. I know it's a cabinet decision, for those of us who live with disabilities and have to access, I go into new buildings that are supposed to have new listening systems installed. I don't know if you heard about it or if it was reported to you, I want to share this with you. There's a line item in the Act about hearing accessibility that goes back to 1981, the intent was to make all places accessible. It stated that any building that was 100 metres squared had to have an assistive, 100 metres squared is something the size of mile 1, I said to government engineer I said how many places in Newfoundland are actually 100 metres squared, and I said it's a typo. She said it is a typo, it's 10 metres squared. So in the last 30 years all these public buildings and hotels and schools and wherever else were supposed to be hearing accessible and they weren't. So, you know, except for a typo, we would be the most hearing accessible province in the country, but to get it all fixed it will take an order in council, but to take one room
accessible would probably cost only a couple of
thousand dollars. So these are the things we're
dealing with, when I go to a new place or to get a
system actually installed, but half the time it's not
working because the staff are not educated or the
receivers are not charged up, so these are the things
we're dealing with.

DONNA KELLAND: I wasn't aware of the error on the books.

We have Dennis and then Ian, and then I'm going
to probably close.

JOANNE MacDONALD: Some discussion on this, because we
are rather late.

DENNIS GILL: I'm parents of a son [redacted] s. 30(1)
I have three or four things I'll touch
on, and maybe you can take some and discuss them.
But just to throw them out there. One that's
probably...we talked about it a bit yesterday, if
you're in a building, could be here or could be
J....hostile and you're in the third floor and
there's a fire evacuation to come into place, what
the procedure would be or the process would be or
what's in place or not in place to get my son down
from the third floor to -- yeah, could be here on the
10th floor or right or the other building.

That's one issue. Another issue which our
family has dealt with, and mainly through the health care corporations, has been not only washrooms that are accessible, a lot of washrooms in various buildings are accessible, but they are not accommodating. We need to [redacted] and there's -- with dignity, I might add, and there are very few washrooms that are accommodating. The Miller centre now, and the...minister Kennedy when he was minister of health, they provided washrooms you would probably, one in the Miller centre, I haven't been to the Jainway, but they tell me they're down there.

But the other point even buildings that are classified as probably meeting the code, I don't any they're truly accessible. You take some McDonald's restaurants, they're nice you can wheel in, you have to open one door and turn 90. So if a person like Joanne, I don't know how you do, but if you go into one of these buildings, fairly new buildings, they're not truly accessible. And one more point and then stop.

If you go over to the...science cafeteria when we go to when we're with our son, the tables over there, when we push [redacted] in under his knees [redacted] literally hit; right? And they've got a little table
there, I think they may have two, but the handicapped
sign, only handicapped people are allowed to use this
little table of half the size of this one, probably a
little less, and, you know, we go, my wife and
daughter comes in, and sometimes there are other
people sitting there, so you're sort of restricted to
these two tables, and let's face it, in the...a will
the of people in wheelchairs, so the proportion into
the number is one thing, and the other is the actual
physical height to allow somebody -- now I think they
do have a couple of smaller ones to be fair to them,
elevated, but that's not the norm. Thank you.

JOANNE MacDONALD: Appreciate that, Dennis, and Ian
you'll have the last word -- well, I'll have the last
word, if you could make your comments...for me, it
would be appreciated.

IAN MURLEY: A couple of things. No. 1, I know that from
a legislation point of view, that's a good -- one of
the things I was glad what you guys just mentioned
was in regards to signage for wheelchair accessible
parking spaces being fully affixed, because I know
from my background, I [REDACTED]...s. 30(1)
and we have numerous issues because friends of mine
will go out and issue a ticket, and then when the
ticket goes to court, it will get contested, it was
because there was three inches of snow on the ground, there was no visible marking that was a visible wheelchair space, it will get thrown out of court, the concrete thing can be still there, but no sign, but because there's no sign, I don't know if people realize this, for most signage to be covered under the traffic act or any act, it has to be gazetted, and for people who don't know what that means, it has to be these guys would probably -- it has to be like a reflective nature. Even for no-parking zone, if the sign is not gazetted, it's highly doubtful you'll get a confliction when you go to traffic court.

So that's one good thing I'm really glad about.

But when it comes to, like, the actual buildings, like maybe what Joanne touched on this, you know, there's more things coming up with these windbreakers, I see this all the time. You'll have snow piled up, and there may be enough space in a perfect world when it's nice and sunny, but when the snow piles up, who is to say, you know, the business -- people may say the business may not be accessible, it is accessible if the snow clearing is done properly; right?

So that's a couple of things I wanted to point out that like I said, the signage is probably the
(Verbatim (draft) transcript - Provincial Advisory Council - Feb 9/12 (Oswald Gould's resentment removed)

s.30(1)

biggest thing, and the actual -- and another thing, I work with [redacted] before for a short period of time, and part of my job was sort of looking at some of the issues, because the building that's in Corner Brook is a rented space for HR or events education and skills now. It's in the upper level of a rented building, and there's an elevator there, and there's a guy that's in a chair, and he goes down the elevator and gets into his car in the parking garage, but if he leaves after, say, some of the management staff do, the elevator is a type that is locked, so the access can't be after working hours, access can't be made from the bottom level to the top level. So this guy can be very frustrated, because sometimes the elevator is not a 24-hour-a-day use elevator.

JOANNE MacDONALD: Great, thanks, Ian for those comments, certainly appreciate it, and I know everybody is busy writing down over there. So.

I apologize councillors, we've gone a little later than we planned, but I really appreciate the time for you to take the time and come and hear our concerns, and make note of I guess some of the observations we've made.

I will say that I've done a lot of pictures in recent years with inaccessible areas, and I've done
presentations with a variety of government officials, one of the things that happened after the end of the presentation I was asked for a copy of my presentation, because at that point I didn't hide the buildings that were posing a problem, and typically what would happen is they would take that presentation, and then each business then was I guess contacted or whatever, and changes were made, but you know what didn't happen is we didn't create systemic change. You'll see in this presentation, I made sure that no building was identified, because if we go through a process of just identifying bang, bang, bang, nothing will change in legislation. So it was done deliberately for that purpose, just to clarify that.

But I do have the information, and, you know, if we need to chat about that in terms of circumstances or situations, I'm more than willing to do that. I really do appreciate the time you took to come and spend it with us, I know councillors are appreciative as well, hopefully we can look at next steps in terms of how to create greater access in this community, so thank you.

DAVE NORMAN: Thank you very much, and we'll certainly take everything that you've said here and discuss
(Verbatim (draft) transcript - Provincial Advisory Council - Feb 9/12 (Oswald Gould's ressentation removed)

that internally, I don't know where I will take us, but you certainly raise a lot of issues that we certainly need to look at.

JOANNE MacDONALD: Thank you.

SPEAKER: For people...talk about that.

JOANNE MacDONALD: The buildings accessibility advisory.

LEON MILLS: When they were going to move on that or...because I was contacted --

JOANNE MacDONALD: Do you have any knowledge in terms of where this process is right now in terms of time-lines around the establishment of the committee or...if not maybe it's something you can follow up on and get back to us.

DAVE NORMAN: We can certainly look at that.

JOANNE MacDONALD: Thanks again. Take care. Thanks, Leon.

LEON MILLS: Yeah.

CART PROVIDER [Catherine]: Audio?

JOANNE MacDONALD: I think we were scheduled for lunch at noon, 12:00 was it? Yeah? So we're a little behind. So we can spend a little bit more time, we can end on a really positive note, I have a presentation by Os, or we can break now for lunch and maybe come back 10, 15 minutes early, if that's possible for people's schedules and do it then. I'm quite flexible,
March 5, 2012

David Norman  
Deputy Minister  
Service NL  
Government of Newfoundland and Labrador  
P.O Box 8700  
St. John's, NL, A1B 4J6

Dear Mr. Norman:

First let me say thank you for taking time out of your schedule to meet with the Provincial Advisory Council on February 9, 2012. We were very pleased that you, Ms. Kelland and Mr. Eastman could attend and participate in the discussion.

As you may be aware, accessibility was one of the most frequently raised concerns during the 2010 public consultations on developing a strategy for the inclusion of persons with disabilities. Participants throughout the Province described the inability to access public buildings and services due to physical barriers.

The Provincial Advisory Council is committed towards increasing the level of accessibility in this province and believes greater access can be achieved with improved legislation, enforcement and education. We recognize that much has been accomplished in this area; however, more is required if we are to achieve the goal of equitable access.

Our presentation on February 9th highlighted some of the barriers individuals with disabilities experience on an ongoing basis. Barriers continue to exist in buildings that have undergone extensive renovations, sometimes literally from the ground up; poorly designed ramps become non-functional; signage for blue zone parking disappears during winter months; barrier-free pathways become blocked with equipment and ramps are sometimes removed altogether. Accessing public buildings, services and events continues to be a daily challenge for many citizens of this Province.
This is not a discussion about what is currently covered within regulations, or what is doable within the Buildings Accessibility Act. It is a discussion about how to adhere to the intent of the Act: to provide accessibility for persons with disabilities.

We were very pleased to hear about regulatory changes within Buildings Accessibility and blue zone parking and congratulate you and your department for taking this step.

Other suggestions to continue the momentum towards full accessibility and ultimately the inclusion of people at disabilities include:

- Incorporating Universal Design principles into the Buildings Accessibility Act and regulations.

- Incorporating flexibility within the Act and/or regulations to enable the ability to remain current with new technologies.

- Removing the 1982 exemptions to the Act.

- Increasing inspection and enforcement of the Act.

- Considering the function and intent of buildings when applying the Act and Regulations.

- Addressing situations where business owners have blocked barrier-free paths of travel through placement of windbreaks, equipment, vending machines, etc.

- Implementing accessibility with dignity within fire evacuation procedures and emergency exits.

- Building knowledge within private, public and community sectors on accessibility standards, the Act and regulations, with a strong emphasis on the intent of the legislation.
We value your active participation with Council. Please do not hesitate to contact me if we can assist you in meeting our shared goals of access with dignity and full inclusion. I would be happy to meet with you or your staff to further discuss points raised during the meeting or any other matters related to accessibility.

Once again thank you for meeting with us.

Sincerely,

Joanne MacDonald O.C., O.N.L.
Chairperson

c Hon. Joan Burke, Minister Responsible for the Status of Persons with Disabilities
Mary Reid, Disability Policy Office
From: Tompkins, John
Sent: Wednesday, March 21, 2012 1:35 PM
To: Reid, Mary M
Subject: Fw: Blue Zone Parking KM's
Importance: High

Department of Advanced Education and Skills
Government of Newfoundland and Labrador
P.O.Box 8700
St. John’s, NL
Canada
A1B 4J6

Sent Via BlackBerry

From: Donnan, Hugh
To: Cheeseman, Josephine; Howard, Jacquelyn; Collingwood, Jennifer; Power, Glenda; Brown, Milly; Tompkins, John; Colman-Sadd, Vanessa
Subject: Blue Zone Parking KM's

See attached; Minister Davis is briefed and will respond. Vanessa and John (DPO) have reviewed.
Also FYI, we have a request from On the Go for tomorrow.

Hugh Donnan
Director of Communications

Service NL
Government of Newfoundland and Labrador
2nd Floor West Block, Confederation Building
P.O. Box 8700  St. John's, NL  A1B 4J6
hughdonnan@gov.nl.ca
t: 709.729.4860 | f: 709.729.4754
www.gs.gov.nl.ca
Service NL KM's: Blue Zone Regulations

Date: March 21, 2012

- The Designated Mobility Impaired Regulations regulate the use of blue zone spaces by people with proper permits and, as such, governs the ability to enforce against illegal use of these spaces.

- Under the Designated Mobility Impaired Regulations, spaces may be designated by either a vertical sign, bearing the international symbol for mobility impairment, or a blue painted space, which may also have the international symbol.

- The Designated Mobility Impaired regulations provide authority for law enforcement officials to ticket those without the proper permit for these spaces regardless of which type of signage is used to designate it.

- As of April 1st, provincial fines for parking in designated spaces without the proper permit will increase from the current range of $45 to $180 to the new range of $100 to $400.

- The Buildings Accessibility Regulations require the designation of impaired mobility parking spaces associated with public buildings to ensure accessibility for persons with physical disabilities.

- Requirements for buildings to be accessible under the Buildings Accessibility Regulations include the requirement for permanent vertical signage as well as a painted space, which must include the international symbol for mobility impairment.

- The Buildings Accessibility Regulations concerns building owners, not people parking illegally in the spaces—so the two pieces of legislation are not connected in terms of their purpose or the ability to enforce them.

- Recent changes to the Buildings Accessibility Regulations were designed to ensure that vertical signs have to be permanent rather than moveable. This helps ensure they are clearly marked at all times. These changes came into effect for new buildings on February 15, 2012 and will require existing properties to comply by September 30, 2012.

- The Crown Prosecutor's Office advises that they will prosecute tickets under either the Highway Traffic Act (DMIOTT regulations) or City by-laws. They indicate there is no issue that has come to the attention of the prosecutors in Traffic Court regarding enforceability of tickets issued by the City against people alleged to have illegally parked in an accessible parking spot.

- Tickets have been withdrawn from time to time, usually where a person presents a valid permit to the court showing that they were entitled to park.
• Tickets may also have been withdrawn if the evidence was ambiguous as to whether or not the spot in question was in fact a designated accessible parking spot. For example, there is no sign, or the sign was unreadable for some reason (snow covered).

• There was a prosecution under the accessible parking bylaws of the City of St. John’s bylaws (section 12 (2)) on February 12th. The evidence involved solely a sign, and no painted spot. There was a conviction.

• The City of St. John’s has not, to our knowledge, contacted either Service NL or the Department of Justice about concerns over ticketing for blue zone parking.

• In fact, Service NL officials wrote the City on February 24th advising them of updates to both pieces of legislation. There was no indication at that time of any concerns on their part.

• We will be contacting their staff to help clarify the two pieces of legislation and their different purposes.
March 23, 2012

Ms. Joanne MacDonald, O.C., O.N.L.
Chairperson
Provincial Advisory Council
for the Inclusion of Persons with Disabilities
c/o Disability Policy Office
Department of Advanced Education and Skills
3rd Floor Confederation Building, West Block
St. John’s, NL
A1B 4J6

Dear Ms. MacDonald:

I am writing in reply to your letter of March 5, 2012 regarding the Provincial Advisory Council meeting of February 9, 2012 which I was very pleased to have had the opportunity to attend.

Following our meeting, I met with the Assistant Deputy Minister, Ms. Kelland, and the Director Mr. Eastman to review the matters discussed during the meeting and presentation. I wish to offer the following comments and clarifications:


- The slide entitled “Exemptions from the Act”, should read “Apartment type Buildings with fewer than 4 apartments” rather than “... 15 apartments.”

- Regarding the slide entitled “Fines”, the last bullet should indicate the fines for non-compliance with Inspectors’ Orders are “on $200.”
to $2000 a day for every day beyond the time specified for correction of the offence during which this offence continues."

The discussions during the presentation were also quite informative and we offer the following comments:

- There may be some confusion with respect to buildings having a total floor area, incorporating all storeys, between the exterior walls of less than 600 square meters. These buildings are not exempt from the Act. In accordance with Section 7 of the Buildings Accessibility Regulations, they are required to have barrier free access to the storey which constitutes the major occupancy.

- Service NL staff reviewed the matter of the 100 square meters room size requirement for assistive listening systems and found that Section 26 of the Schedule to the regulations is identical to Article 3.8.47 of the National Building Code of Canada 2010.

- Service NL staff reviewed the matter of MacDonald’s Restaurants which have entrances with a 90° turn and found that the restaurant at the intersection of Torbay Road and Newfoundland Drive does not meet the accessibility requirement for vestibules in Section 18(11) of the Schedule to the regulations. However, this building is exempt because it was built prior to 1982.

- With respect to comments regarding poorly designed ramps becoming non-functional. Section 7(3) was added to the Act in 2006 to ensure that where alterations, such as the addition of a ramp, are made to existing (otherwise exempt) buildings the alterations must comply with the requirements of the Act.

- Comments that blue zone parking in some areas virtually disappears during winter months are quite valid. It is primarily for this reason that government made recent amendments to Section 15 of the regulations requiring that parking space signs be permanently installed, visible to the public and maintained in a state of good repair.

- Concerns regarding barrier-free pathways becoming blocked with equipment and concerns voiced regarding curb ramps, are also well founded. Service NL policy is to investigate such occurrences when we become aware of them and to issue Inspectors Orders to have infractions corrected.
Thank you again for the opportunity to meet with the Provincial Advisory Council and to discuss their concerns and the opportunity to respond to some of these issues. We are also undertaking a further review of some of the points raised, particularly with respect to finding ways to provide better guidance to property owners on blue zone parking and other requirements.

I hope you find this information helpful. Please do not hesitate to contact us at any time regarding the Council's concerns with the application of the legislation we administer.

Sincerely,

[Signature]

DAVID NORMAN
Deputy Minister
May 3, 2012

David Norman, Deputy Minister
Service NL
Government of Newfoundland and Labrador
P.O Box 8700
St. John's, NL, A1B 4J6

Dear Mr. Norman,

Thank you for your reply to my March 5th letter. I have to admit it was disappointing to read your response. I was optimistic our presentation would have illustrated some of the accessibility issues individuals with disabilities live with on a daily basis. In my optimism I thought your department would look at the issues identified and work to create systemic changes.

Rather, your response continued the practice of examining and explaining issues of accessibility in a piecemeal manner. Efforts to identify "reasons" for individual situations being they way they are, offer an explanation but not a solution. It seems obvious that if many situations of inaccessibility are 'allowable' within current legislation, there is a problem.

We see potential solutions in revising legislation and regulations, increasing public, building owners and construction industry knowledge around accessibility standards, and the provincial government being a leader and setting an example for others to follow.
Council cannot support a piecemeal approach of exemptions and one-off fixes to accessibility issues. Please let me know how we can support your department in taking an in-depth, systemic analysis and make real change to create an inclusive and accessible province.

Sincerely,

Joanne MacDonald O.C., O.N.L.
Chairperson

c Hon. Joan Burke, Minister Responsible for the Status of Persons with Disabilities
Hon. Paul Davis, Minister of Service NL
Mary Reid, Disability Policy Office
just draws interest or ask kids to make, you know, a 30-second video, this kind of stuff, and offer a prize, these kinds of things. So [REDACTED], and you know, [REDACTED] makes videos for school projects, and they really get into it, right?, but it's a way to, you know, people like that kind of stuff on YouTube and stuff, so you have to look at divinity ways to get the message out there.

KIM GILLARD: For sure we do, have to be very innovative. We're going to talk about 1.2, if you recall. It's about helping people understand the barriers, but, again, being aware of the fact that we don't want this to be negative, but how do we make people aware about the barriers? And doing it in a very positive manner. So did you have any epiphanies over the break, Mary?

MARY REID: As you move into No. 2, I want to remind council that you had given us a lot of great feedback around multimedia campaigns and the types of messages you'd like to see in those, and we do have those captures from an earlier meeting, so we've kept that material and that's going to be very useful going forward.

KIM GILLARD: Myles?

MYLES MURPHY: I think putting -- setting up mock
situations might be a good idea. I think that's what people understand is when they actually see a situation, and see an experience in real-life.

KIM GILLARD: So an actual visual of the barrier. Where would you see these kinds of situation, would you see that in a YouTube or video clip that would be used in different arenas, any thoughts about that?

SPEAKER: I was just thinking about the blue zone; right? And how that has become, people see that as a barrier, but it's almost fun for people, where they, you know, they say oh, I don't want to get caught there, you'd better not park there because you'll get caught, so people are having a little bit of fun with it I think, so if you set up situations where they got caught on TV or something, you know --

MYLES MURPHY: Something that would be he PV, not YouTube, you would have to be very specifically drawn to it, something that was close to the news time, in an advertisement.

LEON MILLS: I'm getting feedback. Just a second now. I've got to get on...I was thinking along the lines of, you know, on any of you seen it the show called just for laughs, the gags, the visual gags, something like that would be a good thing, but it's all related to disabilities, so it could be a lot of fun without
punching the negative images of people down, so
you're approaching it in a light-hearted way, can you
come up with some really good stuff, I think, you
know.

MARY REID: Certainly physical barriers, when you see the
crosswalk, where one side is curb cut and the other
is not, that kind of defining...

LEON MILLIS: [Inaudible].

KIM GILLARD: 1.3, any more detailed thoughts how to
increase knowledge within private, public and
non-profit sector about creating barrier-free
environment, anything more specific that you would
think to those sectors and in particular workplace
environments and things like that?

Leon?

LEON MILLIS: I promoted the idea before in other places
among the idea of, like, you know, like in some
places you have to get OH certified or something like
that, you could offer something like a certificate,
accessibility certificate so builders can
voluntarily, you can create I don't know if it's a
registry or whatever, you know, groups can sign on to
voluntarily make their places accessible, and you
receive some recognition for it, like a certificate
of accessibility or something like that. So, again,
expertise being shared.

Other comments, because this is a huge one, and I mean any other thing that you can think about that are helpful. Susan again?

SUSAN RALPH: Sorry. But Leon, you know, Leon's on that committee, too, the building accessibility Act committee, whatever we were called at the time. But I really believe that that should have never ended. I think that that committee should have been struck, supposed it met every six months, but I don't think it should ever of have been allowed to die, because I don't think that work will ever be done, just like our technology never ends, we need to be -- when you put a building accessibility act in place, it needs to have the flexibility to revise. Not since 1981. I mean a wheelchair is nothing like a wheelchair that was built in 1981; right? Now. People are using, you know -- people with certain disabilities for mobility are able to use -- I don't know what you'd call it, I guess a wheelchair in some regard, it would be more like a motorized stretcher for the lack of a better word, I don't know the proper terminology.

But what I'm saying is is the building accessibility, like it can't be left on the back
burner anymore. Our technology is changing. People with disabilities needs are constantly changing. Like I'm sure the devices for hearing loss that were used in 1981 are not the same that are used today. Therefore the building codes would need to be reflective of that. And so I think that needs to be an on-going, whether it's some sort of committee that meets every six months to have an update, that sort of real hands-on focus on that building around the built environment stuff.

KIM GILLARD: And so you would look at the legislation, any changes would have to have some flexibility built into it to respond, and then how you track the changes that need to happen would have to be a hands-on committee.

SPEAKER: Another example of blue zone, at one time it only had to be certain measurements, nobody had those vehicles, so we asked it was okay whatever worked, but now our vehicles have changed, you know, in that sense. Just like I don't know, camp grounds were made accessible, but you never saw people in a wheelchair, you drive around and every second person has some sort of mobility.

LEON MILLS: That committee should be an active committee ongoing all the time, not to review legislation but
Key Messages
Disability Policy Office

Provincial Advisory Council Concerns re: Building Accessibility

Background
- The Provincial Advisory Council for the Inclusion of Persons with Disabilities identified barriers within the built environment as a priority area of concern for individuals with disabilities.
- In its deliberations, Council determined root systemic causes for existing and new barriers that individuals experience throughout the province. Primarily these are found within the current buildings accessibility legislation, regulations, as well as inspection and enforcement practices. Council has determined that the current legislation and its enforcement can and does work against the spirit in which the act was created.
- At its February meeting, Council made a presentation on issues concerning building accessibility to Dave Norman, Deputy Minister of Service NL along with key staff, Donna Kelland, ADM and Dennis Eastman, Director, Engineering and Inspections. The presentation’s purpose was to illustrate the breadth of issues with building accessibility from a systemic perspective.
- Council Chair, Joanne MacDonald, sent a follow-up letter (March 5, 2012) thanking Dave Norman for his attendance and highlighting systemic issues that were shared during the presentation.
- The response correspondence (March 23, 2012) provided explanations for the individual situations that had been provided as illustrations during the presentation. This demonstrated to Chair MacDonald that Service NL is not viewing building accessibility issues from a systemic perspective and this is problematic for seeking solutions.
- Chair MacDonald expressed the need to address systemic issues (May 3, 2012 correspondence to Dave Norman) in order to resolve accessibility issues and attain inclusion and accessibility throughout the province.
- Council is available to support Service NL in taking an in-depth, systemic analysis to building accessibility issues.
- Chair MacDonald is proceeding to arrange a meeting with Minister Davis.
- Minister Davis spoke with Chair MacDonald at the House of Assembly on the day the Ministerial Statement concerning wheelchair curling was read. At that time, Minister Davis offered an open invitation to meet to discuss accessibility issues with her in the future.

Proposed Action
- Minister Responsible, Minister of Service NL and Joanne MacDonald meet to discuss systemic issues concerning accessibility. Government considers a legislative review with intent of incorporating universal design, and identifies immediate actions to promote and share knowledge about accessible design.

Prepared by: Disability Policy Office
Date: May 29, 2012
Hi Karen

This is official correspondence - PAC chair – please file, and have Joey log

Thanks

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

From: Joanne [mailto:_________________________] s. 30(1)
Sent: Tuesday, June 19, 2012 7:31 AM
To: Reid, Mary M
Subject: Fwd: Minister Paul Davis - Accessibility Act and Regulations (Meeting Request)

FYI.....

Begin forwarded message:

From: "Churchill, Debbie" <dchurchi@gov.nl.ca>
Date: June 18, 2012 3:57:07 PM NDT
To: <_____________________________> s. 30(1)
Subject: Minister Paul Davis - Accessibility Act and Regulations (Meeting Request)

Ms. MacDonald

Thank you for your e-mail.

Minister Davis is available to meet with you on Wednesday, June 27 at 3:30. Is this a good time for you?

The meeting will take place at our office at Confederation Building, West Block. Please remember that all visitors must present a photo ID to security upon entering the building.

I look forward to hearing from you.

Debbie

Debbie Churchill
-----Original Message-----
From: Joanne [mailto:s.30(1)]
Sent: Wednesday, June 06, 2012 8:12 AM
To: Davis, Paul A
Subject: Accessibility Act and Regulations

Dear Minister Davis:

Wondering if you have sometime in the near future to meet with me to talk about the Buildings Accessibility Act and Regulations. We are still experiencing some access issues in the community and I would really like to discuss some of these concerns with you. The Advisory Council for the Inclusion of Persons with Disabilities did have an opportunity to recently present to your DM and ADM and now I would appreciate the opportunity to chat with you further about our concerns.

Look forward to hearing from you.

Joanne MacDonald, O.C., O.N.I.
Chair, Provincial Advisory Council for the Inclusion of Persons with Disabilities
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Provincial Advisory Council  
for the Inclusion of Persons with Disabilities

July 18, 2012

Honourable Paul Davis  
Minister of Service NL  
Government of Newfoundland and Labrador  
P.O Box 8700  
St. John’s, NL, A1B 4J6

Dear Minister Davis,

Thank you for meeting with me on June 27th. It was great to have an opportunity to discuss issues concerning building accessibility with you and your staff.

As discussed during our meeting, Council strongly recommends that the current building accessibility legislation and regulations be modernized to reflect principles of Universal Design. As well, Council recommends that flexibility be built into the regulations to allow Ministerial discretionary decisions. This would allow common sense to be applied and, when warranted, require higher accessibility requirements than mandated by the current regulations depending on the buildings specific use, for example, the Ronald McDonald House.

I would like to reiterate that Council does not feel a full legislative review is needed. We feel the above recommendations will bring about significant increases in the level of building accessibility and could be applied in a more timely manner.

Council is very willing to support you and your Department in making the necessary systemic changes that will ensure an inclusive and accessible province.

Sincerely,

Joanne MacDonald, O.C., O.N.L.  
Chairperson

c   Hon. Joan Burke, Minister Responsible for the Status of Persons with Disabilities  
   Mary Reid, Director, Disability Policy Office
Hi Bill,

Thanks for popping by last week to chat about the blue zone parking here at the Confederation Building. As we discussed, best case scenario right now is for the parking spots to have slip resistant paint – which you indicated is what’s currently being painted onto the parking spaces. DPO will continue to have discussions with Service NL about the potential hazards with having the entire space painted but we do understand that compliance is required by Sept 15th.

And thank you for your understanding concerning the parking space sizes. Your suggestion of placing 1500 mm access aisles on either side of each 2400 mm space (or larger where possible) would be helpful.

Regarding the discussion about the height of signage, we wondered if a possible solution for reducing the risk of someone hitting their head/face into the actual sign would be to create some sort of base around each post (possibly concrete). Of course, an individual may still hit the base but they should avoid actually hitting the sharp edge of the metal sign itself. Potentially, someone using a white cane would quickly identify the base and avoid the post/sign altogether.

One last note, Bill, as you know I did try out the accessible parking spots at the back of the West Block but the path to the door and, in particular, the door not being a level entrance and not being automated was challenging. DPO would actually advise removing the accessible sign from that entranceway, unless changes were made.

Thanks again, Bill, for your support...it is much appreciated. Kim

Kim Gillard
Disability Policy Office
Government of Newfoundland and Labrador
Telephone: 709-729-6288
TTY: 709-729-5440
Fax: 709-729-6237
Mary Reid  
Director  
Disability Policy Office  
p 709 729-6208  
tty 709 729-5000

From: Tobin, Susan  
Sent: Monday, June 01, 2015 4:21 PM  
To: Taylor, Jennifer  
Cc: Reid, Mary M  
Subject: FW: Press release - Blue Zone

Hi Jen – here is one email regarding the ATIPPA request – not sure if this fits but sending on for your review:

Susan

SUSAN TOBIN, BA, MER  
Program and Policy Development Specialist  
Disability Policy Office

Department of Seniors, Wellness and Social Development  
Government of Newfoundland and Labrador  
St. John's, NL A1B 4J6  
709-729-6275 (t) | 709-729-5560 (f) | susantobin@gov.nl.ca

From: Donnan, Hugh  
Sent: Friday, September 14, 2012 3:47 PM  
To: Reid, Mary M  
Cc: Beehan, Chelsea; Kelland, Donna; Tompkins, John; Tobin, Susan  
Subject: Press release - Blue Zone

All,  

I passed this through COD-NL and they have agreed to partner on the release, and there is a quote in there now from Michelle Murdoch. She also made a few other adjustments, which I think are good.

See attached. If now all ok, I'll send through standard comms process and get this one out on Tuesday. Also I'm looking to have Minister Davis out in the media mid next week to ensure the message is being received; also may look to run an awareness ad next weekend in Telegram and Western Star.

Cheers,  
Hugh
Comments regarding press release are as follows:

1. Replace “those” [people] with “individuals”. This avoids Us/Them language as per government’s Respectful Language guidelines (first sentence in first paragraph and last sentence in second paragraph)
2. Second sentence seems a little disconnected – Suggest introducing what the changes are and then going into second sentence that starts with These changes...
3. 4th paragraph:
   a. first sentence - replace mobility impaired with blue zone or accessible - mobility impaired is outdated language and should only be used when stating the name of the regulations
   b. Last sentence – replace ‘mobility impaired’ with ‘accessibility’ (it is the international symbol of accessibility)
4. Sixth paragraph: Last sentence of Michelle Murdoch’s quote – sentence structure seems awkward; suggest rephrasing to “It is encouraging to see changes being made that will make blue zone parking more accessible, during winter as well as summer months”

Thank you for the opportunity to review, please call or email if you have any questions about the comments.

All the best,

Mary R

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

Spoke with John who had some good feedback, which I have included in the revised draft attached.

Thanks in advance for anything you can do to assist on this one!

Cheers,
Hugh
Thanks for getting back to me. We are hoping to get this rolling by end of the week.

In addition, I have attached a draft press release we are hoping to issue this Friday. Note that in the release I have included several stakeholders we consulted with on these changes. There is a quote from the COPD; reasoning here is that they were planning to do their own release, and I am hoping that we can do this together and have a single message going out.

Let me know your thoughts on all of this – I have not shared the release with COPD yet regarding the quote. If you could give me thoughts by noon tomorrow I’d appreciate it...

Cheers,
Hugh

From: Reid, Mary M
Sent: Wednesday, September 12, 2012 12:42 PM
To: Donnan, Hugh; Kelland, Donna; Tompkins, John
Cc: Beehan, Chelsea
Subject: Re: Blue Zone Parking

Sorry Hugh

We are in Council meetings to day and tomorrow - is Friday ok with you?
Mary Reid
Director
Disability Policy Office
Government of Newfoundland and Labrador
709 729-6208

Sent Via BlackBerry

From: Donnan, Hugh
To: Reid, Mary M; Kelland, Donna; Tompkins, John
Cc: Beehan, Chelsea
Subject: FW: Blue Zone Parking

Good day,

Have you had a chance to review this? Any comments welcome.

I will have the draft press release for you later today.

Regards,
Hugh

From: Donnan, Hugh
Sent: Monday, September 10, 2012 12:59 PM
To: Reid, Mary M; Kelland, Donna; Tompkins, John
Cc: Beehan, Chelsea
Subject: Blue Zone Parking

Mary/John,
I have been working to prepare a pamphlet to use as we approach the in-force deadline for the new blue zone parking regulations (these are the regulations under “Building Accessibility Regs” which require blue spaces, and permanently mounted signage).

We are preparing now for a press release later this week (which I will share shortly), along with a communications campaign in next week to building owners and local contracting/construction associations.

Attached is the pamphlet mentioned earlier for your review and any comment.

John – I have a short comms plan which I am sending to you in the mail.

Cheers,

Hugh Donnan
Director of Communications

Service NL
Government of Newfoundland and Labrador
2nd Floor West Block, Confederation Building
P.O. Box 8700 St John's, NL A1B 4J6
hughdonnan@gov.nl.ca
t: 709.729.4860 f: 709.729.4754
www.gs.gov.nl.ca
Service NL
September 18, 2012

New Blue Zone Parking Regulations Come Into Force

The Provincial Government recognizes the importance of ensuring parking spaces for persons with disabilities are properly identified and accessible. Amendments were made in February 2012 to strengthen the Buildings Accessibility Regulations which will come into effect for existing buildings on September 30, 2012.

"We have listened to the concerns of persons with disabilities in communities throughout this province and have strengthened our regulations to make buildings more accessible," said the Honourable Paul Davis, Minister of Service NL. "These new regulations have been designed to ensure that building owners and operators are conforming with the new legislation to provide barrier free parking to individuals with disabilities. and I am pleased to see full implementation of the regulations."

The enhancements to the Buildings Accessibility Regulations for "blue zone" parking spaces have been made following consultation with key stakeholders, including the Provincial Advisory Council for the Inclusion of Persons with Disabilities and the Coalition of Persons with Disabilities. These regulations support the provincial strategy for the inclusion of persons with disabilities.

The amended regulations require blue zone parking spaces associated with publicly accessible buildings to have permanent signage. Previously the regulations contained signage requirements, but were not clear on the need for signs to be permanently fixed on a post, building or other structure. This resulted in some temporary signs being removed, for example during snow clearing operations, and the parking spaces being difficult to identify. The regulations also require the parking space itself to be painted blue and designated with the international symbol for accessibility.

Companies that violate these signage requirements could face fines between $1,000 and $25,000 while fines for individuals range from $500 to $5,000.

"While we recognize that more communication and awareness need to be done around blue zone parking, we are pleased that the Provincial Government has taken steps to strengthen the building regulations," said Michelle Murdoch, President of the Coalition of Persons with Disabilities. "These changes will ensure that proper signage will be erected to designate parking spaces for persons with disabilities."
Media contacts:
Hugh Donnan
Director of Communications
Service NL
709-729-4860, 725-6511
hughdonnan@gov.nl.ca

Kelly White
Executive Director
Coalition of Persons with Disabilities
722-7011
kwhite@codnl.ca
Another email request

SUSAN TOBIN, BA, MER
Program and Policy Development Specialist Disability Policy Office
Department of Seniors, Wellness and Social Development Government of Newfoundland and Labrador St. John's, NL A1B 4J6
709-729-6275 (t) | 709-729-5560 (f) | susantobin@gov.nl.ca

-----Original Message-----
From: Reid, Mary M
Sent: Friday, September 28, 2012 12:46 PM
To: Tobin, Susan
Subject: RE: reg.s - 651-04 version

Thanks very much!!

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

-----Original Message-----
From: Tobin, Susan
Sent: Friday, September 28, 2012 9:00 AM
To: Reid, Mary M
Subject: FW: reg.s - 651-04 version
Importance: High

Hi: did you get this email below - I am sending it to your bberry also

Susan

-----Original Message-----
From: Tobin, Susan
Sent: Friday, September 28, 2012 8:35 AM
To: 'Mary Reid'
Subject: RE: reg.s - 651-04 version
Importance: High
Hi - here is what is accessible parking spots in the 651-04 version - just called you no ans - give me a call if you know if we have the 651-12 version

Cars
Designated parking spaces - at least 2400 mm wide And adjacent access ilse 1500 mm wide

Curbs shall note impede access to the isle and two parking spaces may share a common access isle.

Vans
Designated parking spaces - at least 2600 mm wide And adjacent access ilse 2000 mm wide

-----Original Message-----
From: Mary Reid [mailto:xxxxxxxxxxxxxxxxxxxxxxxxs. 30(1)]
Sent: Friday, September 28, 2012 8:16 AM
To: Tobin, Susan
Subject: Re: reg,s

ps, i just got the nl gov info, only need the csa measurements. this is the canada standards association, accessibility for built environment, new version 651-12

thanks

Mary Reid

On 2012-09-28, at 8:11 AM, Mary Reid <xxxxxxxxxxxxxxxxxxxxxxxxs. 30(1)> wrote:

> good morning Susan
> 
> i am going into 9:15 meeting with COD board.
> 
> some accessibility questions and issues were raised last night at the agm and will be raised this morning.
> 
> could you please confirm measurements required for accessible parking spots and side aisles as found in nl gov regulations and csa standards. we have csa standards on shared.
> 
> thanks,
> 
> Mary Reid
Provincial Advisory Council for the Inclusion of Persons with Disabilities
March 20 – 21, 2013
The Rooms, 9 Bonaventure Avenue, St. John’s
Meeting Notes

Attendees: Sherry Gamin-Walsh Leon Mills, Lynn Green, Elizabeth Chaulk, Delia Connell, Oswald Gould, Ian Murley, Myles Murphy, Susan Ralph

Regrets: Ray McIsaac, Karon-Ann Parsons, Dennis Gill, Carmel Casey, Karen Westcott

Opening Comments
Sherry Gamin-Walsh was selected by members to chair the meeting. Members were welcomed to the meeting and the agenda was reviewed. Jubilee Award recipients: Myles, Dennis, Ray and Joanne (former chair) were acknowledged and congratulated.

The Learning

Members’ Roundtable
Members shared current experiences in their lives and community. Items flagged included use of quiet rooms in schools and hospitals and LMAPD funding.

Disability Policy Office
News from the Disability Policy Office included current policy work (communications, procurement), new resources (guidelines for accessible meetings; training in creating accessible pdfs) accessibility improvements in the Office, accessible vehicle funding and inclusion grants update. Trends included 911 texting, web accessibility standards (ISO) and accessibility legislation.

Government Directions
Council considered current government strategies and commitments as they relate to persons with disabilities. Each strategy was summarized to key points.

Chair of Building Accessibility Advisory Board
Dan McCann, Chairperson of the Building Accessibility Advisory Board discussed some priorities identified by his Board. Council shared information on their work in accessibility of built environment as related to the Act. Dan suggested that Council and he meet together on a regular basis to share information, build relationship between the two bodies.

Definitions of Disability
Council explored definitions of disability as currently used in provincial programs and legislation. Additional work will be done with advising on use and purpose of definitions

Labour Market Report
Council was briefed on the federal labour market report entitled Re-thinking Disability in the Private Sector. Council will address employment as one of their priority items.
The Work

Position Statement Planning Session
Senior representatives from Advanced Education and Skills (Deputy Minister, Assistant Deputy Minister and Parliamentary Secretary) met with Council. There was mutual agreement to have a standing agenda item for discussion and updates, particularly in regards to Council’s position statements following their submission.

Assistive Technology (AT)
Council advanced their discussions on how best to develop a provincial Assistive Technology Program. Agreement was reached on definition, scope, consultation processes and identification of research needs and cost projections.

Employment: Next Steps
Council deferred discussions on development of position statement on employment and instead identified practices that would ensure employment services offered through AES Career Centres are inclusive of persons with disabilities.

College of North Atlantic / MUN review of Accommodating Students with Disabilities
Libby Chaulk, College of North Atlantic and David Philpott, Memorial University presented their joint initiative; Council provided input on how to advance policies and practices that support leaners with disabilities – 13 suggestions were provided by Council.

Business items
Correspondences between the Minister Responsible and former Council chairperson and incoming correspondence from Child, Youth and Family Services were tabled.

Actions:
1. DPO will follow up with the Chair of Building Accessibility Advisory Board about annual face-to-face meetings.
2. Council will write the Minister Responsible about status of first action plan for the Strategy for Inclusion.
3. Council will write the Minister of Advanced Education & Skills stating concerns about the cuts made to Employment Assistance Services as relates to persons with disabilities and suggestions for ensuring services are accessible.
4. Disability Policy Office will seek information on status of LMAPD funding, payment of family care-givers and inclusion of persons who are deaf with the Sport and Recreation Strategy.
5. DPO will follow up with the Deputy Minister on position statement process/communication.
6. Disability Policy Office will draft a position statement on Assistive Technology
7. DPO will advise government departments on the trend from TTY to text lines

Next Meeting
Next meeting was tentatively scheduled for 2nd week of June.
Hello Dan,

On the behalf of Mary Reid, please refer the attached files. Thank you and have a great day.

Warmly,
Karen

Karen Davis
Departmental Program Coordinator
Disability Policy Office
Advanced Education & Skills
Government of NL
Email: karendavis@gov.nl.ca
April 4, 2013

Dear Mr. McCann,

Thank you for meeting with the Provincial Advisory Council for the Inclusion of Persons with Disabilities on Wednesday March 20, 2013.

It was a good opportunity for sharing information on mandates and current priorities of the two advisory bodies.

As you know, Council has considered and advised on the importance of universal design, enforcement and keeping regulations current with changing needs and trends. Council requested that the attached power point presentation be forwarded for your information. This was put together by Joanne MacDonald to illustrate how barriers continue to exist with regards to accessible parking.

As proposed during your meeting with Council, we will seek opportunities for the Accessibility Board and Advisory Council to share information of mutual interest. Council suggests this happen on an annual basis.

Once again, thank you for staying in St. John’s to meet with the Council.

Sincerely,

Mary R

Mary Reid
Director
Disability Policy Office

C Provincial Advisory Council for the Inclusion of Persons with Disabilities
*Accessibility

30 Years Post Legislation

"When access is created does it really exist?"

Joanne MacDonald
*Parking Challenges
*The Sign says
*No signage*

Blue zone parking disappears
* No signage for barrier free pathway

* Don't see a permit for this big rig!
*It’s gone to the ducks!*

*Some designs just don’t work!*
*Access symbol larger than space!!
*Why so far to pee?

*So many different designs
*Difficult slopes and ramps
*A little challenging
*Undignified access
*Windbreaks.....
*Other interesting situations*
*Examples for consideration....
"Accessibility means not having to ask"
Eric Norman

Thank you
To log / TRIm –
Note: related to previously received correspondence - (which was trimmed).

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

From: joanne macdonald [mailto:joannemacdonald@gov.nl.ca] s. 30(1)
Sent: Tuesday, February 18, 2014 9:44 AM
To: Crummell, Dan
Cc: O'Brien, Kevin; Reid, Mary M; Murphy, George
Subject: Fwd: Buildings Accessibility Advisory Board

Good morning Minister Crummell: On January 24th I wrote to inquire about the Buildings Accessibility Advisory Board and its current status. To date I have received no reply. As you know this Board is appointed by the Lieutenant Governor-in-Council under the authority of section 18 of the Buildings Accessibility Act, RSNE1990 B-10. Therefore this Board should be appointed, as legislation requires, and operational.

Please advise if this Board is functioning and who is chairing the Board.

Thank you for your anticipated response.
Joanne MacDonal

-------- Forwarded message --------
From: joanne macdonald <joannemacdonald@gov.nl.ca> s. 30(1)
Date: Fri, Jan 24, 2014 at 12:44 PM
Subject: Buildings Accessibility Advisory Board
To: DanCrummell@gov.nl.ca
Cc: "kevinobrien@gov.nl.ca" <kevinobrien@gov.nl.ca>, Mary Reid <MaryReid@gov.nl.ca>

Hi Minister Crummell: This email is to inquire about the status of the Buildings Accessibility Advisory Board. I am very interested to know if this Board is operational? Accessibility is extremely important to me and I believe the Advisory Board can play a significant role in improving access in our province but of course only if it is functioning.

Look forward to hearing from you.

Joanne MacDonal, O.C., O.N.L.
Provincial Advisory Council for the Inclusion of Persons with Disabilities
June 4 – 5, 2014
Capital Hotel, St. John’s, NL
Meeting Notes

Attendees: Elizabeth Chaulk, Delia Connell, Paula Corcoran, Dennis Gill, Lorna Gilbert, Justin Mercer, Patricia Moores, Nancy Reid, Paul Walsh, Freeman Wiseman, Bruce Oldford, Donna Piercey (via conference call for June 4 afternoon)

Regrets: Karen Hillier, Philip Lundrigan, Shane Martland, Don Connolly, Norman Austin, Katarina Roxon, Donna Piercey

Opening Comments
Paul Walsh, Chairperson welcomed members to the 14th meeting and provided an overview of agenda items.

The Learning
Members’ Roundtable
There was a brief roundtable on members' expectations for the meeting and agenda. Members discussed building accessibility including compliance, legislation, removal of exemption for historical buildings (i.e. Colonial Building), tourist areas (i.e. George St.) and expansion of the Act to include sensory, mental health, and barometric needs (supporting individuals who have obesity). Members highlighted the housing crisis in Labrador regions.

Presentations
- Inclusion NL - Kathy Hawkins presented on the Inclusion NL website, which is an information tool that promotes and informs employers about accessible work places and accommodations for employment recruitment.
- Mental Health - Paula Corcoran provided information on the recently launched mental health awareness campaign called “Understand Now”. This campaign was a partnership between the Consumers’ Health Awareness Network of Newfoundland and Labrador and the Department of Health and Community Services.
- Assistive Technology – the Disability Policy Office presented on Assistive Technology and ongoing work of Council to develop a position paper.

Minister Responsible for the Status of Persons with Disabilities
The Honourable Kevin O’Brien welcomed members, discussed the announcement on the Poverty Reduction Strategy progress report and affirmed government’s commitment to inclusion.

The Work
Housing Preparation
Members brainstormed issues relevant to accessible housing and identified criteria: safe, comfortable, access with dignity and respect, flexible, accommodations for personal space, universal design and accessibility standards, and supports for individuals with disabilities who have aging care-providers.
Housing Discussion with Chief Executive Officer, NL Housing Corporation
Len Simms informed the Council on newly constructed accessible social housing in Pleasantville. Members congratulated Mr. Simms on the adoption of visitable standards for new construction, discussed broad issues and made suggestions including: more accessible units, increased flexibility, Universal Design and accessibility standards, housing and transitional supports for individuals with care-providers, increased resources for occupational therapy and other supports to address waitlists, and reviewing NLHC policies with a cross disability lens. Members stated that housing needs for persons with disabilities and seniors are different and that persons with disabilities should not be placed in housing units or complexes targeted for seniors.

Electoral Process Discussion with the Chief Electoral Officer
Victor Powers provided information about the electoral voting process and challenges faced by his office. Members identified outstanding issues including requiring all voting and poll stations in urban and rural areas to be accessible, development of and adherence to accessibility guidelines for polling and return stations, provision of disability-related accommodations, and building knowledge about accessibility and inclusion with electoral staff, including temporary and contractual staff.

Work Plan
Members reviewed parking lot items from their last meeting and discussed developing a work plan. This document will be a working document to guide members to achieve their goals in the following areas: housing, engagement, communication, disability-related supports, education, built environment, accessibility and inclusion, and services with dignity. Other flagged topics were: access to assistive technology, awareness, health care, long-term care, supported decision-making (legislation), and employment.

Discussion with Buildings Accessibility Advisory Board Chairperson
Cecilia Carroll discussed an overview of the Board’s recent meeting. There was consensus that relevant information is routinely shared between Council and the Board. Dennis Gill agreed to be the link between the Board and Council. Council will develop and share a discussion paper on its concerns relative to building accessibility and provide this to the Board.

Actions
1. Chair will write Minister O’Brien regarding discussion with the Chief Electoral Officer.
2. Disability Policy Office staff will draft:
   a) Buildings Accessibility discussion paper
   b) Council work plan (with conference call if required)
   c) Annual Report

Next Meeting
Next meeting is tentatively scheduled for September 3-4, 2014 in Gander, NL.
Hi Jen: here is a document that was completed in 2011, but was used for building another document. The other will be captured through Karen searching Council work.

Susan

SUSAN TOBIN, BA, MER
Program and Policy Development Specialist Disability Policy Office

Department of Seniors, Wellness and Social Development Government of Newfoundland and Labrador St. John's, NL A1B 4J6
709-729-6275 (t) | 709-729-5560 (f) | susantobin@gov.nl.ca

-----Original Message-----
From: Tobin, Susan
Sent: Monday, June 09, 2014 2:13 PM
To: Reid, Mary M
Cc: Davis, Karen
Subject: Emailing: Barriers Concerning Building Accessibility Dec 9 2011.doc

Hi Mary: Here is the paper we were referencing on Friday. You wanted this for Council I believe?

Susan
Your message is ready to be sent with the following file or link attachments:

Barriers Concerning Building Accessibility Dec 9 2011.doc

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.
Barriers Concerning Building Accessibility in Newfoundland and Labrador
Prepared for Service Newfoundland and Labrador
By the Disability Policy Office
December 9, 2011

The Disability Policy Office (DPO) was established in 2009 to promote the inclusion of individuals with disabilities in all aspects of society. Its mandate includes helping government departments ensure their policies and programs do not exclude individuals with disabilities. In supporting its mandate, the DPO collects information about barriers that exist for individuals with disabilities. The office also works with departments and agencies to seek solutions for removing identified barriers as well as preventing new barriers from being created.

The Provincial Government made a commitment in 2007 to ensure individuals with disabilities are included in all aspects of society. This included a commitment to acknowledge the barriers encountered by people with disabilities; and to develop recommendations and strategies to deal with these barriers by talking with individuals with disabilities. This commitment was reiterated in the 2008, 2009 and 2010 Throne Speeches. This commitment was further strengthened in 2011 with the promise to implement a strategy for the inclusion of persons with disabilities. 2011 PC Policy Book also addresses accessibility of the built environment:

"We will be vigilant in ensuring the public buildings we construct: are accessible to persons with physical disabilities that affect mobility; contain features that make them accessible to people who are blind or visually impaired; and, are equipped with visually-cued life safety alarms and text-based telephone devices to make them accessible to, and safe for, persons who are deaf or hard of hearing."

With the development of a provincial strategy for inclusion of persons with disabilities underway, there is a strong focus across government on removing barriers for individuals with disabilities. The strategy will work towards the ultimate goal of ensuring individuals with disabilities have the same opportunities and choices on an equal basis as other citizens in the province. Removing barriers within the built environment is vital to achieving this goal.

Since its creation, DPO has received considerable information about barriers concerning building accessibility. Below is an overview of concerns and suggestions that have been brought to the office’s attention. These have come from the general public, community-based organizations, staff from government departments and agencies as well as the Provincial Advisory Council for the Inclusion of Persons with Disabilities. These cover a wide range of issues and DPO feels they are significant.

The information presented below is grouped thematically. Please note that some of the information overlaps into more than one theme.
Regulations

Physical Access to Buildings

1. There have been incidents reported of individuals being denied access to public programs and services due to government buildings not being accessible. It appears in situations where government staff are made aware that accessibility is creating a barrier for a client, arrangements are able to be made to provide service in an alternate accessible location. This, however, is not a dignified or respectful way for individuals with disabilities to receive service.

2. Public have expressed concern about exempt buildings undergoing extensive renovations (in particular, renovations associated with a change of usage of the building) yet the building remains exempt from including accessibility features because of the current 50% renovation rule for exempt buildings. It has been suggested this is not progressive and not reflective of the spirit of the Act. The public is calling for all buildings to be covered by the Act.

3. Concerns have been voiced about the lack of accessibility requirements in place for new housing developments. It has been suggested that regulations requiring accessibility features be created for new housing developments and that they also encompass requirements for private homes (Example: visibility standards). There are other jurisdictions that have these regulations in place which could be used as a model.

4. Barriers have been reported concerning newly constructed recreational areas, such as boardwalks. The public is suggesting that regulations be expanded to include all features of the built environment (not just traditional building structures) especially in light of the focus on more active lifestyles that involve outdoor activities.

Flexibility in Regulations

5. Entranceways that have steps (even one or two steps) or a raised lip in the doorway have been identified as a barrier to many public places (particularly common in older buildings that are exempt from the BAA). It has been suggested, wherever possible, that these buildings provide ramp access.

6. People have identified barriers with doorways that have just a 32" (810mm) clearance. The emerging accessibility trend is to have a 36" (914.4mm) clearance to accommodate the growing number and variety of mobility equipment that are on the market. Width is especially important if there is a corner to negotiate approaching or leaving a doorway. Wider doorways also provide universal access (Example: moving furniture, a double stroller).

Barriers Concerning Building Accessibility in Newfoundland and Labrador
Disability Policy Office 2 2011-12-09
Cross Disability Perspective

7. Concerns were expressed that accessibility regulations are still heavily focused on physical accessibility. Accessibility needs to be applied from a cross disability perspective which considers the broad spectrum of disabilities.

8. Accessible communications systems are required throughout public buildings including hospital intercoms, elevators, etc. This would include the use of TTY machines, clear signage, visual alarms and visual intercoms.

9. Concerns shared that even when accessible communications systems or other assistive technologies are provided there is a need for operational procedures and staff training to be in place. (Example: training on use of FM audio loop systems, operation of lifts).

Language

10. Language concerning individuals with disabilities should be appropriate and respectful especially when used in public signage. Examples:
    a. “Wheelchair lift” should be referred to as “platform lift”.
    b. It is inappropriate to use “Handicap or Handicapped” to refer to an elevator, parking, etc.

It has been noted that this does not just apply to older signage. It appears to be common practice that new signs are being used in government buildings and elsewhere that use the term “handicap”.

Barriers Concerning Building Accessibility in Newfoundland and Labrador
Disability Policy Office

2011-12-09
Accessible Parking

11. There have been various concerns shared concerning accessible (blue zone) parking:

   a. Painting an entire accessible parking spot blue rather than just a small blue block in the middle of the spot poses an a hazard as the blue paint becomes quite slippery in winter.

   b. Using crosshatching between two accessible parking spaces does not provide adequate space. When crosshatching is placed between two regular sized spots to enlarge the spaces it is often a shared space between two vehicles. Therefore, neither spot is a full sized accessible spot. This poses a problem, for example, for two vehicles with lifts. In addition, it has been reported that people seem more likely to park on top of crosshatching compounding the space issue.

   c. Concern has been expressed about whether the current regulation for the number of accessible parking spots is sufficient in light of the increase in accessible parking permits being issued.

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Signage

12. Signage for accessible parking is not regulated to be permanent and is sometimes being removed (especially in winter time when removing the sign can create ease of plowing the parking spaces). This results in incidents of individuals without permits parking in the designated spots especially in cases where the blue paint is worn and the assumption can easily be made that the particular spot is no longer designated as an accessible parking spot.
13. It's been suggested that including fine amounts on signage could be an effective deterrent to people parking in accessible parking spots without an accessible parking permit.

14. As referenced in the language section, signage for accessible parking should not include the word "handicap".

15. There have been incidents reported and noted where signage is off centre from the actual accessible spot, especially when signs are affixed to buildings or other posts in the general vicinity. This causes confusion. There is a call for consistent and universal signage to be required in the regulations.

16. Concern about the inappropriate use of the international symbol for accessibility by businesses. (Example: International symbol for accessibility being placed by a washroom that was only partially accessible.)

Inspection/Enforcement

17. Barriers have been identified by the public that are created when the standards in place do not ensure accessibility features are operational and kept in good repair. Examples:
   a. Pre-1982 restaurants where a ramp is added but a wheelchair cannot fit through the doorway.
   b. Automatic doors that are turned off
   c. Windbreaks that are built after inspection often impede barrier free pathways from parking to entrance of a building.

18. Curb cuts not properly constructed as defined in the BAA present access issues and need to be reassessed in certain areas (Example: outside of exempt buildings such as outside the West Block of Confederation Building)

Classifications

19. It's been indicated that people face significant barriers in accessing lodging because boarding houses, lodging houses, and bed and breakfasts that accommodate less than 10 people do not fall under the BAA regulations.

20. Concerns expressed that some buildings do not fit neatly into a classification category and this can lead to inappropriate classification and resulting accessibility barriers. It has been suggested that the determination of classification involve a broader consultation process with building owners and building users along with architects and contractors. Classification needs to consider the purpose of the
building and the spirit of the Act to ensure barriers are not created by the regulations associated with the classification. (Example: Memorial University residence being classified as a hotel resulted in low accessibility requirements that do not reflect the building's usage.)

21. Additionally, even proper classification of a building can lead to barriers to access due to the applicable regulations that are specific to the classification. For example, we were recently made aware of a new building which was classified as mixed occupancy (i.e. mixed use of residential and business group C and D). This was the proper classification based on the regulations; however, it did not reflect the use of the building. More specifically, the regulations did not require this building to have automatic doors based on its classification, however, based on the building's usage automatic doors were needed.

Universal Design

22. It's frequently suggested that Universal Design principles be built into the BAA regulations. Current regulated accessibility features are not necessarily accommodating to the widest audience possible as Universal Design would be. Including Universal Design principles into the BAA would also provide for flexibility for the Act to shift to meet changing accessibility trends. The standard of implementing Universal Design principles in housing development has already been initiated in the province. In a federal-provincial agreement that supports affordable housing development, NL Housing Corporation's call for proposals requires specified Universal Design features in the housing design. (See attached 2011 Proposal Call guidelines, Appendix A.)

23. Experiences reported where inspectors and architectural engineers lack the specific knowledge to provide an accessibility lens and Universal Design principles to building construction. It's been suggested that an education component integrated into the process of submitting building plans would help ensure accessibility features are included in the design stage. Examples suggested:
   a. Using the expertise of the Provincial Universal Design Network would be valuable
   b. Information booklet or resource library
   c. Using in-house expertise

Public Awareness & Knowledge Building

24. Examples have been cited throughout the province that highlight the intent to make buildings more accessible, however, the quality/safety of the accessible renovations/retrofit have been compromised. This may be due to a lack of
information about the standards for accessibility; this may be due to standards not being extensive enough or a combination of both. Examples cited include:

a. There is great concern when an emergency exit is designated as the only accessible entrance to a building. This compromises dignity and safety.

b. Access to buildings with dignity is compromised when the accessible entrances are the secondary entrance.

c. Dignity can be further compromised when the secondary entrance is located at the back of the building often with unpleasant esthetics or sometimes safety hazards if they are not well lit or the doors lock automatically. This is even more problematic if this entrance serves as the only accessible emergency exit.

d. Dignity is compromised when the elevator available for use for access for a person with a disability is a freight elevator.

e. Safety is compromised when ramps are constructed properly but the access to the bottom of the ramp is gravel rather than a solid asphalt or concrete pad.

f. Access is denied if a ramp leads to a door which is not wide enough for mobility equipment (i.e. wheelchair or scooter).

g. Access is denied when a ramp does not extend to the actual entranceway (see photo below).

25. There are reported incidents where accessibility has decreased rather than increased over time. This can occur when an exempt building has been upgraded to include accessibility features but these features are then removed in the future. (Example: An exempt building which adds a ramp but then later removes it.)

26. Concern expressed about public buildings, such as restaurants, having an accessible ramp and advertising their building “as being accessible” without having an accessible washroom.

27. It has been suggested that in circumstances where a building is exempt from the current code, there should still be avenues for contractors and designers along with the general public to have knowledge about access for all individuals with disabilities. Providing information to help apply a cross disability perspective to...
building accessibility would be valuable. (Examples: Decorative tiling or fluorescent lighting can create barriers for individuals with sensory disabilities; way finding materials can assist an individual with vision loss; clear signage can assist all individuals; appliances with low noise are helpful for individuals with hearing loss.)

Human Resources

Some of the accessibility barriers cited are related to a human resources issue. In some cases, there would need to be a human resources component created to support some initiatives. In other cases, there would be a need to increase the existing human resource capacity.

28. It has been highlighted that an increase in the number of inspectors would help identify and remove barriers in a timelier manner.

29. The public has indicated the lack of a clear formalized complaint process and procedures make it difficult to report issues with the BAA and to have them addressed efficiently. A clear complaint process – one that is transparent, advertised, has service standards and a set protocol – has been suggested.

30. Follow-up on registered complaints as well as spot checks have been suggested.

31. It has been identified that only following the existing Act and Building codes gives a very minimal level of accessibility and sometimes even significant gaps in accessibility. It has been suggested that individuals/companies involved with new developments should have expertise and information to include accessibility features during the design and construction stage. This would require human resources to ensure this information was compiled, made available to those who need it and support to ensure proper application.

32. Many people have suggested there be stronger enforcement of the BAA. This would include significant fines for contravention along with more awareness for the need for accessibility (Example: advertisements).

33. It has been suggested the use expertise of consumers in conducting audits of buildings and helping enforce regulations would ensure a higher level of accessibility.

34. There has been concern expressed that the Government is unable to easily determine if exemptions are being granted to post 1982 buildings. There has also been concern expressed that generally information concerning building accessibility is not readily available.
35. It has been suggested that secretariat support for Building Accessibility Advisory Board would help ensure maximum value of this resource.

DPO Analysis

Based on information received by the DPO and our own expertise concerning accessibility of the built environment throughout the province as well as emerging trends, the DPO feels it is timely for Service NL to review the Buildings Accessibility Act (BAA) and Regulations. The Act was meant to ensure accessibility of the built environment for individuals with disabilities, the spirit in which the Act was created is negated when it is followed only to the minimal standards.

For example, research indicates the minimum standards in the National Building Code do not appear sufficient to meet the needs of citizens with disabilities. Currently, the National Building Code is referenced in the BAA but it does not require accessible housing to be built at all, does not require that a minimum number of “barrier-free” units be created in the process of construction, nor does the National Building Code require any specific “barrier-free” features in new buildings. Additionally, the BAA references the 1990 Canadian Standards Association (CSA) – Barrier Free Design guidelines. This document is now considered outdated and has been replaced with a 2004 version which was reprinted in 2010, Canadian Standards Association (CSA) – Accessible Design for the Built Environment.

Legislation was intended to increase accessibility. It was meant to guide people to think and act with optimal access in mind. It has, however, often resulted in people focusing on how they can most easily achieve the minimum requirements. This kind of thinking has slowed the increase of access. Sometimes it has even impeded accessibility or caused decreases in access. There is a clear need for legislation that promotes and supports the spirit of access for all: legislation that is modernized to reflect today’s values and beliefs about access for inclusion, legislation that is also flexible enough to continue to keep up with emerging trends.

Implementing current progressive standards (that are supported by a sufficient level of inspection and enforcement) can address many of the barriers and issues highlighted in this document. These include the current CSA – Accessible Design for the Built Environment and the Americans with Disabilities Act (ADA) Standards for Accessible Design. Also, resources such as the Facility Accessibility Design Standards (FADS).

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4 Barriers Concerning Building Accessibility in Newfoundland and Labrador Disability Policy Office 9 2011-12-09
may be taken into consideration in the planning and design of buildings to remove and prevent barriers for individuals with disabilities.

We caution that there is no one set of standards that is the ideal model for accessibility. We still see minimum doorway clearances at 32" (810mm) in many standards. FADS, however, recommends 37.5" (952.5mm) for new builds and 33.5" (850.9mm) for retrofits of doorways where the 37.5" (952.5mm) is not technically feasible. This is also supported by the doorway widths recommendation of Canada Mortgage and Housing Corporation (CMHC) to exceed the minimum 32" width. This reinforces the need for legislation to be flexible as well as the need to tap into the expertise of consumers.

National and international trends in building accessibility illustrate a progressive view of accessibility – a view which our province should be striving to lead, in light of the current development of a provincial strategy for the inclusion of persons with disabilities. An example of a current national trend is ramp ratio. The more gradual the slope of a ramp (i.e. the less steep it is), the more easily people can use it without assistance. According to the current CSA guidelines, ramps with a gradient of 1:20 are preferred. Based on this trend, provincial regulations could implement 1:20 as the preferred ratio for ramp gradient and 1:12 as the minimum standard.

Following progressive national and international trends and community needs, it is recommended that Universal Design principles be incorporated into the BAA. If a full review of the BAA should occur, it would be an ideal opportunity to explore avenues for integrating Universal Design into the Act and Regulations. Building accessibility trends are heavily grounded in Universal Design principles as it meets the diverse needs of the public and, in the long-term, makes good economic sense. In the meantime, it is recommended that Universal Design principles be implemented in government buildings as well as information and encouragement be provided for others to implement as well.

It is recommended that information and resources on accessibility “know-how” be provided to the public and the construction industry. As illustrated earlier in this document, there are many circumstances that impede access simply due to a lack of knowledge. It has been suggested that information needs to be provided on both the need for creating barrier-free environments including the legal obligations to accessibility and the process for achieving barrier-free environments. This information could be provided in print format (booklets, pamphlets, posters), in electronic formats that could be placed online (including video demonstrations) and through a resource person.

This photo illustrates the lack of knowledge of the standards for the placement of the toilet paper dispenser resulting in loss of its function.

It is further recommended that Buildings Accessibility Advisory Board (as was done in the past) be utilized as a vital resource in supporting a review of the BAA including the application of Universal Design. The Board would also be an invaluable source of expertise in helping develop information and resources for the public.

As highlighted in the human resources section, it could be beneficial for Service NL to examine its human resources capacity as it relates to supporting building accessibility. Exploring options for providing human resources to support establishing a formal complaint system, reviewing the existing Act, and enforcing existing (and potentially new) regulations would be significant to successfully removing many of the identified barriers.

It is further recommended that Service NL draw on the expertise of consumers to support Service NL’s role in ensuring building accessibility. The Building Accessibility Advisory Board would be a great resource to utilize. The DPO office can support Service NL in engaging consumers in a variety of other consultation processes.
Appendix A

Excerpt from Newfoundland and Labrador Housing, Private Sector Affordable Housing 2011 Proposal Call – Annex B

5. Universal/Visible Design

All Affordable Housing Projects must include one unit that is fully accessible, meaning designed in accordance with CAN/CSA – B652-95 “Barrier Free Design” and the Buildings Accessibility Act and Regulations of Newfoundland and Labrador.

All other units in the Affordable Housing Project must be visitable and include the following features of universal housing design:
- One level, no-step entrance - minimum 36 inches (91.4 centimetres) wide, on an accessible route.
- Wider doorways – minimum 34 inches (86.36 centimetres) wide, clear space when open.
- A wheelchair accessible bathroom on the main floor.
- Reinforced bathroom walls (for the installation of grab bars).
- Levered door handles and single-lever kitchen and bathroom faucets.
- Raised electrical outlets – 18 inches (45.7 centimetres) from the floor.
- Lowered climate controls.
- Lowered light switches – 48 inches (121.9 centimetres) from the floor.
- Knee space under the sinks for wheelchair space.
- Windows at a height of 1000 mm from the floor that feature easy-to-operate opening and locking systems.
- Floor finishes that are level, smooth, slip-resistant and glare free – providing enhanced safety and comfort.

Other low-cost features of universal design to consider:
- Enhanced levels of lighting throughout – easy to adjust to suit all needs and preferences.
- Additional lighting where it is most needed – under upper cupboards in the kitchen, illuminating the work surfaces.
- Kitchen cupboards and work surfaces with contrasting colors, making doors, door handles, counters and so on, easier to see and use.
- Kitchen cabinets that incorporate lots of drawers and pull-out shelves. This brings items closer to the user, eliminating the need to reach to the back of cupboards.
- Stairs that feature steps that are deeper and shorter, as well as safety-designed nosings (the front part of a step that hangs over the step below). Stair nosings should be shaped to guide the foot over the front of the step.
- Stairways that feature continuous handrails on both sides that are easy to grasp for small and large hands.
- Appliances that feature large, easy-to-read controls that are comfortable to reach.
• Faucets and other controls that can be operated with minimal strength – such as hands-free faucets and motion-sensing light switches.
• A smoke alarm system that provides audible alarm sounds, as well as visual signals (flashing strobe lights).
• An intercom, a door bell and a telephone system that feature visual signals as well as sounds.
• Enhanced levels of evenly distributed, glare-free lighting, to facilitate lip-reading and the use of sign language.
• Quiet mechanical systems and appliances that reduce background noise and provide the best environment for people with limited hearing ability.

These universal design features provide independent access for everyone, including people with limited mobility.
Taylor, Jennifer

From: Reid, Mary M
Sent: Tuesday, July 29, 2014 11:11 AM
To: Davis, Karen
Subject: RE: Council input

Yes, it does,
thanks

Mary Reid
Director
Disability Policy Office
p  709 729-6208
tty 709 729-5440

From: Davis, Karen
Sent: Tuesday, July 29, 2014 10:47 AM
To: Reid, Mary M
Cc: Tobin, Susan; Paul Walsh (acadean@gmail.com)
Subject: RE: Council input

Hello,
I have checked the records and the Council was not consulted on legislative changes of blue zone parking. However the Council was informed of the changes.

I hope this helps.
Thanks
Karen

Karen Davis
Departmental Program Coordinator
Disability Policy Office
Confederation Building West Block 3rd floor
karendavis@gov.nl.ca

From: Reid, Mary M
Sent: Thursday, July 24, 2014 4:04 PM
To: Davis, Karen
Cc: Tobin, Susan; Paul Walsh (acadean@gmail.com)
Subject: Council input

Hi Karen:

Can you advise if Council was consulted on the legislative changes to blue zone parking....Can you please check records (notes/minutes)
Mary Reid
Director
Disability Policy Office
p 709 729-8208
tty 709 729-5440
Mary can you review please? Not sure if Minister will be taking part in release yet.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Colman-Sadd, Vanessa  
Sent: Tuesday, September 9, 2014 1:02 PM  
To: Tompkins, John  
Subject: Blue Zone Parking MOU news release

Hey John, 
As promised, here’s the news release on the announcement we’re planning for Friday. Can you run it by the Disability Policy Office to ensure they’re ok with the language etc?

Thanks  
Vanessa
Service NL  
September 12, 2014

Promotion of Blue Zone Parking Spaces Strengthens Communities

New MOU Raises Promotion and Awareness of Blue Zone Parking

A new partnership between Service NL and the Coalition of Persons with Disabilities – Newfoundland and Labrador (the Coalition) will help promote education and awareness of the proper installation of blue zone parking spaces for businesses and municipalities.

"In 2012, Service NL strengthened the requirements for blue zone parking spaces so that these spaces would be clearly identified, permanent and kept in good repair. Although many businesses have complied with these changes, some others have not yet come into full compliance. I am pleased that with this new partnership with the Coalition, we can draw on their knowledge and expertise to further raise awareness and encourage compliance."

- The Honourable David Brazil, Minister of Service NL

Service NL will be contracting the professional services of the Coalition for $25,800 to develop promotional materials and host information sessions for businesses, municipalities and the general public. Service NL will also provide printing services for the promotional materials.

Quote from Kelly White, Executive Director of the Coalition

The Coalition will work with the Minister’s Buildings Accessibility Advisory Council in developing the materials and the plan for information sessions.

Quote from Ms. Cecilia Carroll, Chair

The use of blue zone parking spaces is a necessity for people with certain disabilities. Since 2012, public buildings have been required to clearly identify parking spaces through permanent signage, and ensure the signage is kept in good repair.

QUICK FACTS
- Service NL and the Coalition of Persons with Disabilities – Newfoundland and Labrador (the Coalition) have entered into a partnership to raise awareness of the proper installation of blue zone parking signage and the use of these spaces by people with proper permits.
- Service NL is contracting the professional services of the Coalition for $25,800 for the development of promotional materials and information sessions.
- Changes to the Buildings Accessibility Regulations were made in 2012 to strengthen the requirement that signs identifying spaces designated for persons with physical disabilities be clearly identified, permanent and kept in good repair.
- Companies that violate these signage requirements could face fines between $1,000 and $25,000 while fines for individual building owners range from $500 to $5,000.
- Amendments to the Designated Impaired Mobility Parking Regulations under the Highway Traffic Act also increased fines for illegal parking to between $100 and $400, up from the previous fine range of $45 to $180.

Media contacts:

Vanessa Colman-Sadd
Director of Communications
Service NL
709-729-4860, 682-6593
vanessacolmansadd@gov.nl.ca

Kelly White
Executive Director
Coalition of Persons with Disabilities — Newfoundland and Labrador
709-722-7011
Day, Elizabeth

From: Reid, Mary M
Sent: Tuesday, September 09, 2014 4:16 PM
To: Tompkins, John
Cc: Lindahl, Lisa; Day, Elizabeth
Subject: RE: Blue Zone Parking MOU news release

Super

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

From: Tompkins, John
Sent: Tuesday, September 09, 2014 2:47 PM
To: Reid, Mary M
Cc: Lindahl, Lisa; Day, Elizabeth
Subject: RE: Blue Zone Parking MOU news release

Thanks Mary. Service NL is incorporating your changes except for the last sentence of the Minister’s quote. I think it’s a run-on sentence and suggested it read as follows: “I am pleased that with this new partnership with the coalition. We can draw on their knowledge and expertise to further raise awareness and encourage compliance.”

From: Reid, Mary M
Sent: Tuesday, September 09, 2014 2:25 PM
To: Tompkins, John
Cc: Lindahl, Lisa; Day, Elizabeth
Subject: RE: Blue Zone Parking MOU news release

From inclusion perspective

Suggest that:

- Cecilia Carroll be identified as Chairperson, Buildings Accessibility Advisory Board
- Changes to the Buildings Accessibility Regulations were made in 2012 to strengthen the requirement that signs identifying spaces designated for persons with physical disabilities be clearly identified, permanent and kept in good repair. This sentence seems awkward, try ... spaces designated as blue zone parking are clearly identified, and that signage cannot be removed, follows a prescribed design and is kept in good repair.
- Suggested re-write: ...The Coalition will collaborate with the Buildings Accessibility Advisory Council in developing materials and information sessions.
- Replace sentence about necessity for people with certain disabilities with: Blue zone parking is essential to greater inclusion and participation across the province. (more respectful)

For plain language:
• replace MOU with contract or spell out
• Suggest re-write of the Minister's quote: "In 2012, Service NL strengthened regulations for blue zone parking requiring spaces to be clearly identified with permanent signage and kept in good repair. Although many businesses have complied, others have not yet reached compliance. I am pleased with this new partnership with the Coalition. We will all benefit from the knowledge, expertise and work of the Coalition."

Mary R

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

From: Tompkins, John
Sent: Tuesday, September 09, 2014 1:34 PM
To: Day, Elizabeth; Reid, Mary M
Cc: Lindahl, Lisa
Subject: RE: Blue Zone Parking MOU news release

I'll pass that along Betty, thanks.

From: Day, Elizabeth
Sent: Tuesday, September 09, 2014 1:25 PM
To: Tompkins, John; Reid, Mary M
Cc: Lindahl, Lisa
Subject: RE: Blue Zone Parking MOU news release

John, I know Vanessa asked for a review from an inclusion perspective which I know Mary will complete but just a couple of other suggested edits for Vanessa's consideration, if you think it appropriate to pass these items along:
• The reference to the Minister’s Buildings Accessibility Advisory Council – I know it as the Buildings Accessibility Advisory board which is how it is referenced in legislation;
• The reference to the Designated Impaired Mobility Parking Regulations should be Designated Mobility Impaired Parking Regulations in order to be consistent with the actual name of the regs.
• Typo - period missing at the end of second last bullet.

Betty

Elizabeth Day
Assistant Deputy Minister
Department of Advanced Education and Skills
Community and Social Development
t. 709.729.5151
e. elizabethday@gov.nl.ca

From: Tompkins, John
Sent: Tuesday, September 09, 2014 1:04 PM
To: Reid, Mary M; Day, Elizabeth
CC: Lindahl, Lisa
Subject: Fw: Blue Zone Parking MOU news release

Mary can you review please? Not sure if Minister will be taking part in release yet.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Colman-Sadd, Vanessa
Sent: Tuesday, September 9, 2014 1:02 PM
To: Tompkins, John
Subject: Blue Zone Parking MOU news release

Hey John,
As promised, here’s the news release on the announcement we’re planning for Friday. Can you run it by the Disability Policy Office to ensure they’re ok with the language etc?

Thanks
Vanessa
Burt, Julia

From: Reid, Mary M
Sent: Tuesday, July 21, 2015 12:29 PM
To: Burt, Julia
Subject: FW: Blue Zone Parking MOU news release revised

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5000

From: Lawlor, Lisa E
Sent: Wednesday, September 10, 2014 12:14 PM
To: Reid, Mary M
Cc: Tompkins, John; Robinson, Lynn
Subject: RE: Blue Zone Parking MOU news release revised

Not a problem. They are still listed as COD-NL on their twitter account.

From: Reid, Mary M
Sent: Wednesday, September 10, 2014 12:14 PM
To: Lawlor, Lisa E
Cc: Tompkins, John; Robinson, Lynn
Subject: RE: Blue Zone Parking MOU news release revised

Thanks for letting us know

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

From: Lawlor, Lisa E
Sent: Wednesday, September 10, 2014 12:12 PM
To: Reid, Mary M
Cc: Tompkins, John; Robinson, Lynn
Subject: FW: Blue Zone Parking MOU news release revised

FYI...see Vanessa's comment below

From: Colman-Sadd, Vanessa
Sent: Wednesday, September 10, 2014 11:53 AM
To: Lawlor, Lisa E; Tompkins, John
Cc: Robinson, Lynn
Subject: RE: Blue Zone Parking MOU news release revised
Hi.
Thanks. I spoke to Kelly about their name this morning. She told me that they’re moving away from using the abbreviated COD-NL and are now using the Coalition. Apparently they were getting a lot of calls from people who thought they had something to do with the fishery.

Thanks
Vanessa

From: Lawlor, Lisa E
Sent: Wednesday, September 10, 2014 11:52 AM
To: Colman-Sadd, Vanessa; Tompkins, John
Cc: Robinson, Lynn
Subject: RE: Blue Zone Parking MOU news release revised

Hi Vanessa,

Here is our approved quote from Minister O’Brien to include in the news release. As well, we spoke with our Disability Policy Office folks, and the correct way to abbreviate the Coalition of Persons with Disabilities is COD-NL. This is how we referred to them in a release we did in April.

Thanks!
Lisa

“This project is another great example of how collaboration with the community of persons with disabilities is helping to advance inclusion and remove barriers. I look forward to continued partnering with COD-NL and others to advance our provincial Inclusion Strategy - helping us move closer to our goal of a society where everyone has a role to play to ensure equal opportunities and choices.”
- The Honourable Kevin O’Brien, Minister Responsible for the Status of Persons with Disabilities

From: Colman-Sadd, Vanessa
Sent: Wednesday, September 10, 2014 8:41 AM
To: Tompkins, John
Cc: Lawlor, Lisa E; Robinson, Lynn
Subject: Blue Zone Parking MOU news release revised

Hi John,
As promised, here’s the revised copy of the news release.

Thanks
Vanessa
Day, Elizabeth

From: Reid, Mary M
Sent: Wednesday, September 10, 2014 11:36 AM
To: Day, Elizabeth
Subject: RE: Blue Zone Parking MOU news release revised

Thanks, I read that part over repeatedly - it was awkward, but I was blank on how to fix it.

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

From: Day, Elizabeth
Sent: Wednesday, September 10, 2014 11:34 AM
To: Reid, Mary M; Lawlor, Lisa E
Cc: Tompkins, John; Robinson, Lynn
Subject: RE: Blue Zone Parking MOU news release revised

Should “continue” be “continued”? Otherwise it looks good to me.

Elizabeth Day
Assistant Deputy Minister
Department of Advanced Education and Skills
Community and Social Development
t. 709.729.5151
e. elizabethday@gov.nl.ca

From: Reid, Mary M
Sent: Wednesday, September 10, 2014 11:31 AM
To: Lawlor, Lisa E
Cc: Tompkins, John; Robinson, Lynn; Day, Elizabeth
Subject: RE: Blue Zone Parking MOU news release revised

Hi Lisa:

Generally the Coalition of Persons with Disabilities is referenced as COD-NL as you have pointed out. This is more familiar to community and media.
While, shortening to the Coalition seems grammatically correct, I agree that it is better to use COD-NL.

The quote from Minister O’Brien could reference this is another great example of partnering with the community of persons with disabilities - (to illustrate that there are many involved when it comes to supporting and advancing inclusion). It is good to link this announcement to the strategy, demonstrating that work is on-going.

“This project is another great example of how collaboration with the community of persons with disabilities is helping to advance inclusion and remove barriers. I look forward to continue partnering with COD-NL and others to advance our provincial inclusion strategy - helping us move closer to our goal of a society where everyone has a role to play to
ensure equal opportunities and choices.”  
- The Honourable Kevin O'Brien, Minister Responsible for the Status of Persons with Disabilities

Mary Reid  
Director  
Disability Policy Office  
p 709 729-6208  
tty 709 729-5440

From: Lawlor, Lisa E  
Sent: Wednesday, September 10, 2014 11:17 AM  
To: Reid, Mary M  
Cc: Tompkins, John; Robinson, Lynn  
Subject: FW: Blue Zone Parking MOU news release revised

Hi Mary,

Attached is the latest version of the Blue Zone Parking release. I’ve drafted a quote for the Min… but we wanted to ask your advice on if you think our Min needs a quote in this release. We are fine with either way. As well, they refer to COD-NL as the Coalition in the release. Is this correct? Should it be COD-NL? COD-NL is how we referred to them in previous releases.

“This project is another great example of the Coalition of Persons with Disabilities – Newfoundland and Labrador working with us to help advance inclusion and remove barriers. I look forward to continue partnering with the Coalition to advance our provincial inclusion strategy - helping us move closer to our goal of a society where everyone has a role to play to ensure equal opportunities and choices.”  
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From: Colman-Sadd, Vanessa  
Sent: Wednesday, September 10, 2014 8:41 AM  
To: Tompkins, John  
Cc: Lawlor, Lisa E; Robinson, Lynn  
Subject: Blue Zone Parking MOU news release revised

Hi John,

As promised, here’s the revised copy of the news release.

Thanks  
Vanessa
Day, Elizabeth

From: Lawlor, Lisa E
Sent: Wednesday, September 10, 2014 11:43 AM
To: Day, Elizabeth; Reid, Mary M
Cc: Tompkins, John; Robinson, Lynn
Subject: RE: Blue Zone Parking MOU news release revised

I’ve made the suggested changes. Thanks everyone!

From: Day, Elizabeth
Sent: Wednesday, September 10, 2014 11:34 AM
To: Reid, Mary M; Lawlor, Lisa E
Cc: Tompkins, John; Robinson, Lynn
Subject: RE: Blue Zone Parking MOU news release revised

Should “continue” be “continued”? Otherwise it looks good to me.

Elizabeth Day
Assistant Deputy Minister
Department of Advanced Education and Skills
Community and Social Development
t. 709.729.5151
e. elizabethday@gov.nl.ca

From: Reid, Mary M
Sent: Wednesday, September 10, 2014 11:31 AM
To: Lawlor, Lisa E
Cc: Tompkins, John; Robinson, Lynn; Day, Elizabeth
Subject: RE: Blue Zone Parking MOU news release revised

Hi Lisa:

Generally the Coalition of Persons with Disabilities is referenced as COD-NL as you have pointed out. This is more familiar to community and media.

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- The Honourable Kevin O’Brien, Minister Responsible for the Status of Persons with Disabilities

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

From: Lawlor, Lisa E
Sent: Wednesday, September 10, 2014 11:17 AM
To: Reid, Mary M
Cc: Tompkins, John; Robinson, Lynn
Subject: FW: Blue Zone Parking MOU news release revised

Hi Mary,

Attached is the latest version of the Blue Zone Parking release. I've drafted a quote for the Min...but we wanted to ask your advice on if you think our Min needs a quote in this release. We are fine with either way. As well, they refer to COD-NL as the Coalition in the release. Is this correct? Should it be COD-NL? COD-NL is how we referred to them in previous releases.

"This project is another great example of the Coalition of Persons with Disabilities – Newfoundland and Labrador working with us to help advance inclusion and remove barriers. I look forward to continue partnering with the Coalition to advance our provincial inclusion strategy - helping us move closer to our goal of a society where everyone has a role to play to ensure equal opportunities and choices."
- The Honourable Kevin O’Brien, Minister Responsible for the Status of Persons with Disabilities

From: Colman-Sadd, Vanessa
Sent: Wednesday, September 10, 2014 8:41 AM
To: Tompkins, John
Cc: Lawlor, Lisa E; Robinson, Lynn
Subject: Blue Zone Parking MOU news release revised

Hi John,

As promised, here’s the revised copy of the news release.

Thanks
Vanessa
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
Hi Keith: I understand from Mary that T & W advised that when the confederation building blue zone spots were being painted, that the painted was slip resistant, and made specifically for this purpose.

Can you advise on the type of paint that is used?

Many thanks, Susan

SUSAN TOBIN, BA, MER
Program and Policy Development Specialist
Disability Policy Office

Department of Advanced Education and Skills
Government of Newfoundland and Labrador
St. John's, NL A1B 4J6
709-729-6275 (t) | 709-729-5560 (f) | susantobin@gov.nl.ca
Please include in pkg for Council

Mary Reid
Director
Disability Policy Office
p  709 729-6208
tty 709 729-5440

From: Walsh, Paul [mailto:pwalsh@newfoundlandpower.com]
Sent: Tuesday, October 21, 2014 10:19 AM
To: Jackman, Clyde
Cc: Reid, Mary M
Subject: Advise Paper on Building Accessibility

Minister Jackman:

On behalf of your Advisory Council on the Inclusion of Persons with Disabilities, I am pleased to provide you with Council’s advice paper on building accessibility.

This paper is the result of work of your Council. It reflects our collected thoughts and recommendations on how government should proceed with enhancements to legislation and regulations regarding accessibility in the built environment. Your Council would like you to share this advice paper with your colleague, the Minister of Service NL, as it would be relevant to his Building Accessibility Advisory Board (BAAB). It is my understanding that the BAAB will meet later this week.

Minister, I appreciate your time on this matter, and I look forward to meeting with you soon to discuss issues relevant to your portfolio as Minister Responsible for the Status of Persons with Disabilities.

Regards,

J. Paul Walsh, MBA, C. Mgr.
Chair, PAC for the Inclusion of Persons with Disabilities
(709)690-2767

"Disabilities are an interaction between a person and the environment. ... Without barriers, there are no disabilities...."
Advice Paper: Building Accessibility in Newfoundland and Labrador
Prepared for the Buildings Accessibility Advisory Board
By the Provincial Advisory Council for the Inclusion of Persons with Disabilities

Background

The Provincial Advisory Council for the Inclusion of Persons with Disabilities advises and informs the Minister Responsible for the Status of Persons with Disabilities on matters concerning persons with disabilities in Newfoundland and Labrador. The Council brings knowledge and understanding of disability-related issues to government and advises government as it develops policies, programs, strategies and recommendations to advance inclusion, and promotes awareness of the barriers experienced by persons with disabilities.

The Advisory Council is supported by the Disability Policy Office, established in 2009 to advance government’s commitment to the inclusion of persons with disabilities in all aspects of society. The office’s mandate includes helping government departments ensure their policies and programs do not exclude persons with disabilities. In supporting its mandate, the office collects information about barriers that exist for individuals with disabilities. The office works with departments and agencies to seek solutions for removing identified barriers as well as preventing new barriers from being created.

In 2012, a provincial strategy for inclusion of persons with disabilities was announced. The strategy has five strategic directions, one of them being Accessibility for All in the Built Environment:

People with disabilities frequently experience limited access to community activities, employment, transportation, housing and education because of inaccessible buildings and facilities. Universal Design was consistently brought forward during the provincial consultations as a solution for making buildings and places where people live, work and play more accessible. By following Universal Design Principles, physical environments, infrastructures, products and programs are, as much as possible, useable by all people without the need for adapted or specialized design. This means that regardless of a disability, people can use buildings, programs and products on an equal basis with others... Accessible neighborhoods are equally important. The concept of visitable housing promotes a design that provides a barrier-free entrance, wider doorways and an accessible washroom - features that enable friends, neighbors and family members to visit.

- Access, Inclusion, Equality.

Provincial Strategy for the Inclusion of Persons with Disabilities in Newfoundland and Labrador
Advice Paper: Building Accessibility in Newfoundland and Labrador
Prepared for the Buildings Accessibility Advisory Board
By the Provincial Advisory Council for the Inclusion of Persons with Disabilities

This advice paper highlights issues, actions and recommendations concerning accessibility and inclusion in the built environment as identified and undertaken by the Advisory Council during 2010 to 2013. It is noted that the Buildings Accessibility Advisory Board was not active during this period. The paper is prepared for the Minister Responsible for the Status of Persons with Disabilities to share with the Minister of Service NL and the Buildings Accessibility Advisory Board.

Issues and Recommendations

The Provincial Advisory Council identified barriers experienced by persons with disabilities throughout Newfoundland and Labrador when accessing the built environment. Some barriers reflect compliance issues and unfamiliarity with the Buildings Accessibility Act and Regulations; others demonstrate gaps in the legislation itself and the challenges of enforcement. The Advisory Council notes the barriers and problems exist throughout the province and are substantially decreasing accessibility.

The following table provides a summary of issues and potential solutions identified by the Advisory Council. Photographs illustrating some of the issues follow the table.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Potential Solutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exemptions:</td>
<td>Amend Legislation /Regulations:</td>
</tr>
<tr>
<td>• Buildings constructed before 1982 are exempt from the legislation.</td>
<td>• Remove regulation that exempts buildings constructed before 1982.</td>
</tr>
<tr>
<td>• By virtue of age, heritage buildings throughout the province are exempt from Buildings Accessibility Act (BAA).</td>
<td>• Require third party, accredited appraisal of building value for exemption applications.</td>
</tr>
<tr>
<td>• In determining whether buildings undergoing renovations are eligible for exemption, the building value is determined by building owners; exemptions have been granted even when renovations are significant (Example: Raymond’s Restaurant).</td>
<td>• Remove 50% renovation exemption.</td>
</tr>
<tr>
<td>• Change in building usage and purpose are not reflected in legislation; resulting in new businesses being established without</td>
<td>• Include changes in building usage as requirement to comply with legislation.</td>
</tr>
<tr>
<td>Issue</td>
<td>Potential Solutions</td>
</tr>
<tr>
<td>-------</td>
<td>---------------------</td>
</tr>
<tr>
<td>accessibility requirements (Example: previously accessible art gallery was located to an inaccessible location in a pre-1982 complex).</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Occancy Permits:</th>
<th>Occancy Permit Requirements:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Occupancy permits can be issued prior to accessibility inspection or compliance (Example: a new university residence opened prior to elevator installation being completed).</td>
<td>• Require inspection and compliance with legislation and regulations prior to issuing occupancy permits.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ramps:</th>
<th>Amend Legislation / Regulations:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Some individuals experience difficulties with ramp gradients of 1:12.</td>
<td>• Revise regulation specification for ramp gradient to 1:16 to 1:20 pending length of ramp (CSA Standard).</td>
</tr>
<tr>
<td>• Poorly designed ramps decrease or prevent access.</td>
<td>• Include accessible door requirements with ramp specifications.</td>
</tr>
<tr>
<td>• Ramps that lead to narrow door ways, with insufficient landing space in front of door or which are subsequently blocked by obstacles such as wind breaks are not accessible.</td>
<td>• Require periodic inspections to ensure ramps are maintained in good condition.</td>
</tr>
<tr>
<td>• Permanent removal of ramps during renovations (Example: Natural Resources Building)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Access to Information:</th>
<th>Amend Legislation/ Regulations:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Individuals with communication barriers related to hearing miss information delivered through audio intercom systems.</td>
<td>• Amend legislation to require alternate visual systems where intercom systems are installed.</td>
</tr>
<tr>
<td>Issue</td>
<td>Potential Solutions</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Barrier Free Routes:</strong></td>
<td><strong>Inspection, Compliance and Barrier-Free Routes:</strong></td>
</tr>
<tr>
<td>• Accessibility is compromised or</td>
<td>• Periodic inspections of buildings</td>
</tr>
<tr>
<td>removed through placement of objects in</td>
<td>following initial inspection to ensure</td>
</tr>
<tr>
<td>barrier free routes. This is a</td>
<td>continued compliance.</td>
</tr>
<tr>
<td>frequent occurrence with gas stations</td>
<td>• Review usage of turnstiles. Amend</td>
</tr>
<tr>
<td>and corner stores when firewood,</td>
<td>regulations to require an adjacent</td>
</tr>
<tr>
<td>propane BBQ tanks, vending</td>
<td>barrier-free gate with a clear width of</td>
</tr>
<tr>
<td>machines and ice freezers are placed</td>
<td>810 mm or more next to the turnstiles (CSA). Regulations should specify</td>
</tr>
<tr>
<td>along store frontage.</td>
<td>gates must have ability to be</td>
</tr>
<tr>
<td>• Accessibility is removed or</td>
<td>independently opened and lock free.</td>
</tr>
<tr>
<td>compromised by the placement of new</td>
<td></td>
</tr>
<tr>
<td>structures along barrier free</td>
<td></td>
</tr>
<tr>
<td>routes. For example, windbreaks</td>
<td></td>
</tr>
<tr>
<td>have been permanently installed</td>
<td></td>
</tr>
<tr>
<td>following occupancy permit.</td>
<td></td>
</tr>
<tr>
<td>• Turnstiles in stores are not</td>
<td></td>
</tr>
<tr>
<td>accessible.</td>
<td></td>
</tr>
<tr>
<td><strong>Automatic Door Openers:</strong></td>
<td><strong>Amend Legislation / Regulate – Automatic Door Openers</strong></td>
</tr>
<tr>
<td>• Automatic Door Openers are not in</td>
<td>• Amend legislation to require</td>
</tr>
<tr>
<td>working order - as a result of the</td>
<td>Automatic Door Openers are in good working order.</td>
</tr>
<tr>
<td>switches not being turned on when</td>
<td>• Increase enforcement through levy</td>
</tr>
<tr>
<td>businesses open or malfunctioning</td>
<td>of fines for buildings where Automatic Door Openers are not working.</td>
</tr>
<tr>
<td>and in need of repair.</td>
<td>• Amend regulations to require</td>
</tr>
<tr>
<td>• Many individuals are unable to access</td>
<td>Automatic Door Openers on public</td>
</tr>
<tr>
<td>public washrooms independently as</td>
<td>washrooms.</td>
</tr>
<tr>
<td>automatic door openers are not required</td>
<td>• Review current regulation</td>
</tr>
<tr>
<td>for washrooms used by the public, i.e.</td>
<td>specification on minimum square meters (18.5) and amend with</td>
</tr>
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<td>in hotels, stores, etc.</td>
<td>smaller area.</td>
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<tr>
<td>• Buildings with a footprint of less than</td>
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<tr>
<td>500 square meters are exempt from</td>
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<tr>
<td>requirement of automatic door</td>
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<tr>
<td>openers resulting in exemptions in</td>
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<tr>
<td>buildings which should be accessible</td>
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<tr>
<td>(Example: Marguerite’s place)</td>
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<tr>
<td>Issue</td>
<td>Potential Solutions</td>
</tr>
<tr>
<td>-------</td>
<td>---------------------</td>
</tr>
<tr>
<td><strong>Enforcement /Inspections:</strong></td>
<td><strong>Internal Expertise and Open Information:</strong></td>
</tr>
</tbody>
</table>
| - The merging of inspection duties may have diminished the critical nature of accessibility in trade off for electrical and building integrity inspections.  
- Enforcement measures are not evident to the public. | - Institute formal complaint mechanisms and promote same  
- Post complaints and results on Service NL website  
- Optimize enforcement and issue fines for non-compliance  
- Undertake an awareness campaign about the act and regulations  
- Post results of accessibility inspections, complaints and enforcement measures on Service NL website similar to restaurant inspections.  
- Follow-up on registered complaints and carry out random spot checks. |

<table>
<thead>
<tr>
<th>Current Legislation:</th>
<th>Legislative Amendments:</th>
</tr>
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</table>
| - While the Act and Regulations require a minimal level of accessibility, there is a misconception that full access is achieved through compliance with the Act. Designers and building developers are not moving beyond the Act to incorporate universal design or other accessibility features, leading to gaps and inaccessibility within new building structures.  
- Current legislation lacks the flexibility to incorporate the principles of Universal Design, and the ability to remain current with new technologies.  
- Some classification determinations result in exemptions and requirements that contravene the spirit of the legislation. For example, | - Create an Accessibility Specialist position:  
  - internal expert on accessibility standards, trends and universal design principles.  
  - resource for departments and agencies across government, including Service NL policy analysts and inspectors, Transportation and Works design and project managers, agencies such as Regional Health Authorities, School Boards, and Housing Corporations.  
- Individuals/companies involved with new developments would have access to expertise and information to include accessibility features |
<table>
<thead>
<tr>
<th>Issue</th>
<th>Potential Solutions</th>
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<tbody>
<tr>
<td>Accessibility requirements for a new university residence did not extend to door openings into all dorms, resulting in the inability of some students to visit and study with fellow students throughout the residence. Regulations have become outdated, and have not kept pace with current trends, or mobility devices on the market. For example, mobility devices are generally larger than 10 years ago and require wider door openings and ramp turning spaces. Although it is a practice with many hotels, they are not currently required to address or respond to disability-related needs. The Building Accessibility Advisory Board does not have a formalized structure of support that presents challenges to optimizing the board's advice and policy recommendations from the board.</td>
<td>during design and construction stages. • Review/amend legislation and regulations to reflect the principles of Universal Design (Appendix A). • Explore ways of lending flexibility to the Act so that principles of Universal Design and spirit of the Act can be maintained. • Amend legislation to allow Ministerial discretion in order to maintain spirit of the Act. (Common sense clause: to be applied pending building use and purpose, and require higher accessibility requirements than what the current regulations mandate. (Example: Ronald McDonald House) • Amend legislation to require 5 year reviews in order to maintain currency with standards, best practices and trends. • Amend legislation to require hotels to supply equipment such as shower chairs or hospital beds upon request. • Institute secretariat support for the Building Accessibility Advisory Board to facilitate optimum advice to the minister and department.</td>
</tr>
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<tr>
<th>Blue Zone Parking:</th>
<th>Amendments and Enforcement:</th>
</tr>
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<tbody>
<tr>
<td>Blue zone dimensions are insufficient to enable permit holders to wheel alongside their vehicle or access a van’s side entry ramp. Non-permit holders are parking on the hash marks areas, blocking either curb cuts or access to the blue zones.</td>
<td>Increased inspection of blue zone parking spaces and subsequent enforcement of the act. Amend regulations to increase size of blue zones. Require van size blue zones for each business; numbers in ratio to the total number of parking spots.</td>
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</table>
Advice Paper: Building Accessibility in Newfoundland and Labrador
Prepared for the Buildings Accessibility Advisory Board
By the Provincial Advisory Council for the Inclusion of Persons with Disabilities

<table>
<thead>
<tr>
<th>Issue</th>
<th>Potential Solutions</th>
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</thead>
</table>
| • Some blue zones are placed so that the parked vehicle blocks the curb cut and the only access to the barrier free route for the business.  
• Signage and location of blue zones continue to be an issue of non-compliance amongst business owners. | • It is noted that although fines for misuse of Blue Zone parking are captured in different piece of legislation, the maximum fines should be consistently applied across the province. |

<table>
<thead>
<tr>
<th>Fire Evacuation Process:</th>
<th>Accessibility With Dignity:</th>
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<tbody>
<tr>
<td>• Fire evacuation procedures for persons with mobility disabilities are often not in place or do not respect the safety, health or dignity of the individual.</td>
<td>• Require fire evacuation practiced procedures are in place for persons with mobility disabilities and that they are respectful of the individual.</td>
</tr>
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<tr>
<th>Public Access and Engagement:</th>
<th>Information for the Public:</th>
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</table>
| • Concerns have been expressed that information concerning building accessibility is not readily available.  
• The public is unable to determine if, when and why exemptions are granted.  
• Clear and formalized complaint processes and procedures are not in place, making it difficult to report inaccessible environments and to know the outcome. | • Post information about the act and regulations in a user friendly, clear language and accessible format.  
• Post exemptions, inspection and complaint results.  
• Institute a formalized complaint process that is transparent, advertised, with tracking capacity, service standards and protocols. |
Photographs that illustrate some of the foregoing issues:

Blue Zone blocks the curb cut
Wind Break blocks access to door

Parking on hash marks blocks curb cut and access
Parking on hash marks blocks curb cut and access

No curb cut for access
Insufficient turning space in front of door; poorly designed ramp; no railing along ramp.
Advice Paper: Building Accessibility in Newfoundland and Labrador  
Prepared for the Buildings Accessibility Advisory Board  
By the Provincial Advisory Council for the Inclusion of Persons with Disabilities

**Actions**

The Advisory Council met and corresponded with the Department of Service NL providing insights and advice on issues being experienced in regards to the legislation. A list of these actions follow:

<table>
<thead>
<tr>
<th>Date</th>
<th>Type of Action</th>
<th>Focus area</th>
<th>Presentation to</th>
<th>Who</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 2010 to</td>
<td>Council deliberations</td>
<td>Accessibility of built environment</td>
<td>Advisory Council</td>
<td></td>
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<tr>
<td>March 2013</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>February 2012</td>
<td>Presentation</td>
<td>Blue Zones</td>
<td>Executive, Service NL</td>
<td>Advisory Council</td>
</tr>
<tr>
<td>March 2012</td>
<td>Correspondance</td>
<td>Blue Zones</td>
<td>Deputy Minister, Service NL</td>
<td>Chairperson, Advisory Council</td>
</tr>
<tr>
<td>June 2012</td>
<td>Meeting</td>
<td>Accessibility Legislation</td>
<td>Minister, Service NL</td>
<td>Chairperson, Advisory Council</td>
</tr>
<tr>
<td>March 2013 and</td>
<td>Meeting</td>
<td>Accessibility Legislation</td>
<td>Chairperson, Buildings Accessibility Advisory Board</td>
<td>Advisory Council</td>
</tr>
<tr>
<td>June 2014</td>
<td></td>
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</table>

**This table does not include advice provided by the Advisory Council within discussions on the provincial strategy, action plan or individual buildings with the Minister Responsible.**

**Conclusion**

The Provincial Advisory Council for the Inclusion of Persons with Disabilities has identified a number of issues and potential solutions pertaining to the Buildings Accessibility Act and Regulations. These include the criteria and process for granting exemptions, loopholes within the Act, level of inspections and enforcement measures,
issuance of occupancy permits prior to accessibility compliance, and obstacles placed in barrier free routes by property owners. Council considers the number of exemptions granted to be excessive and that the act itself includes loopholes that allow businesses to adhere to the act yet create new barriers. Obstacles are commonly found in barrier-free routes; these inhibit access and act as barriers to inclusion.

In its discussions, Council has stressed that the Buildings Accessibility Act and Regulations present a minimum level of accessibility and that full inclusion and accessibility requires more than presented in this legislation.

In addition to the issues and potential solutions presented above, Council has advised government on implementing a campaign to increase knowledge of and familiarity with disability-related issues within public, private, and community sectors.
Appendix A

UNIVERSAL DESIGN PRINCIPLES

PRINCIPLE ONE
The design is useful to people with diverse abilities

Examples
- Power doors with sensors at entrances that are convenient for all users
- Integrated and adaptable seating in assembly areas such as sports arenas and theaters

PRINCIPLE TWO
The design accommodates a wide range of individual preferences and abilities

Examples
- Scissors designed for left or right handed users
- An automated teller that has visual, tactile and audible feedback
PRINCIPLE THREE

Use of the design is simple and easy to understand

Examples
- An instruction manual with drawings and no text
- A moving sidewalk or escalator in a public place

PRINCIPLE FOUR

The design communicates necessary information regardless of the user's sensory abilities

Examples
- Tactile, visual cues and instructions on a thermostat
- Voice communication and signage in airports, bus and train stations etcetera
PRINCIPLE FIVE

The design minimizes hazards and negative consequences of accidental actions

Examples
- An "undo" feature in computer software
- A double cut car key easily inserted in keyhole either of two ways

PRINCIPLE SIX

The design can be used efficiently and comfortably and with a minimum of effort

Examples
- A lever handle on doors or faucets
- Touch lamps operated without a switch
PRINCIPLE SEVEN

Appropriate size and space provided for approach and use regardless of user's size, posture, or mobility

Examples
- Wide gates at entrances
- Controls on front of and clear floor space around appliance, dumpsters, mailboxes etcetera
Taylor, Jennifer

From: Reid, Mary M
Sent: Tuesday, November 04, 2014 11:55 AM
To: 'patricia.moores@lghealth.ca'
Cc: Davis, Karen; Paul Walsh (acadean@gmail.com)
Subject: FW: Next Council meeting Dates

Hi Patti:

Note: Some public buildings are exempt under the Buildings Accessibility Act (for example, a pre-1982 building that has not had renovations costing over 50% of the value of the building). The parking requirement would not apply to such buildings....

Take care,

Mary R

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

From: Davis, Karen
Sent: Tuesday, November 04, 2014 9:06 AM
To: 'Patricia Moores'; Bruce Oldford; Delia Connell; Dennis Gill; Donald Connolly; Donna Piercey; Elizabeth Chaulk; Freeman Wiseman; J. Paul Walsh; Justin Mercer; Karen Hillier; Katarina Roxon; Lorna Gilbert; Nancy Reid; Norman Austin; Paula Corcoran; Philip Lundrigan; Shane Martland
Cc: Reid, Mary M; Tobin, Susan
Subject: RE: Next Council meeting Dates

Good morning Patti,
I hope you're doing well.

As per your question, the Buildings Accessibility Regulations, in section 8 entitled Parking states:

**In a parking area provided for a building there shall be at least one lot or 4% of the total lots, whichever is the greater, designed and designated for use by physically disabled persons.**

For your reference, you can find the above at http://www.assembly.nl.ca/legislation/sr/regulations/rc961140.htm#8

I hope this is helpful. Thanks and have a great day
Warmly,
Karen

___________________________
Karen Davis
Departmental Program Coordinator
From: Patricia Moores [mailto:patricia.moores@ighealth.ca]
Sent: Tuesday, November 04, 2014 8:28 AM
To: Davis, Karen; Bruce Oldford; Delia Connell; Dennis Gill; Donald Connolly; Donna Piercey; Elizabeth Chaulk; Freeman Wiseman; J. Paul Walsh; Justin Mercer; Karen Hillier [redacted]; Katarina Roxon; Lorna Gilbert; Nancy Reid; Norman Austin; Paula Corcoran; Philip Lundrigan; Shane Martland
Cc: Reid, Mary M; Tobin, Susan
Subject: RE: Next Council meeting Dates

Good Morning Everyone,
I have a quick question.... What is the ratio of accessible parking spaces required at public buildings? I recall that there was a certain number required per total number of parking spaces, but I can't seem to find that in the regulations....
Patti

From: Davis, Karen [mailto:KarenDavis@gov.nl.ca]
Sent: Thursday, October 30, 2014 3:50 PM
To: Bruce Oldford; Delia Connell; Dennis Gill; Donald Connolly; Donna Piercey; Elizabeth Chaulk; Freeman Wiseman; J. Paul Walsh; Justin Mercer; Karen Hillier [redacted]; Katarina Roxon; Lorna Gilbert; Nancy Reid; Norman Austin; Patricia Moores; Paula Corcoran; Philip Lundrigan; Shane Martland
Cc: Reid, Mary M; Tobin, Susan
Subject: Next Council meeting Dates

Dear Council members,

I hope you’re doing well and getting ready for Halloween.

The next Council meeting is Tuesday, December 2 and Wednesday, December 3 in St. John’s. Finding an available meeting space was a challenge, and these dates were the only option before later in December.

Guest rooms are held at the Holiday Inn and meetings will take place at the Admiral’s Green Clubhouse, Pippy Park, 460 Allandale Road.

Please let me know if you can attend and your travel and hotel needs.

Thank you and have a good day. Have a wonderful Halloween.

Warmly,
Karen

Karen Davis
Departmental Program Coordinator
Disability Policy Office
Seniors, Wellness & Social Development
Confederation Building West Block 3rd floor
karendavis@gov.nl.ca

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Day, Elizabeth

From: May, Heather E.
Sent: Thursday, November 13, 2014 1:09 PM
To: Day, Elizabeth
Subject: Blue zone
Attachments: Blue Zone Parking.docx

FYI - Note sent over from Service NL.

Heather May
Director of Communications
Seniors, Wellness and Social Development
709-729-0928
heathermay@gov.nl.ca
Blue Zone Parking (ServiceNL to respond)

- Periodic inspections are performed during the construction of a new building and a final inspection is normally required upon completion. If deficiencies are found, orders are issued requiring their correction within a period of time set by the inspector.

- Service NL also performs blitz-type inspections of parking spaces to increase awareness and support compliance. Inspections usually target high use retail and commercial areas in municipalities. However, Service NL inspectors also respond to complaints from the public on problems in other specific locations.

- A new partnership between Service NL and the Coalition of Persons with Disabilities – Newfoundland and Labrador (the Coalition) will help promote education and awareness of the proper use of blue zone parking spaces, including the correct installation of signage.

- The Coalition has prepared educational material and will be making presentations to municipal organizations and other public groups. They are working under the guidance of the Buildings Accessibility Advisory Board which reports to the Minister of Service NL.

- Service NL is responsible for the enforcement of accessible or "blue zone" parking regulations under both the Buildings Accessibility Act and the Highway Traffic Act.

- Amendments were made to the Buildings Accessibility Regulations in 2012 to strengthen the identification of blue zone spaces by requiring each space to have a permanent sign. Previously, the legislation was not specific and some spaces were being identified with movable signs.

- Having movable signs sometimes caused concerns, especially during winter months when signs might have been removed for snow clearing and leaving the spaces difficult to identify. This also caused issues for enforcement against illegal parking when people claimed they could not see that the space was for accessible parking only.

- For new construction, the requirements came into force in February 2012. Existing parking spaces had to be compliant by September 2012.

- The Buildings Accessibility Regulations govern building owners themselves, not those who park illegally. Enforcement is done by issuing orders to correct deficiencies or, if necessary, laying charges, rather than through a ticketing process.

- In advance of the latest amendments to blue zone regulations, a number of proactive measures were taken to inform establishments of the new requirements.
• For example, letters were sent to various wide-reaching organizations such as the Consulting Engineers of Newfoundland and Labrador and the Newfoundland and Labrador Association of Architects, which represent the building design and construction industries, informing them of the changes. News releases were also issued.

• People who park illegally in blue zones without the proper permits can be ticketed under the Highway Traffic Act. Fines range from $100 to $400.

BACKGROUND
• There are two sets of regulations which govern "blue zone" parking spaces – the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, which cover the use of the spaces by permit holders; and, the Buildings Accessibility Regulations under the Buildings Accessibility Act, which govern the number and physical characteristics required for these parking spaces.

• In 2012, government amended the Buildings Accessibility Act and Regulations to provide clear requirements that signs must be permanently fixed to an unmovable post, building or other structure and must be maintained in good condition.

UNDER THE HIGHWAY TRAFFIC ACT
• The Designated Mobility Impaired Parking Regulations under the Highway Traffic Act regulate the use of "blue zone" spaces by people with proper permits and, as such, govern the ability to enforce against illegal use of these spaces.

• These Regulations allow for people with mobility disabilities to apply for a permit to use these parking spaces and also provide authority for law enforcement officials to ticket those without the proper permit.

• As of April 1, 2012, provincial fines for parking in designated spaces without the proper permit increased from a minimum of $45 and a maximum of $180, to the new range of $100 to $400, in order to increase the deterrent against illegal use.

• Most of those municipalities within the province who have parking by-laws have matched the new provincial fine structure, or have indicated they intend to. The City of St. John’s has set their minimum fine at $400.

• Tickets can be issued under either the Highway Traffic Act or municipal by-laws.
UNDER THE BUILDINGS ACCESSIBILITY ACT

- Under the Buildings Accessibility Act, the Buildings Accessibility Regulations regulate accessibility to public buildings for people with physical disabilities.

- These regulations require a minimum number of “blue zone” spaces to be designated for those buildings covered by the legislation. A minimum of one space – or 4 per cent of all parking spaces associated with the building – must be designated “blue zone” spaces.

- In 2012, to ensure these spaces are visible year-round, government amended its legislation to clearly require permanent (rather than movable) vertical signs to mark these spaces. These changes came into effect for new buildings on February 15, 2012 and existing properties on September 30, 2012.
Internal Information Note  
Disability Policy Office

Title: Blue Zone complaints

Issue: Advocates and agencies have concern with Blue Zone parking and compliance.

Background:
- The Buildings Accessibility Act and Regulations and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act govern accessible parking spots (also known as Blue Zone parking).

- There are approximately 19,000 designated parking permits in circulation.

- Concerns identified by individuals and disability-related organizations include:
  - Non-compliance of private and public parking areas with legislated requirement for accessible parking and standards of vertical signage.
  - Vertical signage removed for snow clearing purposes. This makes the designated parking spots non-visible and prevents enforcement.
  - Installation requirements for vertical signage are not included within regulations.
  - Vertical signs that are non-compliant in size and messaging (i.e. handicapped parking)
  - Parking stall dimensions required in regulations are inadequate to accommodate vans, larger vehicles (SUV’s) and vehicles with side entry ramps.
  - Insufficient resources allocated for inspections.
  - Fines set by some municipalities are insufficient as deterrents.
  - Buildings exempt from BAA are also exempt from Blue Zone requirements.

- In response, regulations were amended in 2012 to require vertical signs to be permanently affixed and to increase the maximum allowable fine for parking violations to $400.00. Compliance with amended regulations was required by September 2012.

Current Status:
- Concerns were raised by an individual advocate and the Coalition of Persons with Disabilities (Coalition) in Spring 2014 that compliance was not taking place, particularly by government buildings, hospitals, and businesses.

- In September 2014, ServiceNL contracted the Coalition to promote blue zone regulations. Promotional materials are under review with the Buildings Accessibility Advisory Board.

- Concerns continue to be expressed that action is not taking place on compliance and a review of size specifications. There has been significant media attention over the past five years.

Prepared by: Mary Reid  
Approved by:  
November 12, 2014, revised November 14, 2014
Mary Reid  
Director  
Disability Policy Office  
p 709 729-6208  
tty 709 729-5000

From: Tobin, Susan  
Sent: Tuesday, December 16, 2014 4:16 PM  
To: Reid, Mary M  
Subject: blue zone campaign

| Awareness of Blue Zone Parking Regulations | Delivered by the Coalition of Persons with Disabilities, distributes educational and awareness materials on the purpose and requirements for blue zone parking regulations, and the use of blue zone parking permits. |

Thoughts?

SUSAN TOBIN, BA, MER  
Program and Policy Development Specialist  
Disability Policy Office  
Department of Advanced Education and Skills  
Government of Newfoundland and Labrador  
St. John's, NL A1B 4J6  
709-729-6275 (t) | 709-729-5560 (f) | susantobin@gov.nl.ca
Taylor, Jennifer

From: Reid, Mary M
Sent: Tuesday, June 02, 2015 3:03 PM
To: Taylor, Jennifer
Cc: Tobin, Susan
Subject: FW: Blue zone scanned FW: Scanned from a Xerox Multifunction Device
Attachments: Scanned from a Xerox Multifunction Device.pdf

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5000

-----Original Message-----
From: Tobin, Susan
Sent: Tuesday, February 03, 2015 4:26 PM
To: Reid, Mary M
Subject: Blue zone scanned FW: Scanned from a Xerox Multifunction Device

Here you go

SUSAN TOBIN, BA, MER
Program and Policy Development Specialist Disability Policy Office

Department of Seniors, Wellness and Social Development Government of Newfoundland and Labrador St. John's, NL A1B 4J6
709-729-6275 (t) | 709-729-5560 (f) | susantobin@gov.nl.ca

-----Original Message-----
From: xerox7220@gov.nl.ca [mailto:xerox7220@gov.nl.ca]
Sent: Tuesday, February 03, 2015 4:21 PM
To: Tobin, Susan
Subject: Scanned from a Xerox Multifunction Device

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Device.

Attachment File Type: pdf, Multi-Page
Multifunction Device Location:
Device Name: XRX9C934E5819E4
For more information on Xerox products and solutions, please visit http://www.xerox.com
Designated Parking Spaces

Service NL is strengthening the requirement that signs identifying parking spaces designated for use by people with disabilities be clearly identified, permanent and kept in good repair.

Fines for failure to comply with these requirements are as follows:

- Corporation: $1,000 to $25,000
- Individual Owners: $500 to $5,000
- Additional: $200 to $2,000/day for individual owners or corporations who do not correct the issue

Effective September 30, 2012 all buildings which are subject to the Buildings Accessibility Regulations must have permanently installed vertical signage and painted spaces, which must include the International symbol for accessibility.

**VERTICAL SIGNS MUST BE:**

- At least 300 mm x 600 mm (11.8 in. x 23.6 in.);
- Permanently installed directly in front of the space on a post, building or structure at a height of 1500 mm (59 in.) from the ground surface to the centre of the sign; and
- Clearly visible to the public and maintained in a state of good repair.

P.O. Box 8700, St. John’s, NL
A1B 4J6
709.729.3699
www.gov.nl.ca/servicenl

Newfoundland Labrador
Service NL
Brown, Dawn

From: Meade, Brent
Sent: Friday, February 20, 2015 1:04 PM
To: May, Heather E.; Reid, Mary M; Day, Elizabeth
Cc: Jackman, Clyde; Brown, Dawn; Marnell, Debbie
Subject: Re: FOR APPROVAL - ServiceNL release

Fine with me.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: May, Heather E.
Sent: Friday, February 20, 2015 10:03 AM
To: Reid, Mary M; Day, Elizabeth; Meade, Brent
Cc: Jackman, Clyde; Brown, Dawn; Marnell, Debbie
Subject: FOR APPROVAL - ServiceNL release

Hi – this is a ServiceNL news release with SWSD provide a quote in a supporting role. They are aiming for an event next Wednesday, but this still needs to be confirmed with the Coalition.

Any issues, please let me know.

Service NL
Seniors, Wellness and Social Development
February XX, 2015

Promotion of Accessible Parking Spaces Strengthens Communities

Accessible Parking Education and Awareness Campaign Begins

An awareness campaign to provide guidelines to businesses and municipalities on accessible parking has been launched through a partnership between Service NL and the Coalition of Persons with Disabilities – Newfoundland and Labrador (the Coalition). The campaign includes brochures for business owners, pamphlets for accessible parking permit holders and presentations to various organizations such as building design and construction industries and municipalities. The campaign promotes education and awareness of the proper designation of accessible parking spaces, including the correct installation of signage, as well as the proper use of the parking permit.

“We were very happy to work with the Coalition of Persons with Disabilities – Newfoundland and Labrador to develop a campaign targeted towards business owners, municipalities and industry associations representing the construction and architect sectors. Targeting specific groups ensures that everyone is aware of what is required to properly identify and mark accessible parking spaces. I also thank the Buildings Accessibility Advisory Board which were instrumental in working with the Coalition in development of this campaign.”

- The Honourable TonyCorrect, Minister of Service NL

The Provincial Government through the Department of Seniors, Wellness and Social Development, works with members of the community of persons with disabilities with the goal of establishing a fully inclusive
society. Partnerships to develop campaigns to raise awareness of the regulations for accessible parking help strengthen that goal.

"As Minister Responsible for the Status of Persons with Disabilities, I am pleased to see this campaign come to fruition. There was clearly a need to educate and reinforce the importance of providing proper accessible parking spaces. When it comes to the design, provision and utilization of accessible parking, we all need to be on the same page to ensure we are meeting the needs of persons with disabilities."
- The Honourable Clyde Jackman, Minister Responsible for the Status of Persons with Disabilities

Brochures have been sent to municipalities to be included in municipal building permit applications and the Coalition is scheduling presentations for industry sector associations and municipalities to ensure there is an understanding of what the accessible parking regulations require.

"The Coalition will work in partnership with Service NL to ensure proper design of Accessible Parking Spaces. We are available for consultation and to deliver presentations to contractors, the building industry and to municipalities. With more than 19,000 accessible parking permits issued across our province, we know that accessible parking is vital to persons with disabilities."
- Kelly White, Executive Director, Coalition of Persons with Disabilities

The Buildings Accessibility Advisory Board, which reports directly to the Minister of Service NL, provided advice and guidance to the Coalition in developing the campaign.

"I am very pleased that Service NL is partnering work the Coalition of Persons with Disabilities on this very important awareness campaign. Accessible parking spaces and permits are essential to the independence and full inclusion of persons with disabilities in our communities."
- Cecilia Carroll, Chairperson, Buildings Accessibility Advisory Board


QUICK FACTS
- An awareness campaign to provide guidelines to businesses and municipalities on accessible parking has been launched through a partnership between Service NL and the Coalition of Persons with Disabilities – Newfoundland and Labrador (the Coalition).

- The partnership was established in September 2014 with a contract totaling $25,800. Using this funding, the Coalition has developed promotional materials and is hosting information sessions for businesses, building industry groups and municipalities.

- Changes to the Buildings Accessibility Regulations were made in 2012 to clarify the requirement for signs identifying designated accessible parking spaces to be permanent and kept in good repair.

- 30 -

Media contacts:
Vanessa Colman-Sadd
Kelly White
Director of Communications
Service NL
709-729-4860, 682-6593
vanessacolmansadd@gov.nl.ca

Heather May
Director of Communications
Department of Seniors, Wellness
and Social Development
709-729-0928, 697-5061
heathermay@gov.nl.ca

Executive Director
Coalition of Persons with Disabilities –
Newfoundland and Labrador
709-722-7011
From: Reid, Mary M  
Sent: Tuesday, June 02, 2015 4:23 PM  
To: Taylor, Jennifer  
Subject: FW: Suggested changes to Blue Zone Permits  
Attachments: Blue Zone Permit changes.pdf

??

Mary Reid  
Director  
Disability Policy Office  
p  709 729-6208  
tty 709 729-5000

From: Disability Policy Office  
Sent: Monday, March 23, 2015 8:10 AM  
To: Reid, Mary M  
Subject: FW: Suggested changes to Blue Zone Permits

FYI we were cc'd

From: [mailto]  
Sent: Friday, March 20, 2015 5:13 PM  
To: Lane, Paul  
Cc: 'Kelly White'; Disability Policy Office; ServiceNL; mrd_info  
Subject: Suggested changes to Blue Zone Permits

Paul,

Here are some changes that should be looked at, there are others I can't include in an email, but should also be discussed.

Please forward this to whomever you feel should have a copy.

Regards

[REMOVE]

[REMOVE]
After speaking with the crown prosecutor's office we came to the same conclusions of changes that need to be addressed.

Counterfeit permits are a continuing problem. Using a Hologram Logo and sticker system similar to license plate stickers helps to reduce this issue.

Switching to a hanging tag allows for better viewing for enforcement officers and the rules for use of the permit are always in the permit holders view.

As it stands now there is no penalty for use of a counterfeit permit except the parking fine. A couple of issues appear here, there is nothing in the Highway traffic act to address this while there is for stealing stickers off license plates a similar type of fraud. I suggest amending some things.
- $1200.00 fine for use of a counterfeit permit under the traffic act

When a permit is not displayed and a ticket issued, if a permit is presented after the fact, rather than dismiss the fine it should be reduced to a $50.00 fine for failure to display, this helps quell abuse.

Adopting these simple changes will go a long way in reducing the abuse and extra burden placed on these allocated spaces.

The included samples are my gift to the government to help expedite effective and long overdue change.
Suggested New Design for Accessible Parking Permit and Highway Traffic Act Amendments

RULES
Only one permit issued per person.
A permit can be used in any vehicle that the permit holder is a passenger in, but is not transferable and cannot be loaned to anyone for use, this includes using a Blue Zone to allow a passenger use of the space.
It is illegal to use a permit not issued to you.
A permit must be displayed in the windshield of a vehicle at all times while occupying a designated mobility impaired parking space.
For proper identification the permit number and expiry date must be visible and facing forward.
The permit should be surrendered to the Motor Registration Division when it is no longer required by the holder or when requested to do so by department officials.
The renewal of such a permit is the responsibility of the permit holder.

9” x 3.5” Poly Hang Tag
Parking Permit

Permit Number
B/W High Contrast

Hologram Logo, (Counterfeit Protection)

Sticker with Expiry Date, Permit Number, Colour Changeable (Counterfeit Protection)

9" x 3.5" Poly Hang Tag

Newfoundland Labrador
Records from Service NL
February 3, 2012

Dear [Name]

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

In accordance with NLR 8/12, Subsection 15(2) of the Schedule to the Buildings Accessibility Regulations is repealed and the following is substituted:

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

These amendments are designed to clarify the requirement for signage to be permanent in nature, clearly visible in identifying these parking spaces and to be maintained in good repair.

The amendments come into force on February 15, 2012. Accordingly, buildings for which building accessibility design registration applications are submitted on or after February 15, 2012 must comply with regulation 8/12. Buildings which are subject to buildings accessibility legislation but were completed, partially completed or for which a building accessibility design registration application was submitted prior to February 15, 2012, must come into compliance with these changes by September 30, 2012.
I am requesting that you circulate this letter to your membership for their information. Should you have further questions on this issue, please do not hesitate to contact David Brockerville, Manager, Engineering Services at 729-1038.

Yours truly,

[Signature]

Denis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C:  David Brockerville, P. Eng.
Manager, Engineering Services

Greg Tremblett
Manager, Inspection Services

Michelle Craig, P. Eng.
Engineer III (Civil)
February 3, 2012

Mr. Roger Ledrew  
Regional Director  
Service NL  
Fraser Mall  
230 Airport Blvd.  
P.O. Box 2222  
Gander, NL  
A1V 2N9

Dear Roger:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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I am requesting that you circulate this letter to your buildings accessibility staff for their information. Should you have further questions on this issue, please do not hesitate to contact our office.

Yours truly,

[Signature]

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C: David Brockerville, P. Eng.
Manager, Engineering Services

Greg Tremblett
Manager, Inspection Services

Michelle Craig, P. Eng.
Engineer III (Civil)
February 3, 2012

Mr. Butch Vardy
Regional Director
Service NL
Mount Bernard Avenue
Sir Richard Squires Building
Corner Brook, NL
A2H 6J8

Dear Butch:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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I am requesting that you circulate this letter to your buildings accessibility staff for their information. Should you have further questions on this issue, please do not hesitate to contact our office.

Yours truly,

[Signature]

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C:  David Brockerville, P. Eng.
Manager, Engineering Services

Greg Tremblett
Manager, Inspection Services

Michelle Craig, P. Eng.
Engineer III (Civil)
February 3, 2012

Mr. Guy Perry  
Regional Director  
Service NL  
8 Myers Avenue, Suite 201  
Clarenville, NL  
A5A 1T5

Dear Guy:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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I am requesting that you circulate this letter to your buildings accessibility staff for their information. Should you have further questions on this issue, please do not hesitate to contact our office.

Yours truly,

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C:  David Brockerville, P. Eng.
    Manager, Engineering Services

    Greg Tremblett
    Manager, Inspection Services

    Michelle Craig, P. Eng.
    Engineer III (Civil)
February 3, 2012

Ms. Debbie Morris
Project Manager
Department of Health & Community Services
Confederation Building
P.O. Box 8700
St. John’s, NL
A1B 4J6

Dear Ms. Morris:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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Should you have further questions on this issue, please do not hesitate to contact David Brockerville, Manager, Engineering Services at 729-1038.

Yours truly,

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C:  David Brockerville, P. Eng.
    Manager, Engineering Services

    Greg Tremblett
    Manager, Inspection Services

    Michelle Craig, P. Eng.
    Engineer III (Civil)
February 3, 2012

Mr. Jason Higgins
Provincial Director
Child Youth and Family Services
28 Pippy Place
St. John’s, NL
A1B 3X4

Dear Mr. Higgins:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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Should you have further questions on this issue, please do not hesitate to contact David Brockerville, Manager, Engineering Services at 729-1038.

Yours truly,

[Signature]

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C:  David Brockerville, P. Eng.
    Manager, Engineering Services

    Greg Tremblett
    Manager, Inspection Services

    Michelle Craig, P. Eng.
    Engineer III (Civil)
February 3, 2012

Acting Executive Director
Consulting Engineers of Newfoundland and Labrador
Box 1236
St. John’s, NL
A1C 5M9

Dear [Name],

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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I am requesting that you circulate this letter to your membership for their information. Should you have further questions on this issue, please do not hesitate to contact David Brockerville, Manager, Engineering Services at 729-1038.

Yours truly,

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C: David Brockerville, P. Eng.
Manager, Engineering Services

Greg Tremblett
Manager, Inspection Services

Michelle Craig, P. Eng.
Engineer III (Civil)
February 3, 2012

CEO & Registrar
Association of Professional Engineers
and Geoscientists of Newfoundland
P.O. Box 21207
St. John’s, NL
A1A 5B2

Dear [Name]

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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I am requesting that you circulate this letter to your membership for their information. Should you have further questions on this issue, please do not hesitate to contact David Brockerville, Manager, Engineering Services at 729-1038.

Yours truly,

[Signature]

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL.

C: David Brockerville, P. Eng.
Manager, Engineering Services

Greg Tremblett
Manager, Inspection Services

Michelle Craig, P. Eng.
Engineer III (Civil)
February 3, 2012

Mr. Paul Lahey, P. Eng.
Department of Transportation & Works
P.O. Box 8700
St. John’s, NL
A1B 4J6

Dear Mr. Lahey:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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Should you have further questions on this issue, please contact David Brockerville, Manager, Engineering Services at 729-1038.

Yours truly,

[Signature]

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C:  David Brockerville, P. Eng.
Manager, Engineering Services

Greg Tremblett
Manager, Inspection Services

Michelle Craig, P. Eng.
Engineer III (Civil)
February 3, 2012

Mr. Randy Dillon
Director of Engineering and Land Use Planning
Department of Municipal and Provincial Affairs
Development Control Division, Eastern
P.O. Box 8700
St. John’s, NL
A1B 4J6

Dear Mr. Dillon:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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Should you have further questions on this issue, please contact David Brockerville, Manager, Engineering Services at 729-1038.

Yours truly,

[Signature]

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C: David Brockerville, P. Eng.
Manager, Engineering Services

Greg Tremblett
Manager, Inspection Services

Michelle Craig, P. Eng.
Engineer III (Civil)
February 3, 2012

Ms. Juanita Keel-Ryan
Director of Strategic Tourism
Product Development
Department of Tourism, Culture & Recreation
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Ms. Keel-Ryan:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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Yours truly,

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C: David Brockerville, P. Eng.
Manager, Engineering Services

Greg Tremblett
Manager, Inspection Services

Michelle Craig, P. Eng.
Engineer III (Civil)
February 3, 2012

Mr. Ed Sexton
Director (A) Design and Construction
Department of Education
P.O. Box 8700
St. John’s, NL
A1B 4J6

Dear Mr. Sexton:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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Should you have further questions on this issue, please contact David Brockerville, Manager, Engineering Services at 729-1038.

Yours truly,

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C: David Brockerville, P. Eng.
Manager, Engineering Services

Greg Tremblett
Manager, Inspection Services

Michelle Craig, P. Eng.
Engineer III (Civil)
February 3, 2012

Chief Executive Office
Newfoundland and Labrador Construction Safety Association
80 Glencoe Drive
Donovan’s Industrial Park
Mount Pearl, NL
A1N 4S9

Dear [Name]:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

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I am requesting that you circulate this letter to your membership for their information. Should you have further questions on this issue, please do not hesitate to contact David Brockerville, Manager, Engineering Services at 729-1038.

Yours truly,

[Signature]

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C:  David Brockerville, P. Eng.
    Manager, Engineering Services

    Greg Tremblett
    Manager, Inspection Services

    Michelle Craig, P. Eng.
    Engineer III (Civil)
From: Burggraaf, Carolyn A.
Sent: Tuesday, February 07, 2012 9:46 AM
To: Kelland, Donna
Subject: Re: Amendments to Designated Mobility Impaired Parking Fines

Ok
Carolyn Burggraaf
Registrar of Motor Vehicles
Service NL
P.O. Box 8710, St. John's. NL. A1B 4J5
t: 709 729 4175 f: 709 729 6955 cburggra@gov.nl.ca

Sent Via BlackBerry

From: Kelland, Donna
To: Burggraaf, Carolyn A.
Sent: Tue Feb 07 09:48:15 2012
Subject: RE: Amendments to Designated Mobility Impaired Parking Fines

Attached. I am going to suggest that the Minister send the one to MNL and you can follow up with the specific municipalities. I will let you know what he decides. We may do the same for the police letters. Thx. DK

From: Burggraaf, Carolyn A.
Sent: Tuesday, February 07, 2012 9:46 AM
To: Kelland, Donna
Subject: Re: Amendments to Designated Mobility Impaired Parking Fines

are you sending back revised draft
Carolyn Burggraaf
Registrar of Motor Vehicles
Service NL
P.O. Box 8710, St. John's. NL. A1B 4J5
t: 709 729 4175 f: 709 729 6955 cburggra@gov.nl.ca

Sent Via BlackBerry

From: Burggraaf, Carolyn A.
To: Kelland, Donna
Sent: Tue Feb 07 09:44:47 2012
Subject: Re: Amendments to Designated Mobility Impaired Parking Fines

Back in office by 3. Will do today
Carolyn Burggraaf
Registrar of Motor Vehicles
Service NL
P.O. Box 8710, St. John's. NL. A1B 4J5
t: 709 729 4175 f: 709 729 6955 cburggra@gov.nl.ca
From: Kelland, Donna  
To: Burggraaf, Carolyn A.  
Sent: Tue Feb 07 09:43:54 2012  
Subject: RE: Amendments to Designated Mobility Impaired Parking Fines  

The draft to MNL now notes need to circulate to municipalities to encourage them to increase their bylaw fines to match the new provincial minimum. The letter to the police agencies needs to be more tailors for enforcement purposes and note that we have approached various municipalities to encourage them to match. If you are on the road, how soon can you have them done? DK

From: Burggraaf, Carolyn A.  
Sent: Tuesday, February 07, 2012 9:42 AM  
To: Kelland, Donna  
Subject: Re: Amendments to Designated Mobility Impaired Parking Fines  

Same letter as draft to MNL only need to insert name  
Carolyn Burggraaf  
Registrar of Motor Vehicles  
Service NL  
P.O. Box 8710, St. John's, NL. A1B 4J5  
t: 709 729 4175 f: 709 729 6955 cburga@gov.nl.ca

Sent Via BlackBerry

From: Kelland, Donna  
To: Burggraaf, Carolyn A.  
Cc: Manning, Rhonda  
Sent: Tue Feb 07 09:40:21 2012  
Subject: RE: Amendments to Designated Mobility Impaired Parking Fines  

The letters to the RNC and RCMP were not attached. Can you send this morning? Dk

From: Burggraaf, Carolyn A.  
Sent: Tuesday, February 07, 2012 7:51 AM  
To: Kelland, Donna  
Cc: Manning, Rhonda  
Subject: Amendments to Designated Mobility Impaired Parking Fines  

Attached – draft plan plus letters to MNL, RCMP, RCMP and Municipalities previously contacted. I have already notified Fines Administration – Department of Justice and TW. I have not included letter for Coalition of Persons with Disabilities as you indicated you are meeting. I can easily do so.  

Carolyn Burggraaf  
Registrar of Motor Vehicles  
Service NL  
Government of Newfoundland and Labrador  
P.O. Box 8710, St. John's, NL. A1B 4J5
INCREASE IN IMPAIRED MOBILITY PARKING FINES
IMPLEMENTATION SCHEDULE

Effective date: April 1, 2012

<table>
<thead>
<tr>
<th>NOTIFICATION</th>
<th>DUE DATE</th>
<th>STATUS</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipalities NL</td>
<td>2012 03 01</td>
<td></td>
<td>Draft letter completed - submitted for review</td>
</tr>
<tr>
<td>Municipalities Previously Canvassed (as appended)</td>
<td>2012 03 01</td>
<td></td>
<td>Draft letter completed and submitted for review</td>
</tr>
<tr>
<td>Chief of Police, Royal Newfoundland Constabulary</td>
<td>2012 03 01</td>
<td></td>
<td>Draft letter completed - submitted for review</td>
</tr>
<tr>
<td>Commanding Officer, Royal Canadian Mounted Police</td>
<td>2012 03 01</td>
<td></td>
<td>Draft letter completed - submitted for review</td>
</tr>
<tr>
<td>Department of Justice – Fines Administration</td>
<td>2012 02 01</td>
<td>Completed</td>
<td>Notification by email</td>
</tr>
<tr>
<td>Dave Roberts, Department of Transportation and Works</td>
<td>2012 03 01</td>
<td>Completed</td>
<td>Spoke with TW – follow up by email 2012 02 06</td>
</tr>
<tr>
<td>MRD Staff</td>
<td>2012 03 15</td>
<td></td>
<td>TBD</td>
</tr>
</tbody>
</table>

Changes to ticket books to reflect higher penalties:

Municipalities - Required only if municipalities adopt higher fines.

TW – uses provincial offences – will have to get ticket books updated.

Summary Offence Tickets – No update required as fines amount not listed. Police use same SOT for moving and non-moving violations.
<table>
<thead>
<tr>
<th>Municipality</th>
<th>Designated Mobility Impaired Parking Municipal By-Law</th>
<th>Fine Amount</th>
<th>Consideration of Increasing Municipal Parking Fine if Provincial Fine Increased</th>
<th>Time Frame</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of St. John's</td>
<td>Yes</td>
<td>$75</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Mount Pearl</td>
<td>Yes</td>
<td>$100</td>
<td>Supportive of increase of minimum fine</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town of Paradise</td>
<td>Yes</td>
<td>$75</td>
<td>Very supportive of increasing provincial fine.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town of Conception Bay South</td>
<td>Yes</td>
<td>$75</td>
<td>Supportive</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town of Clarenville</td>
<td>No</td>
<td>N/A</td>
<td>RCMP use provincial regulations to enforce.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town of Gander</td>
<td>Yes</td>
<td>$52</td>
<td>Very supportive of increasing fines as deterrent.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town of Grand Falls-Windsor</td>
<td>Yes</td>
<td>$52</td>
<td>Supportive of increasing parking fines.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Corner Brook</td>
<td>No</td>
<td>N/A</td>
<td>Supportive of increasing provincial fine.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town of Stephenville</td>
<td>Yes</td>
<td>$45</td>
<td>Very supportive.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Designated Mobility Impaired Parking Municipal By-Law</td>
<td>Fine Amount</td>
<td>Consideration of Increasing Municipal Parking Fine if Provincial Fine Increased</td>
<td>Time Frame</td>
<td>Comments</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------------------</td>
<td>-------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Town of Labrador City</td>
<td>No</td>
<td>N/A</td>
<td></td>
<td></td>
<td>Section 23(1)(a)(ii)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Very supportive of increasing provincial fine. Feels minimum fine should be higher than $100. Recommends providing two month education period prior to implementing. Recommended prior notices through community papers, cable and brochures placed on vehicle windshields in parking lots.</td>
</tr>
<tr>
<td>Town of Happy Valley/Goose Bay</td>
<td>No</td>
<td>N/A</td>
<td></td>
<td></td>
<td>Section 23(1)(a)(ii)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Very supportive of increase. Feels education is key. Strongly advocated education prior to implementation.</td>
</tr>
</tbody>
</table>

1 - Time Frame - from time of receiving approval of Council to proceed with amending by-law to increase fine.
Draft to municipalities previously contacted for comment

Dear:

I am writing to update you on our discussions in November-December regarding provincial penalties and municipal by-laws for parking in a designated mobility impaired parking space.

I am pleased to advise you of an amendment to the Newfoundland and Labrador Regulation (TBD)/12 Designated Mobility Impaired Parking Regulations (Amendment) under the Highway Traffic Act (O.C.2012-024) as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette.

Specifically, s7.1 of the Regulations has been amended to increase the provincial penalties for from the current range of $45 - $180 to a minimum fine of $100 and a maximum of $400.

This amendment comes into force on April 1, 2012.

If you have further questions, or if I can provide assistance in any consideration of similar amendments to your municipal by-laws, please do not hesitate to contact me at 1-709-729-7333 or toll-free at 1-877-636-6867 or by email at: cburggra@gov.nl.ca.

I would like to take this opportunity to once again thank you for your valuable input in this matter.

Sincerely,

Carolyn Burggraaf
Registrar of Motor Vehicles
Draft to MNL/ RCMP/RNC

Mayor Churence Rogers
President, Municipalities Newfoundland and Labrador
360 Torbay Road, St. John’s, NL A1A 5J3

Dear Mayor Rogers:

I am writing to advise you of an amendment to the Newfoundland and Labrador Regulation (TBD)/12 Designated Mobility Impaired Parking Regulations (Amendment) under the Highway Traffic Act (O.C.2012-024) as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette.

Specifically, s7.1 of the Regulations has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a minimum fine $100 and a maximum of $400.

This amendment comes into force on April 1, 2012.

I am requesting that you circulate this letter to your membership. Should you have further questions on this issue, please do not hesitate to contact me at 1-709-729-7333 or toll-free at 1-877-636-6867 or by email at: cburggra@gov.nl.ca

Sincerely,

Carolyn Burggraaf
Registrar of Motor Vehicles

cc:
Haskell, Ellen

From: Eastman, Dennis
Sent: Wednesday, February 08, 2012 9:25 AM
To: Burggraaf, Carolyn A.; Kelland, Donna
Cc: Manning, Rhonda; Brockerville, David
Subject: RE: Letter to RNC and RCMP: re amendments to Building Accessibility and Designated Mobility Impaired Parking Regulations

Please note reference to the Public Safety Act should be changed to the Buildings Accessibility Act before issuance. Dennis

Dennis Eastman, P.Eng.
Director, Engineering and Inspection Services
Service NL
Government of Newfoundland and Labrador
5 Mews Place
P.O. Box 8700 St. John’s, NL A1B 4J6
deastman@gov.nl.ca
t 709.729.2747 ff 709.729.2071
www.gs.gov.nl.ca

From: Burggraaf, Carolyn A.
Sent: Tuesday, February 07, 2012 7:23 PM
To: Kelland, Donna
Cc: Eastman, Dennis; Manning, Rhonda
Subject: FW: Letter to RNC and RCMP: re amendments to Building Accessibility and Designated Mobility Impaired Parking Regulations

Sorry, further to below here’s attachment

Carolyn Burggraaf
Registrar of Motor Vehicles

Service NL
Government of Newfoundland and Labrador
P.O. Box 8710, St. John’s, NL A1B 4J5
cburggra@gov.nl.ca
t: 709-729-4175 ff 709-729-6955
www.os.gov.nl.ca

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From: Burggraaf, Carolyn A.
Sent: Tuesday, February 07, 2012 7:21 PM
To: Kelland, Donna
Cc: Eastman, Dennis; Manning, Rhonda
Subject: Letter to RNC and RCMP: re amendments to Building Accessibility and Designated Mobility Impaired Parking Regulations

Draft for your review. I have drafted for minister’s signature. I am not sure if you wanted me to be a contact so I referred to you in draft. The draft is to Chief Johnston. The RCMP Commanding Officer is:

Commanding Officer Tracy Hardy
Royal Canadian Mounted Police "B" Division
100 East Whitehills Rd
P.O. Box 9700
St. John’s, N.L. A1A 3T5

Carolyn Burggraaf
Registrar of Motor Vehicles

Service NL
Government of Newfoundland and Labrador
P.O. Box 8710, St. John’s, NL A1B 4J5
cburggra@gov.nl.ca
t: 709-729-4175 | f: 709-729-6955
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Draft to RNC and RCMP

Robert Johnston
Chief of Police
Royal Newfoundland Constabulary
1 Fort Townshend
St. John’s, NL A1C 2G2

Dear Chief Johnston:

I am writing to advise you of amendments to the Newfoundland and Labrador 8/12 Buildings Accessibility Regulations (Amendment) under the Public Safety Act (O.C.2012-024) and the Designated Mobility Impaired Parking Regulations (Amendment) under the Highway Traffic Act (O.C.2012-024), as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette.

These amendments are designed to create more effective policing of designated parking spaces, especially in the winter when the markings on the pavement may be hidden under snow and deterring those without permits from taking up spaces intended for people with mobility disabilities.

Specifically, amendments to the Buildings Accessibility Regulations clarify the requirement for vertical designated mobility impairment signage which is permanent in nature, clearly visible in identifying these parking spaces and maintained in good repair. The amendments come into force on February 15, 2012.

Section 7.1 of the Designated Mobility Impaired Parking Regulations has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a minimum fine $100 and a maximum of $400. This amendment comes into force on April 1, 2012.

We are in the process of contacting the municipalities to encourage those with parking by-laws to increase their minimum fines to match the new provincial minimum, to increase the effectiveness of this change.

I am requesting that you circulate this letter to your membership for their information. Should you have further questions on this issue, please do not hesitate to contact Donna Kelland, ADM at 709-729-3056 or dkelland@gov.nl.ca.

Sincerely,

Paul Davis
Minister
Can you make the changes to the letters? Thx. DK.

I have spent a little time with the Queen's printer staff learning about citation of legislation this morning. I would suggest we change the letters in this regard as follows:


Dennis
Haskell, Ellen

From: Kelland, Donna
Sent: Monday, February 13, 2012 9:29 AM
To: Eastman, Dennis
Subject: RE: Amendments to the Buildings Accessibility and DMIP Regulations

I thought I had indicated that the letter to the construction and design groups is OK to go from you, and was fine to go last week? The other letters are for the Minister's signature so you don't need to do anything more with them. Thx. Dk

From: Eastman, Dennis
Sent: Friday, February 10, 2012 4:14 PM
To: Kelland, Donna
Subject: FW: Amendments to the Buildings Accessibility and DMIP Regulations

Just wanted to remind you that we are waiting on your approval of the attached letter for groups submitting plans so that we can commence our mail out. Dennis

From: Eastman, Dennis
Sent: Wednesday, February 08, 2012 11:42 AM
To: Kelland, Donna
Cc: Manning, Rhonda; Burggraaf, Carolyn A.; Brockerville, David; Peddle, Mary
Subject: Amendments to the Buildings Accessibility and DMIP Regulations

Attached please find the three draft letters as requested. An early response regarding the letter for groups submitting plans will be appreciated so that we can commence our mail out. Dennis

Dennis Eastman, P.Eng.
Director, Engineering and Inspection Services

Service NL
Government of Newfoundland and Labrador
5 Mews Place
P.O. Box 8700 St. John's, NL A1B 4J6
deastman@gov.nl.ca
709.729.2747 1 709.729.2071
www.gs.gov.nl.ca
February 3, 2012

Newfoundland and Labrador Construction Safety Association
80 Glencoe Drive
Donovan’s Industrial Park
Mount Pearl, NL
A1N 4S9

Dear Sir or Madam:

I am pleased to advise you of an amendment to the Buildings Accessibility Regulations CNLR 1140/96 under the Buildings Accessibility Act RSN1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12.

In accordance with NLR 8/12, Subsection 15(2) of the Schedule to the Buildings Accessibility Regulations is repealed and the following is substituted:

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

These amendments are designed to clarify the requirement for signage to be permanent in nature, clearly visible in identifying these parking spaces and to be maintained in good repair.

The amendments come into force on February 15, 2012. Accordingly, buildings for which building accessibility design registration applications are submitted on or after February 15, 2012 must comply with regulation 8/12. Buildings which are subject to buildings accessibility legislation but were completed, partially completed or for which a building accessibility design registration application was submitted prior to February 15, 2012, must come into compliance with these changes by September 30, 2012.
I am requesting that you circulate this letter to your membership for their information. Should you have further questions on this issue, please do not hesitate to contact our office.

Yours truly,

Dennis Eastman, P. Eng.
Director, Engineering and Inspection Services
Engineering and Inspection Services Division
Service NL

C:  David Brockerville, P. Eng.
    Manager, Engineering Services

    Greg Tremblett
    Manager, Inspection Services

    Michelle Craig, P. Eng.
    Engineer III (Civil)
February 8, 2012

Coalition of Persons with Disabilities Newfoundland and Labrador
Unit 48, 15 Hamlyn Road Plaza
St. John’s, NL
A1E 6E2

Dear Sir or Madam:


Specifically, Subsection 15(2) of the Schedule to the Buildings Accessibility Regulations CNLR 1140/96 is repealed and the following is substituted:

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

These amendments are designed to clarify the requirement for signage to be permanent in nature, clearly visible in identifying these parking spaces and to be maintained in good condition.

The amendments come into force on February 15, 2012. Accordingly, buildings for which building accessibility design registration applications are submitted on or after February 15, 2012 must comply with the amendment to the Buildings Accessibility Regulations CNLR 1140/96. Buildings which are subject to buildings accessibility legislation but were completed, partially completed or for which a building accessibility design registration application was submitted prior to February 15, 2012, must come into compliance with these changes by September 30, 2012.
Also, Subsection 7.1 of the *Designated Mobility Impaired Parking Regulations* CNLR 1026/96 has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a minimum fine $100 and a maximum of $400. This amendment comes into force on April 1, 2012.

Yours truly,

Hon. Paul Davis
Minister
Service NL
Dear [Name],

I am writing to update you regarding requirements for designated mobility impaired parking spaces.

I am pleased to advise you of an amendment to the *Buildings Accessibility Regulations* CNLR 1140/96 under the *Buildings Accessibility Act* RSNL1990 B10 as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 8/12, and an amendment to the *Designated Mobility Impaired Parking Regulations* CNLR 1026/96 under the *Highway Traffic Act* H3 RSNL1990, as published in the February 3, 2012 edition of The Newfoundland and Labrador Gazette, NLR 9/12.

These amendments are designed to create more effective policing of designated parking spaces, especially in the winter when the markings on the pavement may be hidden under snow and deter those without permits from taking up spaces intended for people with mobility disabilities.

Specifically, an amendment to Subsection 15(2) of the *Buildings Accessibility Regulations* clarifies the requirement for vertical designated mobility impaired signage to be permanently installed, clearly visible in identifying these parking spaces and maintained in a state of good repair. The amendments come into force on February 15, 2012.

Section 7.1 of the *Designated Mobility Impaired Parking Regulations* has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a minimum fine $100 and a maximum of $400. This amendment comes into force on April 1, 2012.

We are in the process of contacting the municipalities to encourage those with parking by-laws to increase their minimum fines to match the new provincial minimum, to increase the effectiveness of this change.

I understand your efforts have been instrumental in the achievement of these amendments and I wish to extend to you my sincere appreciation for your valuable input.

Sincerely,

Honourable Paul Davis
Minister
February 14, 2012

Ms. Kelly White
Coalition of Persons with Disabilities
Newfoundland and Labrador
Unit 48, 15 Hamlyn Road Plaza
St. John's, NL
A1E 6E2

Dear Ms. White:

I am pleased to advise you of recent amendments to provincial legislation regarding parking for people with mobility disabilities. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act, and an amendment to the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

Specifically, subsection 15(2) of the Schedule to the Buildings Accessibility Regulations CNLR 1140/96 is repealed and the following is substituted:

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

These amendments are designed to clarify the requirement for signage to be permanent in nature, clearly visible in identifying these parking spaces and to be maintained in good condition.

The amendments come into force on February 15, 2012 for new building registrations. The deadline for compliance for all other buildings which are subject to the legislation but were completed, partially completed or for which an accessibility design registration was submitted prior to February 15, 2012, is September 30, 2012.
Effective April 1, 2012, under the Designated Mobility Impaired Parking Regulations, fines for parking in a designated parking space without a proper permit have been increased from the current range of $45 - $180 to a new range of $100 - $400. We are hopeful that these new fines will increase the deterrent against illegal parking in these spaces.

Should you have any questions about these changes, please feel free to contact Mr. Dennis Eastman, Director of Engineering and Inspections, regarding buildings accessibility [(709) 729-2747; deastman@gov.nl.ca], or Ms. Carolyn Burggraaf, Registrar of Motor Vehicles, regarding the parking regulations [(709) 729-7333; cburggra@gov.nl.ca].

Sincerely,

[Signature]

Paul Davis
Minister

cc  Hon. Joan Burke, Minister responsible for the Status of Persons with Disabilities
     Dennis Eastman, Director of Engineering and Inspections
     Carolyn Burggraaf, Registrar of Motor Vehicles
February 14, 2012

Dear [redacted]—s.30(1)

Further to your previous meetings and/or discussions with my predecessors and senior officials of this department, I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces.

On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

Specifically, subsection 15(2) of the Schedule to the Buildings Accessibility Regulations CNLR 1140/96 is repealed and the following is substituted:

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

These amendments are designed to clarify the requirement for signage to be permanent in nature, clearly visible in identifying these parking spaces and to be maintained in good condition.

The amendments come into force on February 15, 2012 for new building registrations. The deadline for compliance for all other buildings which are subject to the legislation but were completed, partially completed or for which an accessibility design registration was submitted prior to February 15, 2012, is September 30, 2012 to allow time for replacement of existing signs which may not be in compliance.
In addition, Section 7.1 of the Designated Mobility Impaired Parking Regulations has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a new range of $100 - $400. This amendment comes into force on April 1, 2012.

We are in the process of contacting municipalities to encourage those with parking by-laws to increase their minimum fines to match the new provincial fine structure to increase the effectiveness of this change.

I understand your efforts have been instrumental in the achievement of these amendments, and I wish to extend to you my sincere appreciation for your valuable input.

Should you have any questions about these changes, please feel free to contact Mr. Dennis Eastman, Director of Engineering and Inspections, regarding buildings accessibility [(709) 729-2747; deastman@gov.nl.ca], or Ms. Carolyn Burggraaf, Registrar of Motor Vehicles, regarding the parking regulations [(709) 729-7333; cburggra@gov.nl.ca].

Sincerely,

[Signature]

Paul Davis
Minister

cc Dennis Eastman, Director of Engineering and Inspections
Carolyn Burggraaf, Registrar of Motor Vehicles
February 14, 2012

Ms. Joanne MacDonald, Chair
Provincial Advisory Council for the Inclusion
of Persons with Disabilities
c/o Disability Policy Office
Department of Advanced Education and Skills
3rd Floor Confederation Building, West Block
St. John's, NL A1B 4J6

Dear Ms. MacDonald:

I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

Specifically, subsection 15(2) of the Schedule to the Buildings Accessibility Regulations CNLR 1140/96 was repealed and the following substituted:

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

These amendments are designed to clarify the requirement for signage to be permanent in nature, clearly visible in identifying these parking spaces and to be maintained in good condition.

The amendments come into force on February 15, 2012 for new building registrations. The deadline for compliance for all other buildings which are subject to the legislation but were completed, partially completed or for which an accessibility design registration was submitted prior to February 15, 2012, is
September 30, 2012 to allow time for replacement of existing signs which may not be in compliance.

In addition, Section 7.1 of the Designated Mobility Impaired Parking Regulations has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a new range of $100 - $400. This amendment comes into force on April 1, 2012.

We are in the process of contacting municipalities to encourage those with parking by-laws to increase their minimum fines to match the new provincial fine structure to increase the effectiveness of this change.

Should you have any questions about these changes, please feel free to contact Mr. Dennis Eastman, Director of Engineering and Inspections, regarding buildings accessibility [(709) 729-2747; deastman@gov.nl.ca ], or Ms. Carolyn Burggraaf, Registrar of Motor Vehicles, regarding the parking regulations [(709) 729-7333; cburggraaf@gov.nl.ca ].

Sincerely,

[Signature]

Paul Davis
Minister

Cc Dennis Eastman, Director of Engineering and Inspections
    Carolyn Burggraaf, Registrar of Motor Vehicles
February 14, 2012

Mayor Churence Rogers
President
Municipalities Newfoundland and Labrador
380 Torbay Road, St. John's, NL
A1A 5J3

Dear Mayor Rogers:

I am pleased to advise you of recent amendments to provincial legislation regarding parking for people with mobility disabilities. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act, and an amendment to the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

Specifically, s7.1 of the Designated Mobility Impaired Parking Regulations has been amended to increase the provincial penalties for parking in a designated parking space, from the current range of $45 - $180 to a new range of $100 - $400. This amendment is designed to increase the deterrent against illegal parking in these spaces by those who do not have the required permits and, thereby, to assist with enforcement efforts. The changes come into force on April 1, 2012.

We will be contacting a number of individual municipalities that have parking by-laws of this nature directly, with a view to encouraging them to increase their minimum fines to match the new provincial minimum, to enhance the effectiveness of this change. However, I would be grateful if you would also circulate this information to your membership to ensure all of them are aware of the changes.

In addition, subsection 15(2) of the Schedule to the Buildings Accessibility Regulations CNLR 1140/96 is repealed and the following is substituted:

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;
(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

These amendments are designed to clarify the requirement for signage to be permanent in nature, clearly visible in identifying these parking spaces and to be maintained in good condition.

The amendments come into force on February 15, 2012 for new building registrations. The deadline for compliance for all other buildings which are subject to the legislation but were completed, partially completed or for which an accessibility design registration was submitted prior to February 15, 2012, is September 30, 2012.

Should you have any questions about these changes, please feel free to contact Ms. Carolyn Burggraaf, Registrar of Motor Vehicles, regarding the parking regulations [ (709) 729-7333; cburggraaf@gov.nl.ca ], or Mr. Dennis Eastman, Director of Engineering and Inspections, regarding buildings accessibility [ (709) 729-2747; deastman@gov.nl.ca ].

Sincerely,

[Signature]

Paul Davis
Minister

cc  Hon. Kevin O’Brien, Minister of Municipal Affairs
     Carolyn Burggraaf, Registrar of Motor Vehicles
     Dennis Eastman, Director of Engineering and Inspections
February 14, 2012

Executive Director
Independent Living Resource Centre
4 Escasoni Place
St. John’s, NL A1A 3R6

Dear [Name]:

I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

Specifically, subsection 15(2) of the Schedule to the Buildings Accessibility Regulations CNLR 1140/96 was repealed and the following substituted:

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

These amendments are designed to clarify the requirement for signage to be permanent in nature, clearly visible in identifying these parking spaces and to be maintained in good condition.

The amendments come into force on February 15, 2012 for new building registrations. The deadline for compliance for all other buildings which are subject to the legislation but were completed, partially completed or for which an accessibility design registration was submitted prior to February 15, 2012, is September 30, 2012 to allow time for replacement of existing signs which may not be in compliance.
In addition, Section 7.1 of the Designated Mobility Impaired Parking Regulations has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a new range of $100 - $400. This amendment comes into force on April 1, 2012.

We are in the process of contacting municipalities to encourage those with parking by-laws to increase their minimum fines to match the new provincial fine structure to increase the effectiveness of this change.

Should you have any questions about these changes, please feel free to contact Mr. Dennis Eastman, Director of Engineering and Inspections, regarding buildings accessibility [(709) 729-2747; deastman@gov.nl.ca], or Ms. Carolyn Burggraaf, Registrar of Motor Vehicles, regarding the parking regulations [(709) 729-7333; cburggra@gov.nl.ca].

Sincerely,

Paul Davis
Minister

Cc  Dennis Eastman, Director of Engineering and Inspections
     Carolyn Burggraaf, Registrar of Motor Vehicles
February 14, 2012

Chairperson
Seniors Resource Centre Association
of Newfoundland and Labrador
370 Torbay Road, Suite W100
St. John’s, NL  A1A 0L4

Dear [Name]

I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

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(a) at least 300 millimetres by 600 millimetres;

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Should you have any questions about these changes, please feel free to contact Mr. Dennis Eastman, Director of Engineering and Inspections, regarding buildings accessibility ([709) 729-2747; deastman@gov.nl.ca], or Ms. Carolyn Burggraaf, Registrar of Motor Vehicles, regarding the parking regulations ([709) 729-7333; cburggra@gov.nl.ca].

Sincerely,

Paul Davis
Minister

cc  Dennis Eastman, Director of Engineering and Inspections
    Carolyn Burggraaf, Registrar of Motor Vehicles
February 14, 2012

Chief Robert Johnston
Chief of Police
Royal Newfoundland Constabulary
1 Fort Townshend
St. John's, NL A1C 2G2

Dear Chief Johnston:


These amendments are designed to create more effective policing of designated parking spaces by ensuring permanent signage, especially in the winter when the markings on the pavement may be hidden under snow, and deterring those without permits from taking up spaces intended for people with mobility disabilities through increased fines.

Specifically, changes to the Buildings Accessibility Regulations clarify the requirement for vertical signage to be permanent in nature, clearly visible to the public in identifying these parking spaces and to be maintained in good repair. The amendments come into force on February 15, 2012 for new buildings or developments requiring parking spaces, and by September 30, 2012 for existing buildings which are subject to the legislation.

Section 7.1 of the Designated Mobility Impaired Parking Regulations has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a new range of $100 - $400. This amendment comes into force on April 1, 2012.

We are in the process of contacting municipalities to encourage those with parking by-laws to increase their minimum fines to match the new provincial minimum, to enhance the effectiveness of this change.
It would be appreciated if you would notify your members of these changes. Should you need any clarification or have further questions on this matter, please do not hesitate to contact Donna Kelland, Assistant Deputy Minister, at 709-729-3056 or dkelland@gov.nl.ca.

Sincerely,

[Signature]

Paul Davis
Minister
February 14, 2012

Acting Commanding Officer Andrew Boland
Royal Canadian Mounted Police "B" Division
100 East Whitehills Road
St. John's, NL A1A 3T5

Dear Acting Commanding Officer Boland:


These amendments are designed to create more effective policing of designated parking spaces by ensuring permanent signage, especially in the winter when the markings on the pavement may be hidden under snow, and deterring those without permits from taking up spaces intended for people with mobility disabilities through increased fines.

Specifically, changes to the Buildings Accessibility Regulations clarify the requirement for vertical designated mobility impairment signage to be permanent in nature, clearly visible to the public in identifying these parking spaces and to be maintained in good repair. The amendments come into force on February 15, 2012 for new buildings or developments requiring parking spaces, and by September 30, 2012 for existing buildings which are subject to the legislation.

Section 7.1 of the Designated Mobility Impaired Parking Regulations has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a new range of $100 - $400. This amendment comes into force on April 1, 2012.

We are in the process of contacting municipalities to encourage those with parking by-laws to increase their minimum fines to match the new provincial minimum, to enhance the effectiveness of this change.
It would be appreciated if you would notify your members of these changes. Should you need any clarification or have further questions on this matter, please do not hesitate to contact Donna Kelland, ADM, at 709-729-3056 or dkelland@gov.nl.ca.

Sincerely,

[Signature]

Paul Davis
Minister
Donna:

Thanks for sharing this letter and congratulations to Service NL. Bravo everyone!

Mary R

Mary Reid
Director
Disability Policy Office
Government of Newfoundland and Labrador
709 729-6208

From: Kelland, Donna
Sent: Wednesday, February 15, 2012 1:06 PM
To: Burggraaf, Carolyn A.; Eastman, Dennis
Cc: Reid, Mary M
Subject: FW: Designated Mobility Impaired Parking Spaces

FYI. A “home run”! Thanks for all your work and support on this one. DK

From: Churchill, Debbie
Sent: Wednesday, February 15, 2012 12:05 PM
To: Kelland, Donna; Norman, David
Subject: FW: Designated Mobility Impaired Parking Spaces

FYI

From: [email: s30(1)]
Sent: Wednesday, February 15, 2012 11:26 AM
To: Davis, Paul A
Cc: Eastman, Dennis; Burggraaf, Carolyn A.; Churchill, Debbie
Subject: RE: Designated Mobility Impaired Parking Spaces

Honorable Paul Davis,

The pleasure and gratitude I feel can’t be put into words, but I will try. I’d like to thank you, Mary Reid, Dennis Eastman, former Ministers of your office and anyone involved, for the continued efforts and support to push this over the top of the hill and positively affect many many people in our wonderful province. I hope my frustration in the past was not confused with dislike, the continued efforts of your office has only strengthened my resolve in our sound and understanding government. The tools you have now provided our municipalities and enforcement show how inclusive our province is moving to be.

Thank you and your office for your understanding, keeping this moving forward, and ensuring functional access for everyone.

Kindest Regards
From: Churchill, Debbie [mailto:dchurchi@gov.nl.ca]
Sent: February-15-12 10:36 AM
To: [redacted]
Cc: Burggraaf, Carolyn A.; Eastman, Dennis
Subject: Designated Mobility Impaired Parking Spaces

Dear [redacted]

Attached please find a copy of a letter to you from the Honourable Paul Davis, Minister of Service NL. If you require further information, please contact the people listed on his letter.

Debbie

Debbie Churchill
Administrative Assistant to Honourable Paul Davis

Service NL
Government of Newfoundland and Labrador
2nd Floor West Block, Confederation Building
P.O. Box 8700  St. John's, NL  A1B 4J6
debbie.churchill@gov.nl.ca
t: 709.729.4712 | f: 709.729.4754
www.qs.gov.nl.ca

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February 17, 2012

Canadian Council of the Blind-NL

Dear

I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

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(c) visible to the public; and

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The amendments came into force on February 15, 2012 for new building registrations. The deadline for compliance for all other buildings which are subject to the legislation but were completed, partially completed, or for which an accessibility design registration was submitted prior to February 15, 2012,
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We are in the process of contacting municipalities to encourage those with parking by-laws to increase their minimum fines to match the new provincial fine structure to increase the effectiveness of this change.

Should you have any questions about these changes, please feel free to contact Mr. Dennis Eastman, Director of Engineering and Inspections, regarding buildings accessibility [(709) 729-2747; deastman@gov.nl.ca], or Ms. Carolyn Burggraaf, Registrar of Motor Vehicles, regarding the parking regulations [(709) 729-7333; cburggra@gov.nl.ca].

Sincerely,

[Signature]

Donna L. Kelland
Assistant Deputy Minister

cc  Dennis Eastman, Director of Engineering and Inspections
     Carolyn Burggraaf, Registrar of Motor Vehicles
February 17, 2012

Easter Seals Newfoundland and Labrador
206 Mount Scio Road
St. John's, NL A1B 4L5

Dear [Name],

I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

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Sincerely,

[Signature]

Donna L. Kelland
Assistant Deputy Minister

cc Dennis Eastman, Director of Engineering and Inspections
Carolyn Burggraaf, Registrar of Motor Vehicles
February 17, 2012

CNIB – St. John’s
Attention: [Redacted]
70 The Boulevard
St. John’s, NL A1A 1K2

Dear [Redacted]:

I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

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Sincerely,

[Signature]

Donna L. Kelland
Assistant Deputy Minister

cc Dennis Eastman, Director of Engineering and Inspections
    Carolyn Burggraaf, Registrar of Motor Vehicles
February 17, 2012

Executive Director
Cerebral Palsy Association
P.O. Box 23059, Churchill Park Postal Outlet
St. John’s, NL  A1B 4R9

Dear [Name]

I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

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Sincerely,

[Signature]

Donna L. Kelland
Assistant Deputy Minister

cc Dennis Eastman, Director of Engineering and Inspections

Carolyn Burggraaf, Registrar of Motor Vehicles
February 17, 2012

[Name Redacted], Executive Director
Canadian Paraplegic Association
Provincial Office
342 Freshwater Road, P.O. Box 21283
St. John's, NL A1B 1C2

Dear [Name Redacted]

I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

Specifically, subsection 15(2) of the Schedule to the Buildings Accessibility Regulations CNLR 1140/96 was repealed and the following substituted:

(2) Vertical signs shall be

(a) at least 300 millimetres by 800 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

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(d) maintained in a state of good repair.

These amendments are designed to clarify the requirement for signage to be permanent in nature, clearly visible in identifying these parking spaces and to be maintained in good condition.

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is September 30, 2012 to allow time for replacement of existing signs which may not be in compliance.

In addition, Section 7.1 of the Described Mobility Impaired Parking Regulations has been amended to increase the provincial penalties for parking in a designated mobility impaired parking space from the current range of $45 - $180 to a new range of $100 - $400. This amendment comes into force on April 1, 2012.

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Sincerely,

[Signature]

Donna L. Kelland
Assistant Deputy Minister

cc Dennis Eastman, Director of Engineering and Inspections
   Carolyn Burggraaf, Registrar of Motor Vehicles
February 17, 2012

NL Brain Injury Association
Attention: [Redacted]
49-55 Elizabeth Avenue
St. John’s, NL A1A 5B2

Dear [Redacted]

I am pleased to advise you of recent legislative amendments regarding designated mobility impaired parking spaces. On February 3, 2012, amendments to the Buildings Accessibility Regulations under the Buildings Accessibility Act and the Designated Mobility Impaired Parking Regulations under the Highway Traffic Act, were published in The Newfoundland and Labrador Gazette, NLR 9/12.

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Sincerely,

[Signature]

Donna L. Kelland
Assistant Deputy Minister

cc Dennis Eastman, Director of Engineering and Inspections
Carolyn Burggraaf, Registrar of Motor Vehicles
Good Afternoon William,

Section 15 of the schedule included in the Buildings Accessibility Regulations under the Buildings Accessibility Act states the following:

Parking space signs

15. (1) Accessible parking spaces shall be designated as reserved for use by persons with disabilities by the

(a) uniform traffic control sign mounted vertically; and

(b) international symbol of access on the pavement of the space.

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

(3) Symbol on the pavement shall be

(a) at least 1000 millimetres long;

(b) located in the centre of the space; and

(c) in a colour strongly contrasting with the background pavement.

(4) All designated parking stalls and access aisles shall be painted the international colour of access on the pavement of the spaces and aisles

For your reference, I have included links to the said Act and Regulations below:
http://assembly.nl.ca/Legislation/sr/statutes/b10.htm

http://assembly.nl.ca/Legislation/sr/regulations/rc981140.htm#Sched

Please advise if you require anything further.

Regards,
David
Good day,

Out of office reply suggested forward enquiries to you...

Bill

---

Good Day,

I've made a number of enquiries regarding the revisions to the Building Accessibility Act recently sent out to ensure compliance by September of this year, and your name came up along the way.

I was wondering if the Act requires accessibility parking spaces to be marked both on ground (blue zone) and by signage as per spec?

I can not find if it's either/or or both. If you could direct me to the applicable section of code indicating, I would greatly appreciate it.

No doubt both would be the best option; presently we have areas where signage (paved lot with no posts presently in place, or impeding snow clearing) is impractical if a permanent post must be installed......Relatedly, gravel parking lots? This leads me to wondering if there are exceptions and where they apply...

Thanks,

Bill March
Building Manager
T&W, Clarenville
Good evening and thank you for your email. The Building Accessibility Regulations set out the requirements pertaining to "Blue Zone" parking spaces.

Section 8 states....

8. In a parking area provided for a building there shall be at least one lot or 4% of the total lots, whichever is the greater, designed and designated for use by physically disabled persons.

The schedule included in the Regulations state.....

Access to parking areas

13. A barrier-free path of travel shall be provided from the entrance described in section 3 of this Schedule to

   (a) an exterior parking area where exterior parking is provided; and

   (b) at least one parking level where a passenger elevator serves an indoor parking level.

Parking spaces

14. Parking spaces designated for persons with disabilities

   (a) that service a specific building shall be located on the shortest possible accessible route to the principal entrances of the building;

   (b) in separate parking structures or lots that do not serve a particular building shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility;

   (c) may have 2 accessible parking spaces sharing a common access aisle and colour;

   (d) shall have the access aisle(s) marked as a "no parking" area and meet the criteria for an exterior path of travel;

   (e) shall be at least 2400 millimetres wide and shall have an adjacent access aisle that is at least 1500 millimetres wide adjacent and parallel to the vehicle parking space.
Parking space signs

15. (1) Accessible parking spaces shall be designated as reserved for use by persons with disabilities by the

(a) uniform traffic control sign mounted vertically; and

(b) international symbol of access on the pavement of the space.

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;

(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

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(3) Symbol on the pavement shall be

(a) at least 1000 millimetres long;

(b) located in the centre of the space; and

(c) in a colour strongly contrasting with the background pavement.

(4) All designated parking stalls and access aisles shall be painted the international colour of access on the pavement of the spaces and aisles.

The entire Regulations can be viewed by going to the following link.....
http://www.assembly.nl.ca/Legislation/sr/Regulations/rc961140.htm#8

I hope this satisfies what you were seeking.

Best regards,
Paul

Paul Davis, MHA
District of Topsail

Minister, Service NL
Government of Newfoundland and Labrador
P.O.Box 8700
St.John's, NL
Canada
A1B 4J6
Telephone 709-729-4712
Fax 709-729-4754

On May 8, 2012, at 8:25 PM, "MBC & Co" <mbc.can@gmail.com> wrote:
As an owner of a BLUE ZONE PARKING PERMIT, I would like to know if there are any regulations that state the number of BLUE ZONE spots that a company/organization must provide to the public. Also is there a required distance from the building entrance where there should be a BLUE ZONE?
Haskell, Ellen

From: Brockerville, David  
Sent: Friday, September 07, 2012 12:06 PM  
To: Donnan, Hugh; Eastman, Dennis  
Cc: Kelland, Donna  
Subject: RE: Blue Zone

Hugh,

Per our discussion, I have been advised that the general number for our GSC is 729-3699.

The following list was developed as part of the communication plan for the BA Regulation amendment requiring permanent signage:
- Newfoundland Association of Architects;
- PEG-NL;
- Consulting Engineers of Newfoundland and Labrador;
- CNIB;
- Canadian Hard of Hearing Association Newfoundland and Labrador;
- Independent living Resource Centre;
- Coalition of Persons with Disabilities Newfoundland and Labrador;
- Department of Municipal Affairs;
- Department of Tourism, Culture and Recreation;
- Department of Transportation and Works;
- Department of Health and Community Services;
- Department of Education;
- Association of Engineering Technicians and Technologists of Newfoundland and Labrador;
- Newfoundland and Labrador Construction Safety Association;
- Royal Newfoundland Constabulary;
- Royal Canadian Mounted Police

Regards,
David

From: Donnan, Hugh  
Sent: Friday, September 07, 2012 9:33 AM  
To: Brockerville, David; Eastman, Dennis  
Cc: Kelland, Donna  
Subject: RE: Blue Zone

Perfect thx.

From: Brockerville, David  
Sent: Friday, September 07, 2012 9:32 AM  
To: Donnan, Hugh; Eastman, Dennis  
Cc: Kelland, Donna  
Subject: RE: Blue Zone

Hi Hugh,

I am working on stats for Donna now. I can give you a call at 11:30am if that works?
Regards,
David

From: Donnan, Hugh
Sent: Friday, September 07, 2012 8:30 AM
To: Brockerville, David; Eastman, Dennis
Cc: Kelland, Donna
Subject: FW: Blue Zone
Importance: High

David,

In Dennis' absence, could you have a look at the below?

Let me know when we could chat today.

Cheers,
Hugh

From: Donnan, Hugh
Sent: Thursday, September 06, 2012 4:20 PM
To: Eastman, Dennis
Subject: Blue Zone
Importance: High

Hi Dennis,

Hoping to chat with you on this tomorrow...attached is a draft reminder card for the upcoming Sept 30 deadline for building owners to comply with new Buildings Accessibility/Blue Zone parking changes.

Goal is to produce these cards, along with a press release and get this material distributed in the next 10 days. Target audiences are:

Information card and letter to be distributed to:
- Newfoundland and Labrador Construction Association (letter plus 25 copies)
- Newfoundland and Labrador Association of Architects (letter plus 25 copies)
- Property and development companies (TBA)
- Coalition for Persons with Disabilities (100)
- Government Service Centres (50 each x 15 = 750)

TOTAL QUANTITY for information cards: 1,000

These must be distributed early in the w/o September 10, 2012

Additional Activities
- Minister Davis to take part in a media event at local parking lot promoting new requirements (September 28, 2012)
- Press Release to be timed with event on September 28, 2012 to inform the public of the new regulations
- Social Media: Reminder Campaign week of September 24 - October 5

Are you available for a chat on this tomorrow? Also, I have some edits to the brochure noted from Donna which I can run by you as well.

Cheers,
Hugh

<< File: Blue Zone Regulations.pdf >>
Here is the email where we sent to David for review...

Hugh

Sent Via BlackBerry

David,

In Dennis' absence, could you have a look at the below?

Let me know when we could chat today.

Cheers,

Hugh

Hi Dennis,

Hoping to chat with you on this tomorrow...attached is a draft reminder card for the upcoming Sept 30 deadline for building owners to comply with new Buildings Accessibility/Blue Zone parking changes.

Goal is to produce these cards, along with a press release and get this material distributed in the next 10 days. Target audiences are:

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**TOTAL QUANTITY for information cards: 1,000**

*These must be distributed early in the w/o September 10, 2012*

**Additional Activities**

- Minister Davis to take part in a media event at local parking lot promoting new requirements (September 28, 2012)
- Press Release to be timed with event on September 28, 2012 to inform the public of the new regulations
- Social Media: Reminder Campaign week of September 24 - October 5

Are you available for a chat on this tomorrow? Also, I have some edits to the brochure noted from Donna which I can run by you as well.

Cheers,

Hugh

<<Blue Zone Regulations.pdf>>
Donna, this is for your information regarding a conflict between the Buildings Accessibility Regulations and the Designated Mobility Impaired Parking Regulations with respect to signage for designated parking spaces. Carolyn and I have discussed this and she has referred it to Susan Marrie with Justice. Please refer to the email threads below for background and where we are currently. Dennis

Susan: Can you review below. I would like to discuss whether we should amend our regs to refer to Building Accessibility Regs; or whether required at all. Can you also confirm our Regs are ministerial?

Carolyn Burggraaf
Registrar of Motor Vehicles

Service NL
Government of Newfoundland and Labrador
P.O. Box 8710, St. John's, NL A1B 4J5
cburggra@gov.nl.ca
t: 709-729-4175 | f: 709-729-6955
www.qs.gov.nl.ca

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Hi Carolyn,

I have just become aware of a conflict between the Buildings Accessibility Regulations and the Designated Mobility Impaired Parking Regulations with respect to signage for designated parking spaces.

The DMIP Regulations state in 2(b)(i) "designated by a sign bearing the international wheelchair logo" and 2(c) states "international wheelchair logo" means the international symbol of access for the handicapped sign which is a white wheelchair on a blue background with a white border as depicted in the Uniform Traffic Control Devices for Canada Manual."
The Buildings Accessibility Regulations, however, state in Section 15(1)(a) of the Schedule that, “Accessible parking spaces shall be designated as reserved for use by persons with disabilities by the uniform traffic control sign mounted vertically.” The uniform traffic control sign is specified in CSA B651, which is the Code adopted by the Regulations, and is the sign from the Transportation Association of Canada’s 1998 Manual of uniform traffic control devices for Canada. There is a Figure 57(a) in the CSA B651 which illustrates the sign. I have attached this figure to this email. There are number of differences.

The DMIP requires that the sign contain a white wheelchair on a blue background with a white border. The Buildings Accessibility Regulations requires a blue wheelchair on a white background with a green circle around it and a blue P with a red circle and stroke around and through it with a blue border.

Please call me at 5505 to discuss when you get a chance.

Thank-you,
Dennis

Dennis Eastman, P.Eng.
Director, Engineering and Inspection Services

Service NL
Government of Newfoundland and Labrador
5 Mews Place
P.O. Box 8700 St. John’s, NL A1B 4J6
deastman@gov.nl.ca
T 709.729.2747 F 709.729.2071
www.gs.gov.nl.ca
Haskell, Ellen

From: Norman, David
Sent: Friday, March 22, 2013 5:04 PM
To: Kelland, Donna
Subject: FW: Blue Zone Parking Fines

Importance: High

Donna, Jamie advises they are using prov regs.....what would we have to change?

David Norman
Deputy Minister

Service NL
Government of Newfoundland and Labrador
2nd Floor West Block, Confederation Building
P.O. Box 8700, St. John’s, NL A1B 4J6
davidnorman@gov.nl.ca
t: 709.729.4752 | f: 709.729.4754

From: Chippett, Jamie
Sent: Friday, March 22, 2013 4:47 PM
To: Norman, David
Subject: RE: Blue Zone Parking Fines
Importance: High

David,

As we discussed, this is in the budget.

Jamie

From: Norman, David
Sent: Sunday, March 17, 2013 11:43 AM
To: Chippett, Jamie
Subject: Re: Blue Zone Parking Fines

Ok....will get back to you.....

From: Chippett, Jamie
Sent: Sunday, March 17, 2013 11:36 AM
To: Norman, David; Kelland, Donna
Subject: RE: Blue Zone Parking Fines

Jamie
Ok....I'll have to get back to you....do you need something today?

Authority for fire lane and blue zone come under the appropriate HTA regs

Authority for others are under WST Parking regs

By the way it is $100 here now for blue zone

Jamie

I meant regular tickets and blue zone....trying to determine if you come under prov regs.....

Jamie, what is the source of your authority to issue parking permits on Confed Bldg parking lots? Dave.

Are there any regulatory concerns/changes required to accomplish this?
Sept 30, 2013

Hon. Nick McGrath,
Minister, Service NL
P.O. Box 8700
St. John’s, NL
A1B 4J6

Dear Minister McGrath:

The Coalition of Persons with Disabilities –NL (COD-NL) appreciates our recent meeting with you on August 28, 2013, to discuss Blue Zone Parking. At this time, COD-NL is pleased to present a proposal to Service NL concerning designated mobility impaired parking or Blue Zone Parking spaces as referred to by persons with disabilities.

As you are aware, persons with disabilities face challenges every day, not the least of which is finding adequate parking when they need it. For those with disabilities, the use of blue zone parking spaces is not a luxury; it's a necessity. Yet every day, persons with disabilities can't assess parking spaces for numerous reasons; spaces are too small, no curb cuts, no access aisles, or no blue zone spaces, etc. Vertical signage is imperative for winter parking when spaces are snow covered and while it is legislated, very few businesses and hospitals have enacted this regulation. Blue Zone is essential not only for residents of our communities but also for visitors and tourists.

COD-NL will use the Service NL funding to complete research of Blue Zone Parking. The goal of this project is to partner with Service NL to research best practices and create a checklist for business owners and contractors that will promote proper continuity of blue zone spaces as legislated.

We ask Service NL to fund this initiative so to highlight the importance of proper blue zone spaces for all our communities and residents. An Advisory Committee will oversee the project and we welcome employees from your department to serve on this Committee. Further information is outlined in the attached proposal.

Please feel free to contact me if you require further information or have any questions. I may be reached at 722-7011 or kwhite@codnl.ca

Sincerely,

Kelly White
Executive Director
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
October 2, 2013

Ms. Kelly White
Executive Director
Coalition of Persons with Disabilities
460 Torbay Road
St. John’s, NL
A1A 5J3

Dear Ms. White:

Thank you for your letter to the Honourable Nick McGrath dated September 30, 2013 in which you requested funding to assist with research on blue zone parking.

Minister McGrath is looking into your request, and he will get back to you in due course.

Sincerely,

[Signature]

Debbie Churchill
Administrative Assistant to
Honourable Nick McGrath, Minister
October 22, 2013

Hon. Dan Crummell
Minister, Service NL
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Minister Crummell:

The Coalition of Persons with Disabilities – Newfoundland Labrador (COD-NL) would like to congratulate you on your appointment as Minister of Service NL.

At this time, we respectively request a meeting with you to discuss a COD-NL Blue Zone Campaign and the importance of making the legislation clearer around this particular issue. We would also like an opportunity to discuss with you the Building Accessibility Committee.

We are available to meet at your convenience. To arrange a meeting, please contact me at 722-7011 or kwhite@codnl.ca.

Thank you in advance for considering our request and we look forward to meeting you at your earliest convenience.

Sincerely,

Kelly White,
Executive-Director
Ms. Kelly White:

Thank you for your e-mail to the Honourable Dan Crummell dated October 23, 2013, in which your attached letter requested a meeting to discuss a COD-NL Blue Zone Campaign and the Building Accessibility Committee. Your request has been brought to Minister Crummell’s attention, and we will be in touch with you shortly.

Debbie Churchill
Administrative Assistant to Honourable Dan Crummell
Service NL
Government of Newfoundland and Labrador
2nd Floor, West Block, Confederation Building
P.O. Box 8700, St. John’s, NL A1B 4J6
debbie.churchill@gov.nl.ca
t: 709.729-4712  f: 709-729-4754
www.as.gov.nl.ca
Information Note
Service NL

Title: Parking Spaces Designated for Persons with Disabilities (Accessible Parking)

Background and Current Status:

Building Accessibility

- In recognition of the accessibility needs and rights of people with disabilities, the Provincial Government proclaimed the *Buildings Accessibility Act* in 1981, during the International Year of the Disabled.
- In the original Legislation, parking areas had to provide one lot or 1%, whichever was greater, for persons with disabilities. As a result of a review completed in 2004, this figure was increased to one lot or 4% of the total lots (whichever is greater).
- Originally, accessible parking spaces had to be 3.7 meters (m) wide. Amendments to the *Buildings Accessibility Regulations* in 1992 resulted in an overall increase in width to 3.9m comprised of a 2.4m parking space and an adjacent and parallel access aisle 1.5m wide. Specific requirements were added to indicate the space was reserved for use by persons with disabilities, including the Uniform Traffic Control Sign and international symbol of access on the pavement of the space.
- In 2010, Service NL recognized a problem with respect to moveable signs which were being displaced in winter months during snow clearing.
- Subsequently in 2012, the *Buildings Accessibility Regulations* made under the *Buildings Accessibility Act* was amended to clarify the requirement for signs for parking spaces designated for persons with physical disabilities to be permanently installed and maintained in good repair; and visible to the public.
- On August 28, 2013, Carolyn Burggraaf and Minister McGrath met with Michelle Murdoch and Kelly White of the Coalition of Persons with Disabilities (COD-NL). The purpose of the meeting was to discuss concerns COD-NL had regarding impaired mobility parking (accessible parking spaces). A summary of information from this meeting is attached in Annex A.
- During a recent interview on the CBC Morning Show, Michelle Murdoch, President of COD- NL, stated that accessible parking spaces are not big enough for persons using ramps. Ramps are found on vans used by persons with physical disabilities.
- The *Buildings Accessibility Regulations* address accessible parking spaces for cars only. The Canadian Standards Association (CSA) Standard B651-12, Accessible Design for the Built Environment, provides technical requirements for accessible parking spaces for both cars and vans. CSA B651 requires van spaces to be a minimum of 2.6m wide with an adjacent access aisle at least 2.0m wide for a total width of 4.6m. This provides for an extra .7m of width for van parking spaces as compared to car parking spaces. The Standard recommends that one van space be provided for every six accessible car spaces.

Analysis:

- Currently, when a parking area is provided for a building, accessible parking spaces are required for cars only. Requirements for van size accessible parking spaces could be added to the BA regulations. Amendment of the *Act* would not be necessary.
• An audit is being performed in the Eastern and Avalon Regions to get an idea of the level of compliance which currently exists at Big Box stores and strip malls.
• Staff is providing, as requested, general illustrations (attached) to assist contractors and designers. This information could be posted on Service NL’s website and/or printed and provided to COD.
• The Service NL web site could be updated to provide more generic information. In this regard, Tracy Brinson, Policy and Strategic Planning, Service NL, has been tasked with updating a general information brochure on behalf of Engineering and Inspection Services.
• With respect to changing the parking space requirements and mandating spaces which have walk ways on both sides (see question 5 in Annex A), further evaluation is required before a recommendation can be made.

Impaired Mobility (Accessible) Parking Permit Program
• Motor Registration Division commenced issuing parking permits on January 2, 2002.
• An individual applying for a designated impaired mobility (accessible) parking permit for the first time is required to complete an application form and have the application certified by their family physician. Detailed information regarding this program is appended in Annex B.
• The Registrar is obligated to follow up whenever information is received on an individual that may affect a person’s ability to drive safely. This includes information provided on an application for accessible parking.
• If the medical condition was previously unknown, more detailed information is requested to be submitted by the driver and/or driver’s physician, in order to determine whether further medical monitoring, driver testing, on road assessment or conditions on a person’s driver’s licence may be necessary.
• There are currently 18,372 accessible permit files in the MRD Parking Permit System. On a monthly basis MRD issues approximately 186 new permits and renews an additional 130.
• In 2012, the Designated Mobility Impaired Parking Regulations (DMIP) made under the Highway Traffic Act was amended to increase fines for parking in a designated impaired mobility parking space without the required permit were increased to a minimum of $100 to a maximum of $400. COD has requested information regarding the number of convictions. This information is attached in Annex C.
• Recently, MRD engaged the Disability Policy Office with respect to a revised application form which would include a section of recommended follow up by the physician in relation to driving.
• The Disability Policy Office has indicated that they feel that the parking permit program should be completely separate from any follow up with the applicant regarding his/her ability to drive safely. As a result of these discussions, the Registrar has sought a legal opinion from the Department of Justice on the connection between an application for accessible parking and medical follow up for driving.

Prepared by: Dennis Eastman, Carolyn Burggraaf
Date: October 29, 2013
Summary of Information:

On August 28, 2013, Carolyn Burggraaf and Minister McGrath met with Michelle and Kelly White of the Coalition of Persons with Disabilities (COD).

The purpose of the meeting was to discuss some concerns COD had regarding impaired mobility parking. COD brought forward some questions on enforcement, parking space design and some concerns on a person’s ability to use these spaces and walkways. It was agreed at that meeting that the Registrar of Motor Vehicles would follow up on their technical questions as well as provide further information on the number of convictions for parking in an impaired mobility parking space. (This information has been requested and is expected to be received shortly)

In addition, COD approached the minister on the possibility of working collaboratively in educating the public on use of parking spaces and utilizing COD in this role. They get a number of questions from contractors and the public and feel that having some general information for distribution would be very beneficial. The Minister agreed to look at options and request funding for the 2014/15 budget.

Following the meeting the Registrar of Motor Vehicles met with the Director of Engineering and Inspection Services. The following are responses to specific questions brought forward by COD:

1. Are there specifications in relation to curb cuts? If yes, where are they and what are they?

   Section 9 “Curb Ramps” of the Schedule of the Building Accessibility Regulations addresses the specific requirements of curb ramps, or “curb cuts” as they are commonly called in industry. Basically, the slope can be no more than one in ten; it must have a level area at the top of the ramp of 920 mm, be a minimum width of 1200 mm exclusive of the flared sides and be of a contrasting colour and texture than the adjacent surface.

2. Do the dimensions of the accessible parking space include the walk access or is it separate from that? If yes, what are they for each?

   Sections 14 and 15 respectively of the Buildings Accessibility Regulations address the requirements of designated parking spaces.

   There are separate dimensions for both the parking space and the access aisle. The minimum dimension of the parking space is 2400 mm and the designated access aisle must be a minimum of 1500 mm.

3. Are retrofitted parking spaces being inspected and enforced for compliance? They also indicated not everyone is complying with vertical signage requirements (Health Science Complex?)

   The Department is challenged when it comes to inspector positions; however, all complaints are investigated. An attempt is being made this fall to blitz the Big Box stores and strip malls to ensure the new parking space signage requirements are being addressed. These are the buildings which
generate the majority of complaints. An Engineering Services staff was at the Health Science Complex approximately a year ago during the parking lot renovations and all was in compliance.

4. How many accessible parking spaces are required? Are there rules around location and ensuring no impediment to traffic flow (for example: location next to drive thrus as well as enough spaces being located at rear of buildings and not through the front (Arts and Culture Center was mentioned).

The requirement for the number of accessible parking spaces is outlined in Section 8 of the Buildings Accessibility Regulations and is one lot or 4% of the total lots whichever is greater. With respect to the location of these spaces, the requirement is for the parking spaces to be on the shortest possible access route to the principal entrance of the building (Section 14 Parking Spaces, Schedule, Buildings Accessibility Regulations).

5. There is an inability to drive in both ways as walk ways are only on one side. Can there be consideration to having van accessible parking spaces with walk ways on both sides?

The only requirement for the access aisle is to be parallel to the parking space. Currently, the decision as to whether or not the vehicle is parked headfirst into the parking space or backed into the parking space would have to be made depending on whether or not it was the driver or passenger who needed to enter or exit the vehicle. Engineering Services staff have checked the CSA B651 "Accessible design for the built environment" and there is only one access aisle required for van parking as well.

6. What are the requirements for automatic door openers?

With respect to automatic door operators, automatic door operators are required in all hotels, buildings of Group B, Division 2 major occupancy (i.e.: hospitals), buildings of Group A, D, E of more than 500 square metres in building area (i.e.: restaurants or business/office spaces), or in instances where the required latch side clearances cannot be achieved on a door.

General Discussion:

The Service NL web site could be updated to provide more generic information. In this regard, Tracy Brinson, Policy and Strategic Planning, Service NL, has been tasked with updating a general information brochure on behalf of Engineering and Inspection Services.

In addition, there are a number of general illustrations (attached) that staff are providing as requested to assist contractors in design. This information could be posted and/or printed and provided to COD.

With respect to changing the parking space requirements and mandating spaces which have walk ways on both sides (see question 5), further evaluation is required before a recommendation can be made. Does the department wish to pursue this option?
DESIGNATED IMPAIRED MOBILITY PARKING (ACCESSIBLE) PARKING PERMIT PROGRAM
Service NL

BACKGROUND
- Motor Registration Division commenced issuing parking permits on January 2, 2002. Previous to this parking permits were issued by the CPA.
- An individual applying for a designated impaired mobility (accessible) parking permit is required to complete an application form and have the application certified by their family physician.
- The policy applied is mobility impairment to mean inability to walk 50 meters with/without an assistive device. Further definitions are found in the Designated Impaired Mobility Parking Permit Regulations.
- There are two types of requests: Permanent (for lifetime) or Temporary (short term mobility impairment due to surgery or injuries such as: broken limbs, hip or knee replacements, etc.). Permanent permits are valid for a period of 5 years. Renewal notices are not issued. Renewal of a permanent accessible parking permit does not require physician recertification.
- The Registrar is obligated to follow up whenever information is received on an individual that may affect a person’s ability to drive safely. This includes information provided on an application for accessible parking.
- If the medical condition was previously unknown, more detailed information is requested to be submitted by the driver and/or driver’s physician, in order to determine whether further medical monitoring, driver testing, on road assessment or conditions on a person’s driver’s licence may be necessary.
- If the applicant does not hold a driver’s licence no further review is undertaken.
- Once the requested information is received, the information is reviewed by the Medicals Review Officer or Medicals Consultant and a decision is made on the appropriate next steps.
- In the majority of cases, the next steps are a continuation of the driver’s licence with medical follow up within a time period set by the Medicals Review Officer or Medicals Consultant.
- In some cases, if the physician who has completed the update makes a recommendation, or there is some cause for concern for the public safety, an on road assessment may also be requested. There may also be a request from an Occupational Therapist for an on road assessment.
- The on road assessment is a 90 minutes in duration and takes into consideration the individual’s driving performance and vehicle handling. If there are any special areas of attention required during the assessment they are noted on the document. The following criteria is used: active range of motion; strength, involuntary movements; lane observance, starting; turning; right of way; stopping; speed control; passing; traffic lights; backing; parking and straight aways.
- There is no fee for the on road assessment.
- Annually, there are approximately 500 on road assessments conducted. There are no statistics available on whether the applicant is also the holder of an impaired mobility parking permit; but to put in perspective, there are approximately 20,000 active medical files of which the Medicals Section may handle roughly 1000 per month or 12,000 per year. Based on this information, on road assessments are requested in approximately 4% of all medical follow up.
• At no time is an on road assessment required in order to obtain an impaired mobility parking permit.

Current Status:
• There are currently 18,372 permits in the MRD System. On a monthly basis MRD issues approximately 186 new permits and renews an additional 130.
• Recently, MRD engaged the Disability Policy Office with respect to a revised application form which would include a section of recommended follow up by the physician in relation to driving.
• The Disability Policy Office has indicated that they feel that the parking permit program should be completely separate from any follow up with the applicant regarding his/her ability to drive safely. As a result of these discussions, the Registrar has sought a legal opinion from the Department of Justice on the connection between an application for accessible parking and medical follow up for driving.

Prepared by: Carolyn Burggraaf
October 28, 2013
Convictions for Impaired Mobility Parking Offences
October 1, 2012 – September 30, 2013

<table>
<thead>
<tr>
<th>OFFENCE</th>
<th>COUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Regulations</td>
<td>73</td>
</tr>
<tr>
<td>City of St. John's Regulations</td>
<td>83</td>
</tr>
<tr>
<td>Mount Pearl Regulations</td>
<td>11</td>
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<tr>
<td>Gander Regulations</td>
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<td>Grand Falls-Windsor Regulations</td>
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<td>Stephenville Regulations</td>
<td>60</td>
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<tr>
<td>Memorial University Regulations</td>
<td>37</td>
</tr>
</tbody>
</table>

TOTAL 271

- Note: Data for convictions on parking offences is maintained by the Department of Justice for 13 months only. Previous years’ conviction data not available.
Figure 20
Bublins Drinking Fountain

Figure 21
Raised Characters or Symbols on Flow Nomenclature
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
OK. Let's keep looking at the potential hazard thing though. Thx. Dk

From: Eastman, Dennis
Sent: Wednesday, June 25, 2014 3:18 PM
To: Kelland, Donna
Subject: RE: Parking stall painting

I have not heard from Raylene yet. Michelle is going to do some research into this for us and David is checking with PTPACC. The earliest reference to the space being painted blue I can find comes from the Designated Mobility Impaired Parking Regulations, 1999 amendment which states in s.2(b),

(b) "designated mobility impaired parking space" means a parking space of the size required in section 2.1 which is

(i) designated by a sign bearing the international wheelchair logo, or

(ii) a blue painted space which may bear the international wheelchair logo

and which is set aside for motor vehicles used by persons who are mobility impaired

In 2006, amendments were made to the Buildings Accessibility Regulations which added a new s.15(4) to the Schedule as a result of the BAAB report of March 2004:

4) All designated parking stalls and access aisles shall be painted the international colour of access on the pavement of the spaces and aisles.

The rationale for the change was to eliminate parking in the access aisles between two designated accessible parking spaces.

Dennis

From: Kelland, Donna
Sent: Wednesday, June 25, 2014 9:54 AM
To: Eastman, Dennis
Subject: RE: Parking stall painting

Did you get any response from Raylene on this yet? Can your folks talk to some of the other jurisdictions as well to see what they require and whether they have had a similar experience. Where did the requirement to paint the whole area come from in the first place? DK

From: Eastman, Dennis
Sent: Thursday, June 19, 2014 2:19 PM
To: Stokes, Raylene V. M.
Cc: Kelland, Donna; Brockerville, David; Tremblett, Greg
Subject: FW: Parking stall painting
Importance: High
Dennis Eastman, P.Eng.
Director, Engineering and Inspection Services

Service NL
Government of Newfoundland and Labrador
149 Smallwood Drive
P.O. Box 8700 St. John's, NL A1B 4J6
deastman@gov.nl.ca
T 709.729.2747 | F 709.729.2071
www.gs.gov.nl.ca

From: Tremblett, Greg
Sent: Thursday, June 19, 2014 1:03 PM
To: Eastman, Dennis
Subject: FW: Parking stall painting
Importance: High

Dennis,

Please see the attached letter re a concern by one of the parking lot painting companies about painting the access aisles.

Regards,

Greg Tremblett
Manager of Inspection Services

Service NL
Engineering and Inspection Services
Government of Newfoundland and Labrador
Motor Registration Building
149 Smallwood Drive
P. O. Box 8700 St. John's, NL A1B 4J6
giremble@gov.nl.ca
T: 709.729.2748 | F: 709.729.2071
www.service.nl.gov.nl.ca

From: Saunders, David
Sent: Wednesday, June 18, 2014 8:57 AM
To: Craig, Michelle; Tremblett, Greg
Hi Dave,

Please see the attach PDF letter regarding the access aisles being painted blue @ Boston Pizza Starvanger & Princes Auto.

Thanks

Trent

Hi Rob,

The stall itself and signs are perfect. Our regulations require the access aisle to be painted blue with a white hatch. I’ve attached a picture of what the space should look like as well as a copy of our regulations to ensure it’s done correctly moving forward.

If you have any questions please feel free to contact me at any time.
Regards,

Dave Saunders
Technical Services Inspector I

Service NL
Engineering and Inspection Services
Government of Newfoundland and Labrador
Motor Registration Building
149 Smallwood Drive
P. O. Box 8700 St. John's, NL A1B 4J6
davidsaunders@gov.nl.ca
T: 709.729.3971 | f: 709.729.2071
www.servicenl.gov.nl.ca

From: [Redacted]
Sent: Tuesday, June 10, 2014 12:24 PM
To: Saunders, David
Cc: [Redacted]
Subject: Parking stall painting

Hi David;
Sorry I missed you this morning. I understand there is an issue with the Accessible Parking spaces at our Stavanger Drive lot.
This was contracted to Newfie Sealers, and I have copied [Redacted] on this so he can be in the loop.
Please let me know what corrections need to be made.

Rob

----
"This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender."
June 17, 2014

Hi Mr. Saunders,

As your aware, the reason Newfie Sealers did not paint the access aisle blue and only painted the white hatch lines was due to customer safety. As you know, the access aisle is in front of the main entrance for both Boston Pizza & Princes Auto and is used by most customers as a walk path to get to the main entrance. Newfie Sealers uses commercial grade traffic paint but even that is sometimes slippery when wet and for that reason, we did not spray the access aisle blue. As you mention over the phone, other line-painting contractors had the same concerns when government requested them to go back and spray the access aisle blue.

Newfie Sealers is willing to go back onsite to paint the blue on the access aisle, as per the governments request but Newfie Sealer, Boston Pizza or Princes Auto, will not be at fault if someone slips and gets hurt, due to the access aisles being completely painted.

Thanks

PO Box 39037 Topsail Rd
St. John’s, NL A1E 5Y7
Office: 709-800-8600

www.newfiesealers.com
Hi, please print the attachments.

---

From: Keland, Donna  
Sent: Monday, August 11, 2014 10:50 AM  
To: Puddester, Leigh  
Subject: FW: Blue Zone Proposal  

Leigh: could we discuss this please when you get a minute. Thx. DK

---

From: Kelly White [mailto:kwhite@codn.nl.ca]  
Sent: Monday, August 11, 2014 10:45 AM  
To: Brazil, David J.  
Cc: Keland, Donna; COD-NL Info;  
Subject: Blue Zone Proposal  

Minister Brazil,  

Thank you again for meeting with Kim and I last week to discuss Blue Zone Accessibility.  

As you suggested, I am sending you a brief proposal on Creating more awareness and education on Blue Zone parking.  

I look forward to working with you and your Department to complete this very important initiative.  

Thank you.  

Kelly White  
Executive Director  
COD-NL  
460 Torbay Road  
St. John’s, NL  
A1A 5J3  
kwhite@codn.nl.ca

---
August 11, 2014

Hon. David Brazil
Minister, Service NL
P.O. Box 8700
St. John’s, NL
A1B 4J6

Dear Minister Brazil:

The Coalition of Persons with Disabilities –NL (COD-NL) appreciates our recent meeting with you on August 5, 2014, to discuss Blue Zone Parking. At this time, COD-NL is pleased to present a proposal to Service NL to create more awarenesses and education on Blue Zone parking.

As you are aware, persons with disabilities face challenges every day, not the least of which is finding adequate parking when they need it. For those with disabilities, the use of blue zone parking spaces is not a luxury; it's a necessity. Yet every day, persons with disabilities can't assess parking spaces for numerous reasons; spaces are too small, no curb cuts, no access aisles, or no blue zone spaces, etc. Vertical signage is imperative for winter parking when spaces are snow covered and while it is legislated, very few businesses and hospitals have enacted this regulation. Blue Zone is essential not only for residents of our communities but also for visitors and tourists.

COD-NL will use the Service NL funding to complete a review of the Blue Zone Parking Regulations and create a checklist for business owners and contractors that will promote proper continuity of blue zone spaces as legislated. We ask Service NL to fund this initiative. A Task Force will oversee the project and we welcome representatives from your department to serve on this committee. Further information is outlined in the attached proposal.

As we move through this process, there are several other items that the Coalition can be contracted to provide direct service delivery. This could include; overseeing the designated parking permit program, Blue Zone parking audits/enforcement as well as signage/supplies vending.

With the Coalition's expertise and network capacity, this would provide for efficiencies on many levels including costs savings and increased compliance; and, will ultimately result in more access and inclusion throughout our province.
I look forward to a favourable response and working with you and your Department to insure greater access for everyone in our great province.

Please feel free to contact me if you require further information or have any questions may be reached at 722-7011 or kwhite@codni.ca

Sincerely,

Kelly White
Executive Director
September 24, 2014

Ms. Kelly White
Coalition of Persons with Disabilities
460 Torbay Road
St. John's, NL A1A 5J3

Dear Ms. White:

Enclosed you will find two (2) copies of the Agreement for Consultant work on the Blue Zone Parking Promotion and Awareness project. I trust you will find all in order.

Once you have signed both copies, please return one original to my office and keep the other for your files.

Should you have any questions, do not hesitate to contact me at 729-3056 or via e-mail at dkelland@gov.nl.ca

Sincerely,

DONNA L. KELLAND
Assistant Deputy Minister

Enclosure
November 12, 2014

Ms. Kelly White  
Coalition of Persons with Disabilities  
Newfoundland and Labrador  
460 Torbay Road  
St. John’s, NL A1A 5J3

**RE: Agreement between COD-NL and Service Newfoundland and Labrador**

As per Section 5 of the consulting agreement between the Coalition of Persons with Disabilities and Service Newfoundland and Labrador, the project contract is amended as follows:

Existing 1.2 (d) is replaced by:

1.2 (d) Advanced payment(s) may be made, at the discretion of the client, for up to 75% of the contract value; further advances of up to 15% may be paid based on the submission of detailed invoices verifying expenditures for the initial 75% advance; and, the final 10% to be paid at such time as the project is substantially completed to the satisfaction of the client.

This notification of amendment to the original contract must be agreed and signed by both parties. Signing below authorizes that both organizations agree with this amendment.

KELLY WHITE  
Coalition of Persons with Disabilities

LEIGH PUDDESTER  
Deputy Minister  
Service NL
AGREEMENT

THIS AGREEMENT made at St. John's, in the Province of Newfoundland and Labrador, on this 15th day of September, 2014.

BETWEEN: HER MAJESTY IN RIGHT OF NEWFOUNDLAND AND LABRADOR as represented by the Minister of Service Newfoundland and Labrador ("the Client")

AND: Coalition of Persons with Disabilities ("the Consultant")

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual covenants expressed, and as amended, the Parties agree as follows:

1. **Definitions**
   In addition to the terms defined in the General Terms and Conditions attached as Schedule "C", the following words and phrases shall have the following meanings:

   a. "Contract Documents" shall mean and include:
      i. This head agreement (the "Head Agreement");
      ii. The Scope of Work attached as Schedule "A";
      iii. The Special Terms and Conditions attached as Schedule "B";
      iv. The General Terms and Conditions attached as Schedule "C"; and
      v. Protocols for Security of Government Information on Information Technology assets of Contractors attached as Schedule "D".

   b. "Representatives" means directors, officers, employees, consultants, sub-consultants, agents, advisors or partners.

2. **The Consultant's Work**
   The Consultant shall do all things necessary to fulfill all of the obligations of the Consultant as set out in the Contract Documents (the "Work"). The Work shall be performed by the Consultant to the satisfaction of the Client.

   For the purposes of this agreement, the Consultant shall report through the Buildings Accessibility Advisory Board.
3. **Payment**

1.1 **Consideration**

It is agreed and understood that payments made for the satisfactory performance of the Work pursuant to this Agreement shall be made in accordance with the following payment option:

Subject to Article 3.1.2, upon the satisfactory completion of the Work and the presentation of itemized and substantiated invoices satisfactory to the Client, the Client shall pay to the Consultant, $25,800.00 (plus HST), inclusive of all costs.

1.2 **Payment General**

(a) The Parties agree and confirm that total amounts payable for the Work, as outlined in the Consultant's proposal, shall not exceed a monetary ceiling of Twenty five thousand, eight hundred dollars ($25,800) and that a minimum of ten percent (10%) of the total fees payable for the Work will be withheld until such time as the project is completed to the satisfaction of the Client.

(b) The Consultant shall remain obligated to complete the Work notwithstanding that the actual costs of the Consultant, whether in respect of professional services or in respect of costs or expenses incurred, may exceed the total aggregate sum set out in Article 1.3(a).

(c) The Parties agree and confirm that as set out in section 25(8) of the *Financial Administration Act*, RSNL1990 cF-8, as amended, all fees payable in accordance with this Agreement are subject to there being an appropriation for the work for the fiscal year in which payment under this Agreement is due.

(d) Payment will be made within 60 calendar days of receipt of a properly documented invoice.

(e) All invoices shall clearly show the amount of HST billed by the Consultant as a separate item.

(f) The Consultant shall conform to any request that may be made by the Client to alter the form of invoice customarily used by the Consultant as may be reasonably required for the purposes of the Client's internal accounting systems. The Consultant agrees that each invoice shall clearly show and identify the work or service which is being charged under that invoice to the Client. The invoice shall have appended thereto any documentation required by the Client.

(g) The Client shall not be responsible to pay any amounts invoiced by the Consultant which may arise from work, services or expenses incurred to
remedy errors or omissions in the Work for which the Consultant is responsible.

(h) The Consultant shall submit invoices to:
The Office of the Assistant Deputy Minister
Service Newfoundland and Labrador
P.O. Box 8700
St. John's, NL
A1B 4J6

4. Notices

All notices, claims, payments, reports and other communications required under this Agreement shall be in writing. The addresses for service are as follows:

For the Client:
Donna Kelland
Assistant Deputy Minister
Service Newfoundland and Labrador
P.O. Box 8700
St. John's, NL A1B 4J6

Phone: 729-3056
Fax: 729-4151
Email: dkelland@gov.nl.ca

For the Consultant:
Kelly White
Coalition of Persons with Disabilities
460 Torbay Road
St. John's, NL A1A 5J3

Phone: 722-7011
Email: kwhite@codnl.ca

Notices, requests or documents shall be deemed to have been received by the addressee as follows:

(a) As of the date on which they are delivered where delivery is by a party or by messenger or special courier service;
(b) As of the date on which they are sent where delivery is by telex or other means of electronic communication; and
(c) Six (6) days after delivery to Canada Post Corporation where the postal service is used.

5. **Entire Agreement**
   It is hereby agreed that the Contract Documents constitute the entire agreement between the parties (the "Agreement"). There are no understandings, representations or warranties of any kind except as expressly set forth herein. No changes, alterations, modifications or amendments of this Agreement shall be effective unless made in writing and signed by those persons designated for such purpose. This Agreement may be amended or otherwise modified by e-mail.

6. **Representations and Warranties**
   The Consultant hereby represents and warrants that every fact stated or represented by the Consultant or its Representatives to the Client in connection with any proposal made by the Consultant in respect of the Work is true and agrees that the Client shall be conclusively deemed to have relied on each such representation or statement in entering into this Agreement.

7. **Conflict Between Provisions**
   In the event of any conflict or inconsistency between provisions in the Contract Documents, the Contract Documents shall have precedence as follows: first the Head Agreement, second the Special Terms and Conditions, third the General Terms and Conditions, fourth the Protocols for Security of Government Information on Information Technology assets of Contractors, fifth the Scope of Work, and last, any documents incorporated by reference in any of the foregoing.

8. **Start and Completion Date**
   The Consultant shall commence activities in relation to the Work with the start and completion dates mutually agreed upon as follows:

   - **Start Date:** September 15, 2014
   - **Completion Date:** March 31, 2015

9. **Effective Date**
   The effective date of this Agreement shall be the earlier of the start date referred to in Clause 6 or the date on the first page of this Head Agreement.

10. **Paragraph Numbering**
    In the event that the General Terms and Conditions are modified, the numbering references in the General Terms and Conditions shall remain unchanged.
11. **Counterparts**

This Agreement may be executed in any number of counterparts, each of which will be considered an original of this Agreement, and which together will constitute one and the same instrument. No Party will be bound to this Agreement unless and until all Parties have executed a counterpart. A facsimile signature or an otherwise electronically reproduced signature of either Party shall be deemed to be an original.

**HER MAJESTY IN RIGHT OF NEWFOUNDLAND AND LABRADOR**

[Signature]

Leigh Puddester  
Deputy Minister  
Service Newfoundland & Labrador

**Coalition for Persons with Disabilities**

[Signature]

Authorized Signature

Date: **Sept 24, 2014**
SCHEDULE "A"

SCOPE OF WORK

The Consultant shall complete the work and/or perform the services as outlined in the appended proposal of August 11, 2014, with the exception of the Printing of materials ($6000) which will be done directly through Printing and Micrographic Services Division of Service NL.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Blue Zone
Accessible Parking
LEGISLATION

The Government of Newfoundland and Labrador is committed to ensuring access and inclusion throughout the province so that people with disabilities have the same opportunities as other citizens.

Newfoundland Labrador
Dennis: I need some additions to this response – a summary of our enforcement efforts on the blue zone signage changes over the past couple of years (blitzes, orders, etc.) and a sentence or two at the end in response to the request for a meeting (more or less along the lines that we feel that the issues are being addressed and there is already a consistent approach to the issue). Can I have first thing Monday please as today was the deadline for a response. Thx.

DK

Attached please find a draft response to Ms. Brake’s e-mail as requested. Many thanks to Vanessa for supplying excellent information. Dennis

Can you start a response to this for me please? I will need a draft by Monday afternoon. I would suggest we say that there is already a unified approach as outlined in the regulatory requirements and the public information that government has issued with respect to the revised requirements for signage. Enforcement is being spearheaded by the police agencies – you might want to reference the recent blitz on enforcement that the RNC did (should be a news release somewhere). You might want to coordinate some of this with Vanessa who will have key messages. Thx. Dk

HI Donna:

Please see the following request from the Office for Aging and Seniors, HCS. (Note: deadline of August 8th) As the Department with authority for the relevant regulations, I believe Service NL is the most appropriate to respond. There is certainly activity in your department to address the issue of parking placard misuse, as well the current work on exploring options for size and signage of designated spots.

Let me know if we can help in drafting or reviewing.
Hi Mary,

Each year the 50+ Federation holds an annual conference where resolutions are accepted from members.

At last year’s meeting they identified three resolutions to forward to the Government of Newfoundland and Labrador (there may be other resolutions that do not involve the provincial government and are forwarded elsewhere).

The Office for Aging and Seniors receives the request and we tasked with coordinating a response which is vetted through the Minister Responsible for Seniors (Minister of Health and Community Services).

The next annual meeting of the 50+ Federation is on September 9-11, 2014 and they share responses with members at that time.

I think that the Disability Policy Office would be best equipped and knowledgeable about the following resolution.

Would you kindly consider the request they are making and craft a response and forward to me by August 8, 2014.

If you would like to discuss further, please call me at 4957.

Many thanks,

Suzanne

Resolution: #1 Mobility Impaired Parking

Whereas: The number of seniors requiring Mobility Impaired Parking Permits is expected to rise.

And
Whereas: There is a common problem of abuse of designated parking spots by people not using the appropriate permit.

And

Whereas: Most businesses have only one or two designated Mobility Impaired Parking spots near the entrance if their establishments. Some people with the appropriate permit are using the spots for all day parking.

Therefore be it resolved: this Federation requests the Provincial Government vigorously enforce the present rules and regulation in their jurisdictions to insure that a vehicle carrying a current Mobility Impaired Parking Permit be only allowed to use the designated parking spaces when the vehicle is carrying the individual for which the permit was intended.

Be it further resolved: That the Provincial Government be requested to spearhead a meeting between government departments and agencies, large mall owners and concerned organizations, to put in place a unified approach to Mobility Impaired Parking spots in the province.

Suzanne Brake, PhD
Director, Office for Aging and Seniors
Director, Adult Protection
Department of Health and Community Services
Government of Newfoundland and Labrador
Box 8700
St. John’s, NL A1B 4J6

709-729-4957 (office)
709-729-7778 (fax)
1-888-494-2266 (toll free)

It is not by muscle, speed, or physical dexterity that great things are achieved, but by reflection, force of character, and judgement; and in these qualities old age is usually not only not poorer, but is even richer

Cicero---106-43 B.C.
Hi Donna,

Here is my quote, how this is ok. "I am very pleased that government is taking this opportunity to support the promotion and awareness of blue zone parking within our province. I believe it is important for the public to understand how essential these parking spaces are in creating independence and enabling people with disabilities to be fully included within their communities."

If you require something different or need to make any changes just let me know.

Cecilia Carroll
Sent from Samsung Mobile

-------- Original message --------
From: "Kelland, Donna" <dkelland@gov.nl.ca>
Date:
To: 'Cecilia Carroll'
Subject: FW: Blue Zone Parking MOU news release revised

Slightly revised version. Call me when you are able to chat. Thx. Dk

Hi,

AES has opted to include a quote in the release which I’ve now included.

Thanks

Vanessa
As requested. Dennis

From: Eastman, Dennis
Sent: Monday, August 11, 2014 3:01 PM
To: Kelland, Donna
Cc: Greeley, Barb; Peddle, Mary
Subject: RE: Painted Disabled Parking Spaces and Slip and Fall Injuries

- The painting requirements for these parking spaces is addressed in the Designated Mobility Impaired Parking Regulations (DMIP) under the Highway Traffic Act and the Buildings Accessibility Regulations under the Buildings Accessibility Act.

Section 2(b) of the DMIP defines a designated mobility impaired parking space as a parking space of the size required in section 2.1 which is designated by a sign bearing the international wheelchair logo, or a blue painted space which may bear the international wheelchair logo and which is set aside for motor vehicles used by persons who are mobility impaired.

(b) "designated mobility impaired parking space" means a parking space of the size required in section 2.1 which is

(i) designated by a sign bearing the international wheelchair logo, or

(ii) a blue painted space which may bear the international wheelchair logo

and which is set aside for motor vehicles used by persons who are mobility impaired;

(c) "international wheelchair logo" means the international symbol of access for the handicapped sign which is a white wheelchair on a blue background with a white border as depicted in the Uniform Traffic Control Devices for Canada Manual published by the Transportation Association of Canada;

2.1 A designated mobility impaired parking space shall be no less than 3,900 millimetres wide and shall contain at least 1,500 millimetres of access aisle.

Section 15(4) of the Schedule to the Buildings Accessibility Regulations requires all designated parking stalls and access aisles shall be painted the international colour of access on the pavement of the spaces and aisles.
15(4) All designated parking stalls and access aisles shall be painted the international colour of access on the pavement of the spaces and aisles.

- There is also an interpretation which David prepared based on a reply from Susan King and these have been attached as well.
- Finally, attached please find the results of a recent survey sent to PTPACC members which shows that 9 out of 10 P/T's who responded do not require complete painting of accessible parking spaces.

Dennis

From: Kelland, Donna
Sent: Tuesday, August 05, 2014 11:02 AM
To: Eastman, Dennis
Subject: FW: Painted Disabled Parking Spaces and Slip and Fall Injuries

Dennis: can you do a summary of the existing legislation and/or policy with respect to the painting requirements for these parking spaces? I would like to then set up a meeting with Paul Nolan to discuss whether we should be looking at changing anything in this respect. See attached memo for further explanation. Thx. DK

From: Nolan, Paul
Sent: Friday, August 01, 2014 4:14 PM
To: Kelland, Donna
Cc: Stokes, Raylene V. M.
Subject: FW: Painted Disabled Parking Spaces and Slip and Fall Injuries

I hope to review in further detail and perhaps we can discuss as our schedules permit next week.

Paul Nolan

From: Barroca, Alexander
Sent: Friday, August 01, 2014 2:54 PM
To: Nolan, Paul
Cc: Rose, Anne Marie; Stokes, Raylene V. M.; Gillies, Margaret
Subject: Painted Disabled Parking Spaces and Slip and Fall Injuries

Hello Paul,

Please find attached my report http://example.com/report.pdf. I had intended to also attach the cited cases but, unfortunately, Westlaw is currently out of order. I will forward them along as soon as I have access.

Thank you,

Alexander Barroca

Articling Clerk
Title: Painted Accessible Parking Spaces and Slip and Fall Injuries

Background and Current Status:

Painting requirements for accessible parking spaces is addressed in the Designated Mobility Impaired Parking Regulations (DMIP) under the Highway Traffic Act and the Buildings Accessibility Regulations (BA) under the Buildings Accessibility Act. See Appendix ‘A’.

The DMIP defines a designated mobility impaired parking space as a parking space of a specified size which is designated by a sign bearing the international wheelchair logo, or a blue painted space which may bear the international wheelchair logo. The DMIP defines the international wheelchair logo. It means the international symbol of access for the handicapped sign which is a white wheelchair on a blue background with a white border as depicted in the Uniform Traffic Control Devices for Canada Manual published by the Transportation Association of Canada.

The BA requires that accessible parking spaces be designated as reserved for use by persons with disabilities by the uniform traffic control sign mounted vertically and international symbol of access on the pavement of the space. The BA requires the symbol on the pavement to be at least 1000 millimetres long; located in the centre of the space; and in a colour strongly contrasting with the background pavement.

In addition, the BA requires all designated parking stalls and access aisles shall be painted the international colour of access on the pavement of the spaces and aisles. This last requirement was introduced into the BA in 2006 following an in-depth review of the Act and Regulations by the Buildings Accessibility Advisory Board (BAAB). The rational given by the BAAB for the change was to eliminate parking in the access aisles between two designated accessible parking spaces.

Since the 2006 change, the Department has required that the entire parking space and access aisles be painted blue and the white wheelchair symbol placed in the centre of the space. In 2010, [redacted] asked that the Department revisit the requirement. A legal interpretation was requested on October 26, 2010 [redacted].

On May 13, 2014 [redacted] Loblaw wrote David Saunders, BA Inspector, Service NL stating, “Painting the whole stall was a spec we employed over 15 years ago. We stopped this practice when we realized that painting the whole stall increased the frequency of slip and falls.” On June 17, 2014, [redacted] Newfie Sealers wrote David Saunders and stated, “Newfie Sealers uses commercial grade traffic paint but even that is sometimes slippery when wet and for that reason, we did not spray the access aisle blue.”

Subsequently, on June 19, 2014 Dennis Eastman, Director, Engineering and Inspection Services Division (EIS) wrote Department of Justice and asked Civil Solicitor Raylene Stokes to research court
case documents relating to this issue. On August 1, 2014 Justice replied that, See Appendix ‘C’.

A current jurisdictional scan performed by EIS shows that out of nine P/T that replied, only one requires accessible parking spaces to be completely painted, that one being the Yukon. NB, NWT and NU did not reply. See Appendix ‘D’.

Neither the National Building Code of Canada 2010 nor CSA B651-12 Accessible Design for the Built Environment requires parking spaces to be painted in their entirety. Both require the spaces to be identified as reserved for persons with disabilities and the CSA B651 specifically requires the international symbol of access be painted on the pavement.

In light of the concerns raised by owners regarding full painting of accessible parking spaces and the this matter is being referred to the Buildings Accessibility Advisory Board for review and advice as to whether or not the Department’s current practice ought to be changed and what if any amendments to the associated Regulations may be needed.

Prepared by: Dennis Eastman, Director of Engineering and Inspection Services
Approved By: 
Dated: August 21, 2014
Appendix ‘A’
Designated Mobility Impaired Parking Regulations:

2(b) "designated mobility impaired parking space" means a parking space of the size required in section 2.1 which is

(i) designated by a sign bearing the international wheelchair logo, or

(ii) a blue painted space which may bear the international wheelchair logo

and which is set aside for motor vehicles used by persons who are mobility impaired;

2(c) "international wheelchair logo" means the international symbol of access for the handicapped sign which is a white wheelchair on a blue background with a white border as depicted in the Uniform Traffic Control Devices for Canada Manual published by the Transportation Association of Canada;

2.1 A designated mobility impaired parking space shall be no less than 3,900 millimetres wide and shall contain at least 1,500 millimetres of access aisle.

Buildings Accessibility Regulations:

14. Parking spaces designated for persons with disabilities

(a) that service a specific building shall be located on the shortest possible accessible route to the principal entrances of the building;

(b) in separate parking structures or lots that do not serve a particular building shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility;

(c) may have 2 accessible parking spaces sharing a common access aisle and colour;

(d) shall have the access aisle(s) marked as a "no parking" area and meet the criteria for an exterior path of travel;

(e) shall be at least 2400 millimetres wide and shall have an adjacent access aisle that is at least 1500 millimetres wide adjacent and parallel to the vehicle parking space.

15. (1) Accessible parking spaces shall be designated as reserved for use by persons with disabilities by the

(a) uniform traffic control sign mounted vertically; and

(b) international symbol of access on the pavement of the space.

(2) Vertical signs shall be

(a) at least 300 millimetres by 600 millimetres;
(b) permanently installed on a permanent post, building or structure at a height of 1500 millimetres from the ground or floor surface to the centre of the sign;

(c) visible to the public; and

(d) maintained in a state of good repair.

(3) Symbol on the pavement shall be

(a) at least 1000 millimetres long;

(b) located in the centre of the space; and

(c) in a colour strongly contrasting with the background pavement.

(4) All designated parking stalls and access aisles shall be painted the international colour
Appendix 'B'
From: Craig, Michelle  
Sent: Monday, October 25, 2010 4:11 PM  
To: Brockerville, David  
Subject: RE: Handicap stalls and access ramp painting.

David,

We have two separate trains of thought from the advisory board notes I found.

#1. The access aisle should be painted the international colour to stop parking in the hatched area between the two accessible parking stalls; and

#2. The two spaces and access aisle be painted international colour as we have been requiring of late.

I know I had a conversation with Bob Osmon, chair of the advisory board that made the latest changes to the Act and Regs in 2006 regarding this but I am unable to find any written confirmation of our discussion. My understanding after speaking with Bob was that it was acceptable to the advisory board that the 1 m x 1 m symbol be painted blue and that the shared access aisle be clearly defined by hatching. This was our practice until such time as we required the entire stall to be painted blue and I can’t confirm with him as he is now passed away.

My recommendation would be to send it back to the next advisory committee for clarification as the contractors may be raising some valid points regarding the lack of slip resistance on the blue painted areas.
From: Brockerville, David
Sent: Monday, October 25, 2010 9:54 AM
To: Craig, Michelle
Cc: Hawco, Keith; Tremblett, Greg
Subject: FW: Handicap stalls and access ramp painting.

Michelle,

Have we responded to... What did we find in the review of the advisory board files?

Thanks,
David
t. 709.729.1038 | f. 709.729.2071

From: Hawco, Keith
Sent: Friday, October 15, 2010 7:44 AM
To: [Redacted]
Cc: Tremblett, Greg; Brockerville, David
Subject: RE: Handicap stalls and access ramp painting.

Hi... Final approval for occupancy cannot be given until Designated Parking meet all the requirements for Section 13, 14, 15 of the schedule under BAAR.

Keith Hawco
Technical Services Inspector
Government Services Centre
5 Mews Place, St. John's
Tel: (709) 729-3971
Fax: (709) 729-2071
e-mail: keithhawco@gov.nl.ca

From: [Redacted]
Sent: Thursday, October 14, 2010 3:09 PM
To: Hawco, Keith
Cc: [Redacted]
Subject: Fw: Handicap stalls and access ramp painting.

Keith, can I please get an update on this request. I understand that the occupancy permit will not be issued otherwise.

Thanks
GoodMorning Keith, as per our phone conversation. I am sending you my concerns regarding the paint requirements for the handicap stalls and the access ramps required in order to get an occupancy permit.

- As discussed the ramps, are painted on the edges only and we leave the ramp itself as bare concrete, this is done in yellow traffic paint for clearer visibility. We find that when we paint the entire ramp it poses a slip hazard to customers.

- As for the H/C parking stalls painted all blue with wheelchair emblem in the middle we kindly request that Government Services revisits this requirement in that it also poses a slip hazard to our customers and tenants. No other municipality or provincial body has ever come to me and stated that this was requirement. All of the stalls of the properties I currently manage have the 1 metre square with the emblem in the middle. We found that when we paint the entire space we were getting an increase in slip and falls. We are willing to make the property accessible to all but at the same time we also have to be on the side of caution and not injure our patrons.

I kindly ask that you revisit this requirement and see if there can be changes made. Please feel free to contact me if you have any questions regarding this matter.

Thanks
Appendix 'C'
Appendix ‘D’
# Accessible Parking Space Painting Requirements in Canadian Jurisdictions

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Accessible spaces required to be completely painted?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>BC</td>
<td>NO</td>
<td>Only require the international symbol painted on the surface of designated parking stall. However, have recently proposed a change to Alberta Building Code to require vertical signage to assist with easy identification of a designated stall. Only have anecdotal evidence that painted surfaces are slippery, many barrier free council members would support that painted surfaces are a major concern for injury.</td>
</tr>
<tr>
<td>AL</td>
<td>NO</td>
<td>Only require a small blue square with white or yellow wheelchair symbol approx 3ft x 3ft. Manitoba don't consider this a slip hazard as it would end up under the parked car.</td>
</tr>
<tr>
<td>MAN</td>
<td>NO</td>
<td>Sign (containing the international symbol of access) and high contrast diagonal lines on access aisle are required.</td>
</tr>
<tr>
<td>ON</td>
<td>NO</td>
<td>Sign (not less than 1500mm above the ground) is required.</td>
</tr>
<tr>
<td>QC</td>
<td>NO</td>
<td>Aisle adjacent to parking space required to be identified with contrasting marking, diagonal bands frequently used. Have not been advised that spaces are slippery so far.</td>
</tr>
<tr>
<td>NS</td>
<td>NO</td>
<td>Many spaces are painted even though not required, slippery surface issue has been raised in the past.</td>
</tr>
<tr>
<td>NB</td>
<td>NO</td>
<td>Required to be painted but blue background is not mandatory. No reported cases of trips or falls attributed to the painted surface.</td>
</tr>
<tr>
<td>PEI</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>YK</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>NWT</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>NVT</td>
<td>NO</td>
<td></td>
</tr>
</tbody>
</table>

**PTPACC Survey Question:**

Our accessibility regulations require all accessible parking spaces to be completely painted blue with the wheelchair symbol in white on the blue background. How do contractors who feel that the painted space is slippery and could result in slips/falls/injuries. Consequently, I would like to ask you the following questions:

1. Are accessible parking spaces required to be completely painted in your jurisdiction?
2. If the answer to #1 is yes, has your jurisdiction received complaints/concerns over the space being slippery/ causing falls?
3. If the answer to #2 is yes, has your legislation been modified to remove the requirement to completely paint accessible parking spaces?
4. Do you have access to any related research that you could share with respect to painted surfaces and whether or not they are slippery?
Haskell, Ellen

From: Colman-Sadd, Vanessa  
Sent: Monday, October 20, 2014 2:57 PM  
To: Kelland, Donna  
Cc: Puddester, Leigh; Eastman, Dennis; Burggraaf, Carolyn A.  
Subject: RE: Brochures to proof

Given that they use the Government brand, I will need to send them to the creative folks for their review. They may have other comments as well on presentation. Did you want me to wait for the advisory board to review and provide feedback first? Just thinking if there’s a couple of different edits, I’d prefer to send the most recent to Creative.

Vanessa

From: Kelland, Donna  
Sent: Monday, October 20, 2014 2:41 PM  
To: Colman-Sadd, Vanessa  
Cc: Puddester, Leigh; Eastman, Dennis; Burggraaf, Carolyn A.  
Subject: FW: Brochures to proof  
Importance: High

This is related to the recent contract with COD-NL. I am proposing to have Buildings Accessibility Advisory Board members review them on Wednesday at their meeting. I expect COD will be anxious to have the go-ahead directly after that to start producing and using them. Is there anything we need to do internally to have them “signed off” as well? Please review for presentation and content as well - any comments or issues? DK

From: Kelly White [mailto:kwhite@codnl.ca]  
Sent: Thursday, September 25, 2014 6:47 PM  
To: Kelland, Donna  
Subject: FW: Brochures to proof

Donna –

As indicated in our phone conversation – I am sending you the brochures we are working on.

The six panel is for industry, construction, businesses and municipalities. And the two panel we thought would be important to person with disabilities and their families.

Look forward to feedback.

I will drop off the signed document in the morning.

Thank you
The Coalition of Persons with Disabilities – NL (COD-NL) was established in 1983, we are a not-for-profit, charitable organization with a mandate to:

- Educate all people by changing attitudes concerning the rights of persons with disabilities;
- Influence regulations, laws, and actions at all levels of government to ensure that all persons with disabilities have opportunity to participate fully in society;
- Involve Coalition members and all persons with disabilities in influencing change.

The Designated Parking Permit Program is just one way that COD-NL works with our government to create a just and healthy society for all.

Coalition of Persons with Disabilities
Newfoundland and Labrador
460 Torbay Road
St. John's, NL, A1A 5J3
Tel: (709) 722-7011
Email: info@codnl.ca
Web: http://www.codnl.ca
Twitter: @NLCodnl
Approved Signage and Measurements

**VERTICAL SIGN**

- At least 300 mm x 600 mm (11.8 in. x 23.6 in.)
- Permanently installed directly in front of the space on a post, building or structure at a height of 1500 mm (4 ft. 11 in.) from the ground surface to the centre of the sign.
- Clearly visible to the public and maintained in a state of good repair.

**International Accessibility**

This road sign must be

- painted at the center of the parking space at a width and height of 1000 mm. (3 ft. 3 in.)
- All designated parking stalls and access aisles shall be painted the international colour of access on the pavement of the spaces and aisles.
- Clearly visible to the public and maintained in a state of good repair.

Parking Space Requirements

**PARKING SPACES MUST BE:**

- At least 3900 millimetres wide. (12 ft. 8 in.)
- Located on the shortest possible accessible route to the principal entrances of the building.
- At least 4% of available parking (min. 1)

Curb Ramps Requirements

Curb ramps located in a barrier-free path of travel shall

- have a width of not less than 1200 millimetres (3 ft. 10 in.) exclusive of flared sides;
- have a gradient of not more than 1 in 10;
- have flared sides with a slope not more than 1 in 10;
- have a level walking space at the top of the ramp of 920 millimetres (3 ft.) to the nearest obstruction;
- have surfaces of the ramp slip-resistant with a detectable warning surface that is colour and texture contrasted with the adjacent surfaces.

Curb ramps projecting into the roadway or parking lot are not permitted.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
Haskell, Ellen

From: Kelland, Donna
Sent: Monday, October 20, 2014 4:09 PM
To: Burggraaf, Carolyn A.; Colman-Sadd, Vanessa
Cc: Eastman, Dennis
Subject: RE: Brochures to proof

I will need a “roll-up” of the edits for tomorrow by around lunchtime if at all possible. Can someone coordinate this? Thx. DK.

From: Burggraaf, Carolyn A.
Sent: Monday, October 20, 2014 3:15 PM
To: Colman-Sadd, Vanessa; Kelland, Donna
Cc: Eastman, Dennis
Subject: Re: Brochures to proof

Missed that should read disabledparkingpermits@gov.nl.ca

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Colman-Sadd, Vanessa
Sent: Monday, October 20, 2014 3:11 PM
To: Burggraaf, Carolyn A.; Kelland, Donna
Cc: Eastman, Dennis
Subject: RE: Brochures to proof

Carolyn,
Just going through content now. Do you have an email address disabledparkingpermits@gov.nl.ca?

Vanessa

From: Burggraaf, Carolyn A.
Sent: Monday, October 20, 2014 3:02 PM
To: Kelland, Donna
Cc: Colman-Sadd, Vanessa; Eastman, Dennis
Subject: RE: Brochures to proof

Donna: Some thoughts....

6 panel back (middle panel) under best practices states “aisles” should be “ailses”
6 panel back (last panel) Should be period (.) after 1983 and capital “W” in We are.....

In the last paragraph the program is the “Designated Mobility Impaired Parking Permit Program”

6 Panel front – (first panel) second paragraph – typo shouldn’t it say “your business is...” rather than “Business compliant...”

2 panel back Should be period (.) after 1983 and capital “W” in We are.....

In the last paragraph the program is the “Mobility Impaired Parking Permit Program”
Carolyn Burggraaf
Registrar of Motor Vehicles
Service NL
Government of Newfoundland and Labrador
P.O. Box 8710, St. John's, NL A1B 4J5
cburggra@cnov.nl.ca
T: 709-729-4175 | F: 709-729-6955
Toll-free: 1-877-636-6887 (please request transfer to Registrar’s office)
www.servicenl.gov.nl.ca

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From: Kelland, Donna
Sent: Monday, October 20, 2014 2:41 PM
To: Colman-Sadd, Vanessa
Cc: Puddester, Leigh; Eastman, Dennis; Burggraaf, Carolyn A.
Subject: FW: Brochures to proof
Importance: High

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Subject: FW: Brochures to proof

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Look forward to feedback.

I will drop off the signed document in the morning.

Thank you
Haskell, Ellen

From: Eastman, Dennis
Sent: Monday, October 20, 2014 4:26 PM
To: Burggraaf, Carolyn A.; Colman-Sadd, Vanessa; Kelland, Donna
Subject: RE: Brochures to proof

All I can add to this is:

6 panel front (middle panel) - all black lines should be blue
6 panel front (right panel) – “Curb Ramps Requirements” should read “Curb Ramp Requirements” for consistency with “Parking Space Requirements”

Dennis

From: Burggraaf, Carolyn A.
Sent: Monday, October 20, 2014 3:15 PM
To: Colman-Sadd, Vanessa; Kelland, Donna
Cc: Eastman, Dennis
Subject: Re: Brochures to proof

Missed that should read disabledparkingpermits@gov.nl.ca

Sent from my BlackBerry 10 smartphone on the Bell network.

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Cc: Eastman, Dennis
Subject: RE: Brochures to proof

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To: Kelland, Donna
Cc: Colman-Sadd, Vanessa; Eastman, Dennis
Subject: RE: Brochures to proof

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In the last paragraph the program is the “Designated Mobility Impaired Parking Permit Program”

6 Panel front – (first panel) second paragraph – typo shouldn’t it say “your business is...” rather than “Business compliant...”
2 panel back Should be period (.) after 1983 and capital “W” in We are.....

In the last paragraph the program is the “Mobility Impaired Parking Permit Program”

2 panel front 2nd bullet last line change to “for use”.

Carolyn Burggraaf
Registrar of Motor Vehicles

Service NL
Government of Newfoundland and Labrador
P.O. Box 8710, St. John’s, NL A1B 4J5
cburggra@gov.nl.ca
T: 709-729-4175 F: 709-729-6955
Toll-free: 1-877-636-8867 (please request transfer to Registrar’s office)

www.servicenl.gov.nl.ca

Confidentiality Statement:
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Sent: Monday, October 20, 2014 2:41 PM
To: Colman-Sadd, Vanessa
Cc: Puddester, Leigh; Eastman, Dennis; Burggraaf, Carolyn A.
Subject: FW: Brochures to proof
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The six panel is for industry, construction, businesses and municipalities. And the two panel we thought would be important to person with disabilities and their families.

Look forward to feedback.
I will drop off the signed document in the morning.

Thank you
Thank-you David. I will let you know as soon as I learn more details. Dennis

Hi Dennis,

I'll leave my schedule open for Dec 11th so I can attended.

Thanks for the invite.

Regards,

Dave Saunders
Technical Services Inspector I

Service NL
Engineering and Inspection Services
Government of Newfoundland and Labrador
Motor Registration Building
149 Smallwood Drive
P. O. Box 8700 St. John's, NL A1B 4J6
davidsaunders@gov.nl.ca
t: 709.729.3971 | f: 709.729.2071
www.servicenl.gov.nl.ca

Good morning David,

Are you available to attend a meeting of the Buildings Accessibility Advisory Board on December 11th, 2014 to help answer technical questions which the Board members may have? I plan to attend as well so we can go as a team. I am told it will be half a day but whether it will be morning or afternoon is not known at this time. The meeting will be in St. John's, venue to be determined. Can you let me know by Friday please.

Thank-you,
Dennis Eastman, P.Eng.
Director, Engineering and Inspection Services

Service NL
Government of Newfoundland and Labrador
149 Smallwood Drive
P.O. Box 8700 St. John's, NL A1B 4J6
deastman@gov.nl.ca
t 709.729.2747 ff 709.729.2071
www.gs.gov.nl.ca
From: Eastman, Dennis  
Sent: Wednesday, December 31, 2014 12:01 PM  
To: Brockerville, David; Tremblett, Greg  
Subject: FW: Wind Break  
Attachments: DOC001.pdf; img-Z22153418-0001.pdf  
Importance: High

Fyi

From: Eastman, Dennis  
Sent: Monday, December 29, 2014 2:27 PM  
To: Kelland, Donna  
Cc: Greeley, Barb  
Subject: RE: Wind Break  
Importance: High

There is already an Order issued on this, see attached. The history is as follows:

August 25, 2010 Best Buy original registration BA4649.  
September 10, 2014 Plans for addition of a new windbreak registered. Registration is attached.  
December 18, 2014 Attached Order is issued following a request for inspection received a few Days before.  
December 22, 2014 SEA Contracting, the contractor who installed the Windbreak expressed their intention to appeal the Order on the basis of their plan having been accepted and registered by Justin. I am awaiting receipt of their Letter of Appeal and I plan to rely by confirming the Order. They may well appeal to the Appeal Tribunal, we will have to wait and see. I did speak to Justin and asked him for his rational for accepting their plans for a windbreak. He said that he did not see any difference between this and any number of buildings which have only one barrier free path of travel. I advised him that since the building originally had two barrier free paths of travel at the entrance and the original curb ramp still exists, I would be supporting Dave’s Order.

There is no requirement that I am aware of for an owner to install windbreaks on a building in legislation or Code.

Dennis

From: Kelland, Donna  
Sent: Monday, December 29, 2014 12:44 PM  
To: Eastman, Dennis  
Subject: FW: Wind Break  
Importance: High

Can you have this investigated and remedied asap? I don’t know where this is in relation to the blue zone parking but there is curb cut visible. Do you know the answer to her questions re being included in the original building plans? Thx.

DK

From: Kelland, Donna  
Sent: Monday, December 29, 2014 12:13 PM  
To: Kelland, Donna  
Cc: Reid, Mary M; Cecilia Carroll  
Subject: Wind Break
Good afternoon Donna:

On a recent trip to Best Buy I note a new 'windbreak' has been installed that has eliminated an access/egress pathway for their store. Photo attached.

Once more example of a windbreak being installed after the fact which prevents or impedes access for persons using wheelchairs. I am hard pressed to understand why windbreaks are not included in the original site plans where wind conditions are know to be problematic. When they are installed after the fact they invariably create access problems.

I would be most interested to know how such decisions get made and who makes the final decisions as I would like to meet with this person.

CC  Mary Reid, Director Disability Policy Office
    Cecilia Carroll, Chairperson Buildings Accessibility Advisory Board
BUILDING ACCESSIBILITY INSPECTOR'S ORDER

DATE 12/13/14 FILE BA 48496

ADDRESS Best Buy Retail Store Wind Block

OWNER VITO S. CARUSO CONTRACTING

MUNICIPALITY St. John's

TYPE

CLASSIFICATION

NO. OF STORIES

FOR COMPLIANCE WITH THE BUILDINGS ACCESSIBILITY ACT AND REGULATIONS YOU ARE HEREBY ORDERED TO MAKE THE FOLLOWING CHANGES BY THE DAY OF 20

1) Windblock shall be removed, as modified or relocated outside of the curb ramp (barrier free path of travel) in accordance with Section 8(b)(a) Schedule Building Accessibility regulations.

2) All exterior paths of travel shall be at least 1100mm in width and be a continuous plane, uninterrupted by steps or abrupt changes in elevation.

SECTION 17: WHERE A PERSON IS AGGRIEVED BY THIS ORDER, THAT PERSON MAY APPEAL TO THE DIRECTOR, IN WRITING WITHIN (7) DAYS.

THIS BUILDING IS ☑ ACCEPTABLE ☐ NOT ACCEPTABLE

Inspection’s Signature

RECEIVED BY ____________________________ DATE Dec. 18, 2014

I CERTIFY THAT THE FOREGOING ORDER(S) HAVE BEEN COMPLETED

DATE ____________________________ SIGNATURE OF OWNER

ANY PERSON WHO MAKES A FALSE STATEMENT IS LIABLE FOR PROSECUTION UNDER SECTION 33 OF THE BUILDINGS ACCESSIBILITY ACT.

WHITE TO OWNER, YELLOW TO MUNICIPALITY, PINK TO DIRECTOR, GOLDENROD CONFIRMATION COPY

p. 179
Re: Proposed Windscreen Construction at Best Buy Retail Store, 3 Stavanger Dr., St. John’s, NL

We acknowledge receipt of plans and other information pertaining to Buildings Accessibility for the above project.

We have reviewed the drawings of the above project for compliance with the Buildings Accessibility Act and Regulations. As a result of our survey, we have registered the design of the project as follows:

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>DRAWING NUMBERS</th>
<th>REGISTRATION NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>A1 R2, A1.2 R2</td>
<td>BA04649C</td>
</tr>
</tbody>
</table>

Please note that in addition to the plan and details above, you must ensure that:

1. Exterior barrier free paths of travel must conform to the Schedule (Section 8) of the Buildings Accessibility Regulations.

Under the authority of Section 6(1) of the Buildings Accessibility Act, before the appropriate permit issuing authority grants approval for this building to be occupied, a final buildings accessibility inspection must be carried out in accordance with Section 16(2) of the Buildings Accessibility Regulations by an inspector from this department. To arrange for an inspection, please call (709)729-1038.

We trust that you will note and adhere to the requirements as stated above for Buildings Accessibility.

Yours truly,

[Signature]

Justin K.S. Mercer
Design Approval Technician I
GSC, Mount Pearl, NL
Phone: (709)729-3689

JKSM/ji

cc:
- City of St John’s
- Sharon Williams, Manager, Service NL, Mount Pearl
- Dave Saunders, Technical Service Inspector, Service NL, Mount Pearl
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Dave,

There are several other sites that need to be included in this as well. We can discuss these as well.

Regards,

Greg Tremblett
Manager of Inspection Services

Service NL
Engineering and Inspection Services
Government of Newfoundland and Labrador
Motor Registration Building
149 Smallwood Drive
P. O. Box 8700 St. John's, NL A1B 4J6
gtremble@gov.nl.ca
T: 709.729.2746 | F: 709.729.2071
www.servicenl.gov.nl.ca

From: Tremblett, Greg
Sent: Monday, January 05, 2015 1:12 PM
To: Saunders, David
Subject: FW: Wind Break

Dave,

Can you see me on this one please?

Thanks,

Greg Tremblett
Manager of Inspection Services

Service NL
Engineering and Inspection Services
Government of Newfoundland and Labrador
Motor Registration Building
149 Smallwood Drive
P. O. Box 8700 St. John's, NL A1B 4J6
gtremble@gov.nl.ca
T: 709.729.2746 | F: 709.729.2071
www.servicenl.gov.nl.ca

From: Brockerville, David
Sent: Monday, January 05, 2015 11:31 AM
To: Reid, Mary M; Tremblett, Greg
CC: Eastman, Dennis
SUBJECT: RE: Wind Break

Good Morning Mary;

Further to our previous conversation on this topic, I have become aware that an order was issued in relation to this windbreak on December 18th 2014. The order was to remove, modify or relocate the windbreak.

The order has not been appealed to date.

Greg;

Do you know if the windbreak has been removed/modified/relocated since the order was issued?

Regards,

David Brockville, P.Eng.
Manager, Engineering Services
t. 709-729-7847

From: Reid, Mary M
Sent: Monday, January 05, 2015 11:16 AM
To: Brockville, David
CC: Eastman, Dennis
SUBJECT: FW: Wind Break

Hi David

Is there an update from the investigation into this complaint regarding the installation of a wind break at Best Buy.

Thank you

Mary Reid
Director
Disability Policy Office
p. 709 729-6208
tty 709 729-5440

From: Kelland, Donna
Sent: Monday, December 29, 2014 12:46 PM
To: Section 40(1)
CC: Reid, Mary M; Cecilia Carroll
SUBJECT: RE: Wind Break

Hi [REDACTED]

I have passed this along to Dennis Eastman for investigation and response. I will be out of the office after today until next Monday but will get back to you when I know more. Thanks for letting us know of your concern. DK

From: Section 40(1)
Sent: Monday, December 29, 2014 12:13 PM
To: Kelland, Donna
CC: Reid, Mary M; Cecilia Carroll
SUBJECT: Wind Break

Section 40(1)
Good afternoon Donna:

On a recent trip to Best Buy I noted a new ‘windbreak’ has been installed that has eliminated an access/egress pathway for their store. Photo attached.

Once more example of a windbreak being installed after the fact which prevents or impedes access for persons using wheelchairs. I am hard pressed to understand why windbreaks are not included in the original site plans where wind conditions are known to be problematic. When they are installed after the fact they invariably create access problems.

I would be most interested to know how such decisions get made and who makes the final decisions as I would like to meet with this person.

CC Mary Reid, Director Disability Policy Office
Cecilia Carroll, Chairperson Buildings Accessibility Advisory Board
David,

I spoke with Dave Saunders on this and he indicated that he spoke with **SEA Contracting** this morning and she indicated that an appeal of his December 18, 2014 order was supposedly submitted to our Department by **[redacted]**. I will have Dave to re-issue the order with a compliance date on it.

Regards,

Greg Tremblett
Manager of Inspection Services

Service NL
Engineering and Inspection Services
Government of Newfoundland and Labrador
Motor Registration Building
149 Smallwood Drive
P. O. Box 8700 St. John's, NL A1B 4J6
gtremblet@gov.nl.ca
t: 709.729.2746 | f: 709.729.2071
www.servicenl.gov.nl.ca

Thanks Greg.

I just got off the phone with Mary again. She was asking how long they have to comply and I advised her of our intentions to issue a second order with a compliance date on it. I told her that clients are typically given 30 days to comply and she asked us to confirm the compliance date for this order when we know.

Regards,

David Brockerville, P.Eng.
Manager, Engineering Services
t. 709-729-7847

From: Tremblett, Greg
Sent: Monday, January 05, 2015 1:13 PM
To: Brockerville, David
Cc: Eastman, Dennis
Subject: RE: Wind Break
David,

I will speak with Dave Saunders on this when he is next in the office.

Regards,

Greg Tremblett
Manager of Inspection Services

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I would be most interested to know how such decisions get made and who makes the final decisions as I would like to meet with this person.

CC  Mary Reid, Director Disability Policy Office  
Cecilia Carroll, Chairperson Buildings Accessibility Advisory Board
Sounds good, thank-you.

From: Kelland, Donna  
Sent: Thursday, January 08, 2015 3:45 PM  
To: Eastman, Dennis  
Subject: RE: B2P

Yes I just spoke with her again. I think I am going to consult with Cecilia on this one given it's sensitivity. I will let you know if I can get a meeting with her to discuss this one and the other piece on door openers/small shops in new developments next week. I may need you to attend. DK

From: Eastman, Dennis  
Sent: Thursday, January 08, 2015 3:17 PM  
To: Kelland, Donna  
Subject: RE: B2P

Just wanted to check if you had a chance to discuss with Raylene yet? Thank-you, Dennis

From: Kelland, Donna  
Sent: Monday, December 22, 2014 12:00 PM  
To: Eastman, Dennis  
Subject: RE: B2P

I will discuss with Raylene and get back to you. DK

From: Eastman, Dennis  
Sent: Monday, December 22, 2014 11:59 AM  
To: Kelland, Donna  
Subject: RE: B2P

I sent the information earlier this morning. Please advise. Dennis

From: Kelland, Donna  
Sent: Monday, December 22, 2014 11:56 AM  
To: Eastman, Dennis; Duke, Susanna  
Subject: RE: B2P

I don’t know how we can make a decision like that given the regulations require it. What is the status of your analysis on the painting issue?

From: Eastman, Dennis  
Sent: Monday, December 22, 2014 11:48 AM  
To: Duke, Susanna; Kelland, Donna  
Subject: RE: B2P
David will be back on Monday the 29th, so he can start then. Please advise the direction Executive wish us to take with respect to the painting of accessible parking spaces. Does Executive want us to stop issuing Orders for that part of the Regulations? Thank-you, Dennis

From: Duke, Susanna
Sent: Monday, December 22, 2014 11:31 AM
To: Kelland, Donna; Eastman, Dennis
Subject: RE: BZP

I was going to add the comments from Keith’s emails into that section.

Susanna Duke
Director, Information Management

Service NL
Government of Newfoundland and Labrador
2nd Floor West Block, Confederation Building
P.O. Box 8700 St. John’s, NL A1B 4J6
susannaduke@gov.nl.ca
(t) 709.729-2544 | (f) 709.729.4754
www.servicenl.gov.nl.ca

From: Kelland, Donna
Sent: Monday, December 22, 2014 11:14 AM
To: Eastman, Dennis; Duke, Susanna
Subject: RE: BZP

Can we have a bit more explanation in the Comments section — re the remedies that are required and when that will be done? Do we really have to wait until the new year to issue orders? How long is David off?

From: Eastman, Dennis
Sent: Friday, December 19, 2014 3:54 PM
To: Duke, Susanna
Cc: Kelland, Donna
Subject: FW: BZP

Susanna, here’s the spreadsheet for the TW Buildings. You should have two spreadsheets for this file now, this one and one for the St. John’s and area buildings. Dennis

From: Tremblett, Greg
Sent: Friday, December 19, 2014 3:41 PM
To: Eastman, Dennis
Subject: RE: BZP

Dennis,

Spreadsheet as requested.
Regards,

Greg Tremblett
Manager of Inspection Services

Service NL
Engineering and Inspection Services
Government of Newfoundland and Labrador
From: Eastman, Dennis
Sent: Friday, December 19, 2014 2:56 PM
To: Tremblett, Greg
Subject: RE: BZP

Thank-you Greg, is there a spreadsheet to attach? Dennis

From: Tremblett, Greg
Sent: Friday, December 19, 2014 2:46 PM
To: Eastman, Dennis
Subject: FW: BZP

Dennis,

Here is an update on a few more of the buildings in the table in this e-mail thread based on information I have received from the Western Region.

The Provincial Courthouse in Port aux Basques is not registered. No orders have been issued regarding blue zone parking on this location.

The Service NL Building listed in the table is actually located in Happy Valley Goose Bay, not Stephenville, as identified by the Western Region staff from the photos. It is a relatively new building and is registered. No orders have been issued regarding blue zone parking on this location.

The Environment and Conservation building in Stephenville is actually the Cormack Building, which is leased by Transportation and Works, and is a registered building. No orders have been issued regarding blue zone parking on this location.

Based on a telephone call with the Western Region staff, the Health and Community Services location listed in the table for Happy Valley Goose bay could not be identified.

Regards,

Greg Tremblett
Manager of Inspection Services

Service NL
Engineering and Inspection Services
Government of Newfoundland and Labrador
Motor Registration Building
149 Smallwood Drive
P. O. Box 8700 St. John’s, NL A1B 4J6
tremble@nov.gov.nl.ca
t: 709.729.2746 | f: 709.729.2071
www.servicenl.gov.nl.ca
From: Tremblett, Greg
Sent: Thursday, December 18, 2014 11:08 AM
To: Eastman, Dennis
Subject: RE: BZP

Dennis,

The only buildings on this list that we have files on here in our office are for the Arts and Culture Centre in St. John's and the RNC Building in Mount Pearl. The Arts and Culture Centre is an exempt building and the RNC Building is not exempt.

Heather has been in contact with Barb in the Western Region and they were only able to identify 2 of the buildings in the table, the Crown Lands Building in Corner Brook and the Arts and Culture Centre in Corner Brook. The Crown Lands Building is not exempt but the Arts and Culture Centre is exempt.

Barb has indicated that they require more information in order to identify the other four buildings. She said that Keith Abbott is off today and he may know which buildings the other four are.

Regards,

Greg Tremblett
Manager of Inspection Services
Service NL
Engineering and Inspection Services
Government of Newfoundland and Labrador
Motor Registration Building
149 Smallwood Drive
P. O. Box 8700 St. John's, NL A1B 4J6
gtremble@gov.nl.ca
p: 709.729.2746 | f: 709.729.2071
www.servicenl.gov.nl.ca

From: Eastman, Dennis
Sent: Wednesday, December 17, 2014 9:51 AM
To: Tremblett, Greg
Subject: FW: BZP
Importance: High

Greg, can you check and see if these buildings are exempt or if they are required to be registered. Please note, Donna needs a reply asap as she needs to reply by tomorrow. Thank-you, Dennis

From: Kelland, Donna
Sent: Monday, December 15, 2014 2:30 PM
To: Eastman, Dennis
Cc: Duke, Susanna
Subject: FW: BZP

Can you have your folks check to see whether any of these buildings are actually required to be compliant – am thinking in particular of Arts and Culture Centers. I would like to be able to provide some clarification if possible. We are planning to respond to the OCR by Thursday. I understand your folks are working on the private ones? Thx. Dk

From: Bowden, Keith
Sent: Monday, December 15, 2014 1:04 PM
To: Kelland, Donna
Cc: Duke, Susanna; Grandy, Cory; Meade, Brent
Subject: RE: BZP

Donna

Here is situation with respect to core Government sites that are noted as being partially or non-compliant.

While I thought there was one site that could not be identified there are actually two. Not sure for the E&C location in Stephenville site if I have a poor scan or if the original from the Citizens Rep office was poor. Bottom line is that a better picture might help identification.

Keith

<table>
<thead>
<tr>
<th>ACC</th>
<th>St Johns</th>
<th>Partially compliant</th>
<th>No aisles</th>
<th>Site undergoing improvements to BZP in 3 distinct areas which will provide for additional BZP but painting is weather dependent. Site will be compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td>RNC</td>
<td>Mt Pearl</td>
<td>Partially compliant</td>
<td>Sign height</td>
<td>Leased space- signs to be lowered to meet compliance requirement.</td>
</tr>
<tr>
<td>Crown lands</td>
<td>Corner Brook</td>
<td>Partially compliant</td>
<td>No vertical sign</td>
<td>Sign ordered.</td>
</tr>
<tr>
<td>ACC</td>
<td>Corner Brook</td>
<td>Partially compliant</td>
<td>Requires painting/aisles</td>
<td>To be painted to meet compliance requirements. Weather dependent.</td>
</tr>
<tr>
<td>Provincial Courthouse</td>
<td>Port Aux Basques</td>
<td>Non compliant</td>
<td>No BZP. Judge and sheriff parking only.</td>
<td>While the site is not required to be compliant due to age, provision of BZP remains a goal. In the past this has been problematic due to site and property constraints but these addressed and BZP can be provided. This is planned for 2015 (paving is required which precludes an earlier date).</td>
</tr>
<tr>
<td>Service NL</td>
<td>Stephenville</td>
<td>Non compliant</td>
<td>No evidence of BZP</td>
<td>Parking lot recently upgraded and BZP was planned to be provided. Signage to be done shortly but painting is weather dependent.</td>
</tr>
<tr>
<td>Environment and Conservation</td>
<td>Stephenville</td>
<td>No evidence of BZP</td>
<td>No evidence of BZP</td>
<td>Cannot identify site</td>
</tr>
<tr>
<td>Health &amp; Community Services</td>
<td>HVGB</td>
<td>Non compliant</td>
<td>Cannot identify if spaces exist</td>
<td>Cannot identify site</td>
</tr>
</tbody>
</table>

From: Bowden, Keith
Sent: Friday, December 12, 2014 1:23 PM
To: Kelland, Donna
Donna
Attached is listing of sites in the CR report and I’ve noted where responsibility lies for each site – many are self-evident but I’ve noted anyway.

From the text there was one site that is potentially core Government that we could not identify and I believe this was shown in photos 1 and 2 of the “HVGB BZP non compliant public buildings” photos, it is noted in the spreadsheet within the report as Health and Community Services HVGB.

As well Susan Duke asked for the pictures to be identified and here is what has been identified but there are few that we could not ID.

File from Susanna noted on Corner Brook

Pictures 1 & 2 are Crown Lands Branch Lower Level Sir Richard Squires.

Pictures 3 & 4 are Arts and Culture Center Corner Brook

Picture 5 is Corner Brook Regional High School, west entrance

Picture 6 is Corner Brook Regional High School, main entrance

File from Susanna noted as St. John’s

Photo 1 & 2 St. John’s ACC

Photos 3, 4, 5, 6, 7, 8, 9, 10 Health Sciences Center/Janeway incl interior parking

Photos 11, 12 NLC

Photos 13, 14 The Rooms

Photos 15, 16, 17, 18 Miller Center

Photos 19, 20 Bldg 532 Pleasantville (Eastern Health)

Photos 21, 22, 23 MUN Ocean Sciences

Photos 24, 25 pic 24 is intended to be identifying photo but too dark to read

Photos 26 Gonzaga

Photos 27 Gonzaga (assume this to be Gonzaga as it follows identifying picture)

Photo 28 likely St Pats but picture too dark to confirm

Photos 29, 30, 31, 32 St Patrick’s Mercy Home

Photos 33, 34 MacDonald Drive Elementary
I will comment first thing next week on status of the non-complaint sites (core government) and are intentions except for the HVGB which, as noted, could not be identified.

Keith

From: Earle, Beverly  
Sent: Friday, December 12, 2014 12:38 PM  
To: Bowden, Keith  
Subject: Scan

Beverly Earle  
Administrative Assistant  
Assistant Deputy Ministers (Works and SCS)  
Department of Transportation and Works  
T: (709) 729-5672; earleb@gov.nl.ca
Haskell, Ellen

From: Fagan, Anne Marie
Sent: Monday, January 19, 2015 12:11 PM
To: Kelland, Donna
Subject: RE: Blue zone parking
Attachments: blue zone parking brochure jan 19 2015.pdf

No problem, please see attached.
For clarity I also added the total width to #3 that is overlaid on the photo as well.
Please let me know if there are any other changes.
Thanks
Anne Marie

From: Kelland, Donna
Sent: Monday, January 19, 2015 12:03 PM
To: Fagan, Anne Marie
Subject: FW: Blue zone parking

Can you accommodate the reference to the parking space width?

From: Kelly White [mailto:kwhite@codnl.ca]
Sent: Monday, January 19, 2015 12:03 PM
To: Kelland, Donna
Subject: RE: Blue zone parking

OK – to that point on compliance

If you think we can start with the smaller number and do are print if we run out then I am good with that....With the Card – I want them given out at MVR when each new permit is issued....please trying to get them out in various outlets around NL.....maybe 5000 -

What do you think of this point being added under number 3....

At least 2400 mm wide
Access aisles must be 1500
Total width should be 3900mm – I think we need to add this point to clear confusion around width

Kelly White
Executive Director
Coalition of Persons with Disabilities –NL
709-722-7011
kwhite@codnl.ca
www.codnl.ca
@nlcodnl

Have you purchased your Seasons Eatings Coupon Book. This is a great stocking stuffer and a fundraiser for COD-NL. Please visit our website for more information and to order. www.codnl.ca
From: Kelland, Donna [mailto:delland@gov.nl.ca]  
Sent: January 19, 2015 11:57 AM  
To: 'Kelly White'  
Cc: Fagan, Anne Marie  
Subject: RE: Blue zone parking

We will make the punctuation consistent. As I mentioned in my previous email, we would prefer to keep the sentences in the preamble as is – the brochure cannot, in and of itself, "ensure" compliance. What about the numbers for each? Thx. DK

From: Kelly White [mailto:kwhite@codnl.ca]  
Sent: Monday, January 19, 2015 11:33 AM  
To: Kelland, Donna  
Subject: RE: Blue zone parking

Donna – only a few things that you may have missed from my last edits...

On the card.....in the contact for COD –NL

Web: www.codnl.ca. – there needs to be a space added after the colon:

Guidelines Brochure

This brochure contains information for businesses that are subject.....legislations. It ensures compliance with current accessible parking space requirement's....

Under The Number 1

We have periods and they should be semi-colons to coincide with points 2, 3, and 4.

The second bullet under number 2 needs a semi colon as well

Under point number three and I believe this is where the confusion happens....

At least 2400 mm wide  
Access aisles must be 1500  
Total width should be 3900mm – I think we need to add this point to clear confusion around width

I hope this is clear...please call me if you have any questions. I am at my desk!

Kelly White  
Executive Director  
Coalition of Persons with Disabilities –NL  
709-722-7011  
kwhite@codnl.ca
www.codnl.ca
@n1codnl

Have you purchased your Seasons Eatings Coupon Book. This is a great stocking stuffer and a fundraiser for COD-NL. Please visit our website for more information and to order. www.codnl.ca

From: Kelland, Donna [mailto:dknelland@gov.nl.ca]
Sent: January 19, 2015 11:02 AM
To: 'Kelly White'
Subject: FW: Blue zone parking
Importance: High

If you have no other comments, we are ready to send this to the printers. Do you still want 5000 of the brochure or will a smaller run do – say 2500? What about the number of cards?

From: Fagan, Anne Marie
Sent: Monday, January 19, 2015 10:22 AM
To: Kelland, Donna
Subject: RE: Blue zone parking

Hi Donna

Please see the attached and let me know if this is satisfactory.
Thanks
Anne Marie

From: Kelland, Donna
Sent: Monday, January 19, 2015 9:56 AM
To: Fagan, Anne Marie
Subject: FW: Blue zone parking

One last “crack”. Could you revise please to replace Blue Zone with Accessible Parking. There are at least two references in the brochure. DK

From: Cecilia
Sent: Friday, January 16, 2015 5:54 PM
To: Kelland, Donna; 'Kelly White'
Cc: Burggraaf, Carolyn A.; Eastman, Dennis
Subject: RE: Blue zone parking

Hi Donna,

My only other suggestion would be to use the same wording Accessible Parking on both the brochure and pamphlet for consistency. Blue Zone is referred to on the pamphlet in a couple of places.

I could be wrong but I was under the assumption that when referring to Newfoundland and Labrador we do not use the word "and" in between anymore. Looks great, very nice.
Cecilia Carroll

From: Keland, Donna [mailto:dkeland@gov.nl.ca]
Sent: January-16-15 4:31 PM
To: 'Kelly White'
Cc: 'Cecilia Carroll', Burggraaf, Carolyn A.; Eastman, Dennis
Subject: FW: Blue zone parking
Importance: High

Last review! can you all please review these once more to ensure we have picked up on your main points.

Kelly, we considered a couple of your suggestions but decided to leave as is for the following reasons. They were:
1) Instead of the word “Blue” in the title of the card, we have used “Accessible Parking”
2) In the preamble on the brochure, we have retained the wording rather than your suggestion to change to “It ensures compliance...” as I really feel the right message is “information to ensure that businesses..........are in compliance...” Rather than, “the information for businesses ..........ensures compliance.”. See what you think.
3) Under item #2 I think we have captured the gist of what you intended – i.e. removed the term “road sign” and replaced with “international symbol...”
4) Under item #3, we have left (minimum of one) to be clear that even if there are only one or two spaces, there must be at least one accessible one. Using the 4% rule, you only get one in 25 spaces so we didn’t want to mislead or have anyone misconstrue that point.
5) There remainder of your suggestions have been incorporated.

If everyone can confirm with my by early Monday, we can send this to print Monday and have back by Wednesday. we can run in lots of 1000 and up – and reprint as needed. How about we start with 2500 brochures and 500 cards and can reprint as needed? Let me know what you think. Thx. DK

From: Fagan, Anne Marie
Sent: Friday, January 16, 2015 3:35 PM
To: Keland, Donna
Subject: Blue zone parking

Hi Donna
As requested, please see the attached for your review.
Thanks
Anne Marie

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Enforcement
Fines for violations under the Buildings Accessibility Act:
- Corporations - $1000 to $25,000
- Individual Owners - $500 to $5000
- Additional (Individual Owners and Corporations) - $200 to $2000 per day for each day the offence continues beyond the time specified to have it corrected.

Best Practices
Post Installation
This method of installation requires the least amount of maintenance and provides the most visibility.
- Auger down 3 feet into the ground.
- Insert 6 foot steel tube and cement the exterior. (brace and dry)
- Fill steel tube with cement, insert sign pole. (brace and dry)

Paint
- Use traffic, line, or safety and zone marking exterior asphalt paint.
- Add silica sand to your blue, white, and yellow paint to provide traction.
- Paint upright post contrasting color for optimum visibility.

Obtaining Signs
Signs can be purchased from local sign shops.

Coalition of Persons with Disabilities
Newfoundland and Labrador

The Coalition of Persons with Disabilities - NL (COD-NL) was established in 1983. We are a not-for-profit, charitable organization with a mandate to:
- Educate all people by changing attitudes concerning the rights of persons with disabilities;
- Influence regulations, laws, and actions at all levels of government to ensure that all persons with disabilities have opportunity to participate fully in society;
- Involve Coalition members and all persons with disabilities in influencing change.

Coalition of Persons with Disabilities
Newfoundland and Labrador
460 Torbay Road
St. John's, NL A1A 5J3
Tel: (709) 722-7011
Email: info@codnl.ca
Web: www.codnl.ca
Twitter: @NLCodnl

General Information
For detailed information on the Buildings Accessibility Act please view the legislation at: www.servicenl.gov.nl.ca/licences/building
Accessible Parking Guidelines for Businesses and Contractors

The Government of Newfoundland and Labrador, in partnership with the Coalition of Persons with Disabilities, is committed to ensuring access and inclusion for persons with disabilities throughout the province.

This brochure contains information required to ensure businesses that are subject to Buildings Accessibility legislation are in compliance with current accessible parking space requirements.

1 Approved Signage and Measurements
   Vertical Sign
   • At least 300 mm x 600 mm (11.8" x 23.6");
   • Permanently installed directly in front of the space on a post, building or structure at a height of 1500 mm (59") from the ground surface to the centre of the sign;
   • Clearly visible to the public and maintained in a state of good repair.

2 International Symbol for Access
   • International Symbol for Access must be painted at the center of the parking space at a width and height of 1000 mm (3'3");
   • All designated parking stalls and access aisles must be painted the international colour of access on the spaces and aisles;
   • Signs must be clearly visible to the public and maintained in a state of good repair.

3 Parking Space Requirements
   Parking spaces must be:
   • at least 2400 mm (7'10.5") wide;
   • access aisles must be 1500 mm (4'11");
   • total width should be 3900 mm (12'9.5")
   • located on the shortest possible accessible route to the principal entrances of the building;
   • at least 4% of available parking (minimum of one).

4 Curb Ramps Requirements
   Curb ramps located in a barrier-free path of travel shall:
   • have a width of not less than 1200 mm (3'10") exclusive of flared sides;
   • have a gradient of not more than 1 in 10;
   • have flared sides with a slope not more than 1 in 10;
   • have a level walking space at the top of the ramp of 920 mm (3') to the nearest obstruction;
   • have surfaces of the ramp slip-resistant with a detectable warning surface that is colour and texture contrasted with the adjacent surfaces.
Hi Dennis:

Thank you for the update.
It is good to learn that the barrier-free path is being restored.

With regards,

Mary R

Mary Reid
Director
Disability Policy Office
p 709 729-8208
tty 709 729-5440

Hi Mary,

Plans for the windbreak were submitted and approved by our Design Approval Technician on September 10, 2014. The non-compliance was discovered by the field inspector at the time of his inspection on December 18, 2014 and an Order was issued to have the infraction corrected. The first Order did not have a compliance date specified so a second Order was issued with a compliance date of February 6, 2015. The contractor appealed the Inspector's Order to myself as Director under the BA Act on January 5, 2015. I replied to the contractor and confirmed the Order on January 7, 2015. Subsequently, the inspector met with the contractor on site and a solution has been worked out which involves changes to the windbreak which will restore a barrier free path of travel. I have been advised by the inspector that the contractor has assured him the work will be completed by February 6th.

David,
Can you get back to the complainant if Dave has not already done so please. Also, please be sure to advise the complainant after we have inspected the completed work to confirm it has been done properly.

Thank-you,
Dennis

Dennis Eastman, P.Eng.
Director, Engineering and Inspection Services

Service NL
Government of Newfoundland and Labrador
149 Smallwood Drive
P.O. Box 8700 St. John's, NL A1B 4J6
Hi David /Dennis

From our discussion January 5th, I understood that this order did not have a compliance date so a second order was to be issued. I also understood the file was to be checked to see whether the permit application included plans for this wind break and whether this was approved, although this would not change the order to remove.

We are seeking an update on the order, compliance and question about the submitted plans.

Also wondering if Service NL has responded to the complainant.

Many thanks,

Mary R

Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5440

Good Morning Mary;

Further to our previous conversation on this topic, I have become aware that an order was issued in relation to this windbreak on December 18th 2014. The order was to remove, modify or relocate the windbreak.

The order has not been appealed to date.

Greg;

Do you know if the windbreak has been removed/modified/relocated since the order was issued?

Regards,

David Brockerville, P.Eng.
Manager, Engineering Services
t. 709-729-7847
Hi David

Is there an update from the investigation into this complaint regarding the installation of a wind break at Best Buy.

Thank you

Mary Reid
Director
Disability Policy Office
p 709 729-6208
f 709 729-5440

From: Kelland, Donna
Sent: Monday, December 29, 2014 12:46 PM
To: [redacted]
Cc: Reid, Mary M; Cecilia Carroll
Subject: RE: Wind Break

Hi [redacted] I have passed this along to Dennis Eastman for investigation and response. I will be out of the office after today until next Monday but will get back to you when I know more. Thanks for letting us know of your concern. DK

From: [redacted]
Sent: Monday, December 29, 2014 12:13 PM
To: Kelland, Donna
Cc: Reid, Mary M; Cecilia Carroll
Subject: Wind Break

Good afternoon Donna:

On a recent trip to Best Buy I note a new 'windbreak' has been installed that has eliminated an access/egress pathway for their store. Photo attached.

Once more example of a windbreak being installed after the fact which prevents or impedes access for persons using wheelchairs. I am hard pressed to understand why windbreaks are not included in the original site plans where wind conditions are know to be problematic. When they are installed after the fact they invariably create access problems.

I would be most interested to know how such decisions get made and who makes the final decisions as I would like to meet with this person.
CC  Mary Reid, Director Disability Policy Office
    Cecilia Carroll, Chairperson Buildings Accessibility Advisory Board
Haskell, Ellen

From: Kelland, Donna
Sent: Wednesday, January 21, 2015 6:33 PM
To: 'Kelly White'
Subject: RE: Blue zone parking

I have asked MRD for some stats on the numbers of permits. May take a couple of days. Let me know what your availability is for next week and I will ask Dennis for some times for a meeting. DK

From: Kelly White [mailto:kwhite@codnl.ca]
Sent: Wednesday, January 21, 2015 5:05 PM
To: Kelland, Donna
Subject: RE: Blue zone parking

Donna – I was just reviewing what I have done and working on a plan….didn’t mean to resend it…

I wondered if we could possibly get numbers to show how much Blue Zone Permits have grown over the last ten year….Is it possible to get some statistics for 2008, , 2012, and current – I want to show in my presentations that the demand is increasing and this statistic would do just that….I also wondered if you had been able to set a meeting with Dennis and the new person at Service NL for us to have a chat with.

We are working with the RNC on Enforcement and now with the City of St. John’s. This has being in the works since Sept;

Kelly White
Executive Director
Coalition of Persons with Disabilities – NL
709-722-7011
kwhite@codnl.ca
www.codnl.ca
@nlcodnl

Our Seasons Eatings Coupon Book is now our Winter’s Eatings Coupon Book and is available until February 6… Just $10.00 Please visit our website for more information and to order. www.codnl.ca

From: Kelland, Donna [mailto:dkelland@gov.nl.ca]
Sent: January 21, 2015 4:49 PM
To: 'Kelly White'
Subject: RE: Blue zone parking

I think you had already sent me this? I should have a final version by tomorrow. DK

From: Kelly White [mailto:kwhite@codnl.ca]
Sent: Wednesday, January 21, 2015 4:36 PM
To: Keland, Donna
Subject: RE: Blue zone parking

Donna -- only a few things that you may have missed from my last edits...if we are going to use accessible parking...than we need to use it throughout and remove all wording of Blue Zone.

On the card.....in the contact for COD--NL

Web: www.codnl.ca. -- there needs to be a space added after the colon:

Guidelines Brochure

I noted last time that it is more reader friendly to say:

This brochure contains information for businesses that are subject.....legislations. It helps ensure compliances with current accessible parking space requirems....

Kelly White
Executive Director
Coalition of Persons with Disabilities –NL
709-722-7011
kwhite@codnl.ca
www.codnl.ca
@nlcodnl

Have you purchased your Seasons Eatings Coupon Book. This is a great stocking stuffer and a fundraiser for COD–NL. Please visit our website for more information and to order. www.codnl.ca

From: Keland, Donna [mailto:dkeland@gov.nl.ca]
Sent: January 19, 2015 11:02 AM
To: 'Kelly White'
Subject: FW: Blue zone parking
Importance: High

If you have no other comments, we are ready to send this to the printers. Do you still want 5000 of the brochure or will a smaller run do – say 2500? What about the number of cards?

From: Fagan, Anne Marie
Sent: Monday, January 19, 2015 10:22 AM
To: Keland, Donna
Subject: RE: Blue zone parking

Hi Donna
Please see the attached and let me know if this is satisfactory.
Thanks
Anne Marie

From: Keland, Donna
Sent: Monday, January 19, 2015 9:56 AM
To: Fagan, Anne Marie  
**Subject:** FW: Blue zone parking

One last "crack". Could you revise please to replace Blue Zone with Accessible Parking. There are at least two references in the brochure. DK

---

**From:** Cecilia [redacted]

**Sent:** Friday, January 16, 2015 5:54 PM  
**To:** Kelland, Donna; 'Kelly White'

**Cc:** Burggraaf, Carolyn A.; Eastman, Dennis

**Subject:** RE: Blue zone parking

Hi Donna,

My only other suggestion would be to use the same wording Accessible Parking on both the brochure and pamphlet for consistency. Blue Zone is referred to on the pamphlet in a couple of places.

I could be wrong but I was under the assumption that when referring to Newfoundland and Labrador we do not use the word "and" in between anymore. Looks great, very nice.

Cecilia Carroll

---

**From:** Kelland, Donna [mailto:dkelland@gov.nl.ca]

**Sent:** January-16-15 4:31 PM  
**To:** 'Kelly White'

**Cc:** 'Cecilia Carroll'; Burggraaf, Carolyn A.; Eastman, Dennis

**Subject:** FW: Blue zone parking

**Importance:** High

Last review! can you all please review these once more to ensure we have picked up on your main points.

Kelly, we considered a couple of your suggestions but decided to leave as is for the following reasons. They were:

1. Instead of the word “Blue” in the title of the card, we have used “Accessible Parking”
2. In the preamble on the brochure, we have retained the wording rather than your suggestion to change to “It ensures compliance…” as I really feel the right message is “information to ensure that businesses.........are in compliance.” Rather than, “the information for businesses ..........ensures compliance.”. See what you think.
3. Under item #2 I think we have captured the gist of what you intended -- i.e. removed the term “road sign” and replaced with “international symbol…”
4. Under item #3, we have left (minimum of one) to be clear that even if there are only one or two spaces, there must be at least one accessible one. Using the 4% rule, you only get one in 25 spaces so we didn’t want to mislead or have anyone misconstrue that point.
5. There remainder of your suggestions have been incorporated.

If everyone can confirm with me by early Monday, we can send this to print Monday and have back by Wednesday. We can run in lots of 1000 and up – and reprint as needed. How about we start with 2500 brochures and 500 cards and can reprint as needed? Let me know what you think. Thx. DK

---

**From:** Fagan, Anne Marie  
**Sent:** Friday, January 16, 2015 3:35 PM
To: Kelland, Donna  
Subject: Blue zone parking

Hi Donna  
As requested, please see the attached for your review.  
Thanks  
Anne Marie

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Paul,
Here are some changes that should be looked at, there are others I can’t include in an email, but should also be discussed.
Please forward this to whomever you feel should have a copy.

Regards
After speaking with the crown prosecutor's office we came to the same conclusions of changes that need to be addressed.

Counterfeit permits are a continuing problem. Using a Hologram Logo and sticker system similar to license plate stickers helps to reduce this issue.

Switching to a hanging tag allows for better viewing for enforcement officers and the rules for use of the permit are always in the permit holders view.

As it stands now there is no penalty for use of a counterfeit permit except the parking fine. A couple of issues appear here, there is nothing in the Highway traffic act to address this while there is for stealing stickers off license plates a similar type of fraud. I suggest amending some things.
- $1200.00 fine for use of a counterfeit permit under the traffic act

When a permit is not displayed and a ticket issued, if a permit is presented after the fact, rather than dismiss the fine it should be reduced to a $50.00 fine for failure to display, this helps quell abuse.

Adopting these simple changes will go a long way in reducing the abuse and extra burden placed on these allocated spaces.

The included samples are my gift to the government to help expedite effective and long overdue change.

- s.30(1)
Suggested New Design for Accessible Parking Permit and Highway Traffic Act Amendments

Parking Permit

00000

Rules

Only one permit issued per person.

A permit can be used in any vehicle that the permit holder is a passenger in, but is not transferable and cannot be loaned to anyone for use, this includes using a Blue Zone to allow a passenger use of the space.

It is illegal to use a permit not issued to you.

A permit must be displayed in the windshield of a vehicle at all times while occupying a designated mobility impaired parking space.

For proper identification the permit number and expiry date must be visible and facing forward.

The permit should be surrendered to the Motor Registration Division when it is no longer required by the holder or when requested to do so by department officials.

The renewal of such a permit is the responsibility of the permit holder.

Expires the Last Day of: May. 2017
00000 Registrar of Motor Vehicles

Newfoundland Labrador

Motor Registration Division 1-877-638-6867

9" x 3.5" Poly Hang Tag
REMOVE FROM MIRROR
BEFORE DRIVING VEHICLE

9" x 3.5"
Poly Hang
Tag

Parking Permit

Permit Number
B/W High
Contrast

00000

Hologram Logo,
(Counterfeit
Protection)

Expires the Last Day of:
May. 2017
00000
Registrar of Motor Vehicles

Newfoundland
Labrador

Sticker with
Expiry Date,
Permit Number,
Colour Changeable
(Counterfeit
Protection)
Attached are the following docs.

- Recommendation for what needs to be accomplished during this sitting of the house.
- Investigative report from OCR concerning the Building Accessibility Act, Blue Zone Spaces, and the failure of the department since 2010.
- Letter from dept. minister of education requiring school boards to be in compliance by 2014 opening (audited this winter shows less than 10% compliance 4 years after government were aware of the issues)
- Letter from the school board committing to getting it right and done for opening 2015. (5 years after your department has been aware of the issues)

When Minister Crummell is ready for a sit down please have him contact me.
7 April, 2015

Hello,

I am writing in follow up to our meeting of 20 March, 2015. The Newfoundland and Labrador English School District would like to reiterate our commitment achieving and maintaining legislative compliance regarding accessible parking on school parking lots. Given the current climatic issues with posts and painting, some upgrades are not feasible at present, but it is our intention to achieve full compliance before the next school year (September, 2015).

To that end, we are interested in obtaining your services for education/training, auditing, and review of work. I will be in touch in the coming months to follow up in this regard.

Please feel free to contact me with any suggestions and/or concerns your organization may have.

Sincerely,

[Signature]

Jim Sinnott  Director of Facilities  jim@nlesd.ca  709.758.2363(voice)  709.758.2706(fax)
May 23, 2014

Mr. Darrin Pike, Director
Newfoundland & Labrador English School District

Mr. Claude Giroux, Directeur Général
Conseil scolaire francophone

RE: Provisions of Parking Spaces for Persons with Physical Disabilities

Further to the Department of Education’s memo of May 28, 2010 addressed to all Directors of Education, this is a reminder to ensure that all schools with paved parking lots are compliant with the Building Accessibility Regulations under the Building Accessibility Act. The regulations include, among other requirements, that there shall be at least one lot, or four percent of the total lots, whichever is greater, designed and designated for use by physically disabled persons.

The Buildings Accessibility Regulations, which can be accessed at www.assembly.nl.ca/Legislation/sr/Regulations/rc961149.htm, outlines the requirements under the legislation for parking spaces for persons with physical disabilities including appropriate signage and painting and appropriately sized spaces. Please refer to Sections 13, 14 and 15 of the Schedule to the Regulations for specific technical requirements.

While we recognize that most schools are in compliance with these regulations, construction or other activities may have damaged the work completed in the past.

School districts are required to be in compliance with this request no later than September 1, 2014 so that schools are ready for the 2014/15 school year.

Please contact Ms. Natalie Hallett at 729-4988 should further clarification or discussion be required.

Thank you for your anticipated cooperation.

Sincerely,

JANET VIVIAN-WALSH
Deputy Minister

cc: Ms. Ingrid Clarke, ADM
Ms. Natalie Hallett, Director
Minister Crummell,

As a follow up to our conversation on April 17th 2015 and as requested I’ve compiled a list of things that have to be addressed in this sitting of the house.

A Brief History

In 2010 after multiple presentations to the government and ServiceNL with C.O.D., Mary Reid from the disability policy office and others agreeing that changes were needed to the legislation, the Government agreed and moved forward.

The intent of the amendments were to separate parking lots from public structures so they would be required to become compliant to Blue Zone regulations without getting into the costs of renovating exempted buildings based on age. ServiceNL informed all attending parties that it takes 2 years to make these changes as the lawyers need time to make sure all is researched and vetted. That statement was a complete fabrication, it comes down to motivation. From 2010 to 2012 the minister of ServiceNL (Paul Davis) knowing the challenges facing our mobility impaired community made no move to update any government sites including the House of Assembly. This squandered opportunity to show our province’s municipalities and business community the proper way to provide functional access exposed our governments’ lack of commitment to the 20+ thousand individuals struggling to access services and resources we all pay taxes for.

These changes were suggested because the term “Permanent” was not in the Legislation allowing the continued use of non-effective temporary signage. During this 2 year vetting term of the governments legal dept. they failed to expand upon suggestions and negated the intent of the legislation by failing to separate parking lots in the definitions of public building giving an exemption to 60%-70% of all publicly accessible buildings in NL from having to update their parking lots based on age.

From 2012 to the spring of 2014 ServiceNL moved from a 5% compliance to 15% compliant on the most visible government sights. Under threat of public exposure during the PC party elections the government in a matter of months moved from a 15% compliance to 45% compliance across the province. Today in 2015 our government still remains at less than 50% compliant on government occupied sites, as a government you are required to be accessible, if a leased property is not updatable your required to move.

Original brochure created by ServiceNL were not distributed as stated, in fact the amount of exaggerations in this matter by ServiceNL are well documented as is the stated use of committees that haven’t met in years and when asked for minutes from meetings, nothing but barriers.
These ongoing barriers created by ServiceNL forced me to make a complaint to Citizens Rep who proceeded to investigate the issue and the report is attached if you haven’t seen it yet.

So that is where we stand to date:

Government of NL (spring of 2015) 45% - 50% compliant on occupied properties (5 years of awareness to issues)

Schools in NL (spring of 2015) less than 10% compliant (5 years of awareness to issues)

Public accessible properties in NL (spring of 2015) 15% - 20% compliant (3 years since law change)

Percentage of publicly accessible buildings that are available to enforcement of current legislation after vetting errors of government legal office. 30% - 40%

Expectations during this sitting of the house.

- A revision of current Buildings Accessibility Act to correct the definition of publicly accessible buildings allowing the legislation to have its intent.
- Inclusion in the legislation to allot parking spaces for vans with lifts.
- An opening of the signage restrictions. Currently the justice department are dismissing more cases than prosecuting for the $400.00 parking ticket when contested. With no enforcement to bring existing buildings into compliance with signage these spaces are by definition not a compliant Blue Zone space so the ticket gets dismissed. An example of opening up the restrictions would be, “Permanent vertical signs must contain a recognizable Blue Zone Sign.” We then educate with the new brochures as to what signage we should move to use when updating.
- M.U.N. and Grenfell have been given the right to circumvent current legislation and municipal bylaws. Since the legislation has passed in 2012 the level of fines on these properties was and is $20.00. Less than it would cost to feed a meter for a day. They need to apply to ServiceNL for a fine level increase. These and any such properties should be required to adhere to local bylaws for fine levels with no approval from the government required.
- You asked why I haven’t advocated for employment opportunities for the mobility impaired and disabled. The SPCA were given the ability to issue offence tickets after it was determined they had the expertise in the field. Why wouldn’t the government seize this opportunity to do the same in allowing COD (experts in the field) to have the ability to hire and train allowing the disabled community the ability to access meaningful
employment in something they know and is close to them. What an opportunity to educate the public, bring awareness, and lighten the burden on the government staff resources.

- A functional action plan that starts now getting government occupied sites up to compliance. There is no adequate reason why this has not been accomplished to date.

These issues are attainable during this sitting of the house it just takes the motivation to get the job done, and after our conversation I believe you’re the Minister who will act verses react. The government needs be in front of the issue rather than trying to constantly catch up.

Attached are a few documents worth reading, we should then have a sit down on how to expedite these legislative changes and compliance / enforcement issues.

Regards

[s.30(1)]

[Cell]
Hi Donna,

Here is the email I sent on Tuesday in regards to questions for our meeting with Dennis and his staff. Hope this helps.

Cecilia Carroll

Hi Donna,

Here is the draft agenda. Let me know if I have missed anything.

Also have you had any luck in getting someone to do the presentation Wednesday morning?

In regards to questions for the meeting with Denis, the idea was to have a general discussion on some main areas. Such as how they go about reviewing plans, what is looked at for the 50% rule, exemptions, how they approach inspections and what happens if they are not up to code.

Cecilia Carroll
To: 'Cecilia Carroll'; [redacted]
Subject: meeting with BA staff - May 8th

This will confirm our meeting with Dennis Eastman and two of his Buildings Accessibility staff on Friday, May 8th at approximately 10:00 am. We may meet over at the Motor Registration Building in Mt. Pearl (exact time and location to be confirmed). As you discussed, the purpose of this meeting is to gain a better understanding of the process that our folks use to register a building and the process for providing an exemption. If you have specific questions ahead of time, it might be helpful to share with them beforehand.

I have also contacted the Architects Association and asked whether they could provide a representative or two to meet with the Board on Wednesday morning, May 13th. I will send you a copy of that email shortly. I got a positive response but they have still to find someone who is available and willing to participate. I will keep you posted on that.

If you could provide a draft agenda based on your notes from the last session, I can format and distribute it next week. So far, all Board members have indicated they will attend.

Please let me know if you need anything else at this point. Regards, DK

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Building Accessibility Advisory Board
Board Meeting
Holiday Inn, St. John’s
May 12 & 13, 2015

May 12, 2015
10:00am – 12:00pm

1. Welcome – Introductions
   - New Members

2. Minutes of Last Meeting
   - October 22, 2014

3. Business Arising
   - Update on COD Blue Zone Parking Project
   - Web Profile

4. New Business
   - Advise Paper from Provincial Advisory Council
   - Report from Citizens Representative
   - Board Member Appointment Terms

Lunch 12:00 – 1:00

1:00pm – 4:00pm
   - Presentation – Dennis Eastman
   - Q & A
   - Round Table

5. Other
   - Discussion on Questions for Presentation Day 2
Building Accessibility Advisory Board
Board Meeting
Holiday Inn, St. John's
May 12 & 13, 2015

May 13, 2015
10:00am – 10:30am

1. Review of Day 1
   - Questions

10:30am – 12:30pm

2. Presentation – Design Industry (or Universal Design)?????
   - Q & A
   - Round Table

1:30pm – 4:00pm

3. Where To From Here
   - Blue Zone – Paint/Slip & Fall
   - Building Accessibility Appeal Tribunal
   - Automatic Doors
   - Strip Malls – Individual vs. whole building
   - Lifts vs Elevators
   - Ramp Grade

4. Next Presentation
   - Who do we want to hear from next

5. Next Meeting
   - June/July
Haskell, Ellen

From: Eastman, Dennis
Sent: Tuesday, May 12, 2015 8:36 AM
To: Kelland, Donna
Subject: RE: BAAB Presentation - May 12, 2015

Yes.

From: Kelland, Donna
Sent: Monday, May 11, 2015 4:40 PM
To: Eastman, Dennis
Subject: RE: BAAB Presentation - May 12, 2015

This is good. You might want to have some stats handy of how many registrations take place each year and how many exemption and the main reason for exemptions (e.g. industrial; minor renovations of existing buildings). As you heard the other day, the perception is that folks are “getting away” with having to be accessible, especially in the case of major renovations (e.g. interior back to the studs). I think you were going to check a couple of examples for section 30? Can you bring the presentation with you on a thumb drive?

From: Eastman, Dennis
Sent: Monday, May 11, 2015 3:57 PM
To: Kelland, Donna
Subject: BAAB Presentation - May 12, 2015

For your review. Dennis
Buildings Accessibility Design Review / Inspection Process

SERVICE NL
MAY 12TH, 2015

Introduction

- Scope of legislation applies to public buildings, apartment-type buildings, hotels and building-links.
- Scope of legislation does not apply to:
  - private homes
  - foster homes
  - Boarding houses, B&B's or lodging houses having sleeping accommodations for fewer than 11 boarders, guests, or lodgers.
Introduction

- Legislation requires applicants to submit design drawings and specifications for review and approval prior to any new construction, reconstruction, or addition.
- Applications are received from:
  - Building Owners
  - Agents
  - Contractors
  - Designers

Introduction

- Applications can be made in-person, mail, fax or via e-mail.
- Applications usually consist of:
  - Buildings Accessibility Application Form.
  - Design Drawings and Specifications
  - Required Fees
### Approval Types

- **Registered as Compliant**
  - Plans/specs shall comply with requirements of Buildings Accessibility Act & Regulations.
- **Registered as Exempt**
  - Plans/specs exempt from requirements if exemption criteria is met.
- **Application required for both types.**

### Initial Administrative Process

1. Application received. Checked for completeness
   - Application package complete
     - Logged in. Staff starts plans review process.
   - Application package incomplete
     - Applicant contacted for missing items
Registration Process

Design Drawings

- Design drawings must clearly show the proposed scope of work in sufficient detail to establish conformance.
- Common drawing types reviewed:
  - Site plans/parking plans
  - Floor plans
  - Stair and ramp details.
  - Washroom layouts/details.
Inspection Types

- Progress inspections to ensure compliance during construction.
- Final inspections required prior to occupancy.
- No inspections required for exemptions.

Exemption Process

- Application package accepted
  - Staff reviews package
  - Exemption criteria met
    - Plans stamped
    - Approval letter typed and mailed
  - Exemption criteria not met
    - Applicant contacted. Project follows registration process
Exemption Criteria

- The following classes of buildings are exempt:
  - Group 'F' (industrial-type) buildings.
  - "Existing buildings"
    - "existing building" means a completed building or partially completed or proposed building for which plans have been approved and a permit issued before December 24, 1981

Reconstructions to Existing Buildings

- The Act and Regulations apply to the reconstruction of an existing building where the cost of reconstruction of the building is equal to or exceeds 50% of the cost of erecting a new building of the same character and dimensions excluding the cost of reconstructing basements, cellars or chimneys or the cost of site alterations.
- Where additions occur during reconstruction, those additions will be included in the 50% calculation.
- Reconstruction costs (including building additions) to an existing building have been cumulative since September 1992.
Additions to Existing Buildings

- Additions to an existing building must be registered where:
  - The addition contains a principal entrance.
  - The addition affects other areas of the building where the addition is greater than 300 square metres or
  - The addition changes or reclassifies a building or section of it from the previously exempted occupancy.

Any Questions?
Thank You
From: Eastman, Dennis
Sent: Monday, May 11, 2015 1:37 PM
To: Mercer, Justin; Smith, Philip I; Saunders, David
Cc: Brockerville, David; Tremblett, Greg
Subject: Buildings Accessibility Advisory Board Meeting - Tuesday, May 12, 2015, Conception Bay South Room, Holiday Inns, Portugal Cove Road

Importance: High

Justin/Phil/Dave,

Please attend the BAAB meeting tomorrow afternoon at the Holiday Inns. You are needed at 1:00pm for an hour or two. I have a presentation on our design review/inspection processes and the BAAB may have questions for us afterwards.

Thank-you,

Dennis

Dennis Eastman, P.Eng.
Director, Engineering and Inspection Services

Service NL
Government of Newfoundland and Labrador
149 Smallwood Drive
P.O. Box 8700 St. John's, NL A1B 4J6
deastman@gov.nl.ca
T 709.729.2747 F 709.729.2071
www.es.gov.nl.ca
June 1, 2015

Hon. David Brazil
Minister, Transportation & Works
PO Box 8700
St. John's, NL A1B 4J6

Dear Minister Brazil,

As you are aware, the Office of The Citizens’ Representative recently conducted a review of accessible parking spaces at Government owned buildings and properties. This review indicated many provincial buildings are not meeting the current legislative requirements. From our partnership while you held the Service NL portfolio, we know you understand the need for adequate Blue Zone parking and that you are committed to improving access for persons with disabilities. And, based on this knowledge, the Coalition would once again like to offer to partner with your department to resolve issues concerning Blue Zone parking and general building accessibility.

This partnership would involve the Coalition working directly with your department, as well as all government departments via your department, to support the Provincial Government to become a model for buildings accessibility. This would involve the Coalition:

- Providing accessibility audits of existing properties of the Government of Newfoundland Labrador;
- Identifying opportunities to improve accessibility and inclusion;
- Increasing accessibility knowledge and expertise of Department of Transportation and Works staff; and,
- Increasing the awareness and knowledge of accessibility barriers that continue to face persons with disabilities and the depth of impact these barriers have on inclusion.

The accessibility audit would assess the level of accessibility in a variety of provincial properties including all Provincial Buildings. This would involve Coalition staff touring various facilities along with respective facilities management staff. The goal would be to apply an accessibility lens to these properties. For the purposes of the accessibility audit, the Coalition would develop a checklist, which would allow us to quickly and efficiently review a number of facilities over a one-year period. The audit tool will be designed to assess the major barriers to access. It will concentrate on the following elements:
- Designated accessible parking
- Accessible entrances
- Circulation (corridor width, obstructions, flooring material, width of doorways, thresholds)
- Service counters
- Accessible washrooms
- Access to all facilities and amenities
- Signage
- Seating
- Accessible elevators

To complete this work, the Coalition would hire dedicated staff as the Coalition does not currently have human resources to deliver this work. This "Accessibility Specialist", however, could be hired through the wage subsidy program through the Department of Advanced Education and Skills. This would provide a cost-savings to your department for the completion of this work.

As indicated, the Accessibility Specialist would tour Government buildings, complete the audit using the audit checklist and issue an audit report to the Department of Transportation and Works with recommendations for quickly eliminating existing and potential barriers.

As you aware from the Coalition's previous projects including the Blue Zone Awareness, our Emergency Preparedness and Advance Health Care projects, we can provide this work quickly and cost effectively. And, we would be very excited to work once again with you and the Provincial Government to make our province a model for inclusion. I look forward to discussing this proposal with you. Please feel free to contact me at 722-7011 or by email at kwhite@codni.ca. We look forward to your continued support in providing access for persons with disabilities and ensuring an inclusive province!

Sincerely,

Kelly White,
Executive Director

cc: Minister Jackman, Senior Wellness and Social Development & Minister Responsible for Status of Persons with Disabilities – NL
Mary Reid – Disability Policy Office
Haskell, Ellen

From: Kelland, Donna
Sent: Tuesday, June 02, 2015 3:24 PM
To: Puddester, Leigh
Subject: RE: Letter Re Accessibility

Should we suggest an oversight role for the Buildings Accessibility Advisory Board again? DK

From: Puddester, Leigh
Sent: Tuesday, June 02, 2015 1:49 PM
To: Kelland, Donna
Subject: Fw: Letter Re Accessibility

Interesting they didn't copy SNL on this proposal.

From: Meade, Brent <BMeade@gov.nl.ca>
Sent: Tuesday, June 2, 2015 12:48 PM
To: Puddester, Leigh
Subject: FW: Letter Re Accessibility

FYI

From: Reid, Mary M
Sent: Tuesday, June 02, 2015 8:42 AM
To: Day, Elizabeth; Meade, Brent
Subject: FW: Letter Re Accessibility

FYI

Minister Jackman and our office copied on attached correspondence from the Coalition in which they propose a partnership with TW to identify accessibility barriers within existing government buildings.

M
Mary Reid
Director
Disability Policy Office
p 709 729-6208
tty 709 729-5000

From: Kelly White [mailto:kwhite@codnl.ca]
Sent: Monday, June 01, 2015 6:21 PM
To: Brazil, David J.
Cc: Jackman, Clyde; Reid, Mary M; kimw@codnl.ca
Subject: Letter Re Accessibility

Minister Brazil,

We are pleased to send you a letter to discuss moving forward together on accessibility at all government buildings.
We look forward to talking to you regarding this and how we can work together once again to improve services for everyone in our province.

Thank you

Kelly White  
Executive Director  
Coalition of Persons with Disabilities – NL  
709-722-7011  
kwhite@codnl.ca  
www.codnl.ca  
@nlcodnl

Please remember to keep Blue Zone Spaces free of Snow and Ice.
Minutes of the Building Accessibility Advisory Board  
March 19, 2013  
Delta Hotel, St. John’s, NL

In attendance:

Danny McCann, Chairperson
Cecilia Carroll
Pauline Crann
Sheila Keating
Sharon Williams, Service NL

Via telephone:
Reg Hedges
Ed Smith

Regrets:
Dennis Gill
John Wescott

Also attending:
Donna Kelland, Assistant Deputy Minister, Service NL
Dennis Eastman, Director, Engineering and Inspection Services
Michelle Craig, Engineer III, Service NL
Jill March, Assistant to the ADM, Service NL

This was the first meeting of the Building Accessibility Advisory Board since its appointment in July of 2012. The meeting began at 1:00 pm with brief introductions around the table. Board members reviewed and approved the draft Agenda (attached).

Michelle Craig gave a brief overview (power point presentation) on the Buildings Accessibility legislation to outline key aspects. A general discussion on the presentation followed.

Board members noted a number of issues within the community, for example:
- Parking spaces and shared areas – often the shared space between two accessible parking spots (marked with diagonal lines) is misused or ignored by other drivers, making the spaces themselves inaccessible. For example, other drivers may park in the shared space, limiting access to curb cuts and wider space needed for wheelchair fitted vehicles. The shared areas are often not painted blue and the spots may be occupied by motorcycles or other vehicles.
- the square footage of accessible public washroom stalls is often not sufficient for power wheelchairs or larger/longer chairs. It would be more feasible to take all this into account during the initial construction of the building rather than afterward in renovations.
- trying to find a doctor who is accepting new patients and whose facility is completely accessible is not an easy task.
- legislation must be clear and concise and not leave people second guessing. People who are directly affected by "building accessibly" should be consulted as they are the ones facing the day-to-day trials of problems with accessibility.
- Clarification in needed on what a building inspection includes, and a final building inspection should not be issued unless everything has been properly accounted for.
- Purchasing tickets online for an event or concert is not always possible. When purchasing non-standard tickets, one must wait to speak to an agent and tickets are often gone by the time they get to an agent.

Dennis Eastman, Director of Engineering and Inspection Services, which has the responsibility for the legislation, advised that Newfoundland and Labrador accessibility legislation includes standards for accessibility that often surpass those of other provinces as well as national standards (e.g. the National Building Code of Canada). However, he noted that despite these specific and "above average" guidelines, there is still room for improvement. As an example, there is a requirement for an automatic door opener on the outside of a building but not on the internal door (for example in a vestibule). This can create problems for people using wheelchairs and other assistive devices.

Many board members noted that these shortfalls may not be due to deliberate bias, but may often be just an unfortunate result of lack of awareness. People who face the day-to-day challenges of mobility believe common sense would help determine the layout and arrangement for facilities and amenities. Awareness and sensitivity toward accommodation may be more heightened in current times, but simple things, such as the placement of hand soap dispensers away from a sink, paper towels and hand dryers is the result of someone not using a wheelchair designing the washroom.

Other anecdotal examples include:
- hotels often have accessible rooms, but often they are located on upper floors. In cases of emergencies, elevators are often shut down and so problems with quick exists can arise.
- Other accommodations may have well-equipped accessible rooms, but they may be situated at the far end of a long hallway.
- Roll-in showers, accessible bathrooms, grab bars, wide entrance ways, etc. are all useful features for any facility, but the actual positioning of these within the facility is most important.
- Issues often arise in smaller and/or older communities or parts of communities where older buildings are not accessible and are exempt from the legislation.
- The costs of renovation and accessible features can be a barrier for developers and business owners.

Board members briefly discussed ways of heightening awareness, for example, through education, policy or legislation, and how these can reinforce each other. The importance of education and awareness at a very young age, and of sending the right message to children, was noted.
Susan Tobin of the Disability Policy Office, with the Department of Advanced Education and Skills, presented the board with an overview of their office and mandate. The DPO was established in 2009 and works with all government departments and agencies to develop policies and programs that include people with disabilities and that are barrier free. The DPO works closely with Service NL on accessibility issues. Ms. Tobin left copies of the strategic plan, “Access, Inclusion and Equality”, for board members. Additional copies are available.

The Buildings Advisory Board has a two year appointment time frame from July 2012. Board members agreed they must focus on an activity plan and advocacy to make a difference to those with disabilities.

The next meeting will be at the call of the Chair.
MINUTES
Buildings Accessibility Advisory Board
May 28, 2014 (10:00 am)
Service NL Boardroom – West Block

In Attendance:
Cecilia Carroll, Chairperson
Sheila Keating
Ed Smith
Dennis Gill
Reg Hedges

Donna Kelland, ADM, Government Services Branch, Service NL
Catherine Shortall, Facilitator
Amanda Roberts, Recorder

Regrets:
Pauline Crann
Sharon Williams

The Chairperson welcomed the group and indicated that she hoped this would be a productive year for the Board. She then introduced Catherine Shortall of the Department of Advanced Education and Skills as the Meeting Facilitator for the day. Brief introductions then took place, followed by some housekeeping items. The Agenda for the meeting and the Minutes of last meeting (March 19, 2013) were approved.

The Minister of Service NL, the Honourable Dan Crummell, met briefly with the Advisory Board and reiterated his strong support for their work. He thanked the members for taking time away from their personal lives to serve on the Board to represent the community at large.

The facilitator, Catherine Shortall, gave an overview of the plans for the format. She then asked members to share their expectations for the meeting, anticipated outcomes for the next two to three years, and to identify specific issues/concerns
they were aware of in the community at large. A number of general topics were discussed (see Appendix A).

Work Planning

The facilitator suggested the Board focus on the development of a work plan at their next meeting. Some of the elements to be considered included:

- Advisory Capacity
- Short term vs. long term issues/achievements
- Collaboration with other stakeholders
- Where could some immediate results or “quick wins” be achieved
- How does the desire to affect change in various areas compare to the mandate to advise on legislation/regulation?
- Annual reports, Activity Reports, Work Plan

Board Accountability Requirements

Gerard Griffin of the Policy and Strategic Planning Division with SNL provided an overview of the Accountability requirements under provincial legislation and provided information on the Access to Information and Protection of Privacy Act. The Advisory Board is required to prepare:

1. Activity Plan – required every three years (2014-17 is the current round) and due to be tabled by June 30th of this year. The Activity Plan must commit the Board to meeting the requirements of the Buildings Accessibility Act. It is not the same as a work plan, but rather a generalized statement of mandate, intent and high level activities (e.g. to advise the Minister).

2. Annual Report – due September 30th of each year. It will report on what the Advisory Board is committed to, the number of times the Board has met, and what issues were discussed/dealt with. The Annual Report will also be tabled in the House of Assembly and posted on the government website.

3. Other items – other items which are subject to public release include Minutes or Board meetings, and members’ names. Gerard stated he would be in touch with the Chair in the near future.
General discussion

Board members discussed the possibility of creating an Advisory Board “profile” on government’s web-site as a means of communication with the community at large. It was also noted that it was difficult to locate information on the SNL web-site with respect to the legislation that the department was responsible for. Ms. Kelland indicated that she would refer this to the appropriate contacts within the department for review.

Ms. Kelland provided board members with a brief overview of the decision-making process within government with respect to making amendments to legislation. Should the Board make recommendations to the Minister with respect to amendments to the Act or Regulations, the Minister would consider the recommendations and, if in agreement, would make a submission to Cabinet seeking approval. Amendments to the Act must be debated in the House of Assembly. Amendments to the Regulations are required to be published in the Newfoundland and Labrador Gazette.

Appointments to the Board

Members are appointed to the Board for a two year term (the current term expires in July 2014) and are eligible for reappointment. The next round of appointments provide for at least half the Board to be appointed for a three year term and the remainder for a two year term, reverting to two year terms in subsequent appointment cycles. There is also a new provision for the appointment of a Vice Chair, at the discretion of Cabinet. It is likely that this would occur during the next round of appointments if approved.

Support to the Board

There was a brief discussion around the support to the Board by the department (secretariat functions) as well as technical information and advice from staff of the Engineering and Inspection Services Division as required.

Meeting Frequency and Content

The meeting resumed at 1:30 pm after a lunch break, with round table discussion on moving forward. The following points were discussed:
• Frequency and possible locations for meetings
  o Video conferencing vs. travel – face to face meetings
  o Desire to meet at least quarterly, or more frequently if required
• Creating a profile for the Board - Who we are – what we do; where to find
  us (note to look at the Provincial Advisory Council for the Inclusion of
  Persons with Disabilities (PAC) website for ideas
• Once established – the need to develop specific agendas for meetings

Presentation by Disability Policy Office

Mary Reid of the Disability Policy Office (DPO) gave an overview of the roles of
the DPO nad the Provincial Advisory Council for the Inclusion of Persons with
Disabilities (PAC) and summarized the following information booklets which she
distributed to the group.

1. Convention on the Rights of Persons with Disabilities
2. Words with Dignity pamphlet
with Disabilities in Newfoundland and Labrador

The Board had a general discussion around interaction with the PAC. It was
noted that the Chair of the Advisory had been invited to meet with the PAC at
their meeting the following week to discuss issues of mutual interest.

Follow up required prior to next meeting (tentatively September 11 or 25th-
TBC)

Board members:
• Review Legislation / Regulations
• Identify key topics for work plan discussion
• Review materials from DPO/PAC
• Consider inviting outside persons for presentations
• Developing a Work Plan outline (e.g. Goal; action; who; timelines; status;
etc.)
Department:
- Secure the services of a facilitator to help develop the work plan
- Provide an overview of enforcement efforts and exemptions granted.

The meeting adjourned at 4:30 pm.

Prepared by: Amanda Roberts/Donna Kelland, SNL
Approved by: Cecilia Carroll, Chairperson
Date: August 26, 2014
Appendix A
Topics and Issues for Discussion

Topics raised included:

- Level of Awareness/engagement within the community
- The need for empathy/understanding – not pity
- Whether it might be beneficial to visit certain buildings which have specialized functions, e.g. Ronald McDonald House, Daffodil Place – which appear to only meet minimum standards in spite of need
- Cost of building to Universal Design standards – whether this is a real barrier to improving accessibility within communities
- Inspectors “mobility” – whether it would be useful for an inspector to be occasionally accompanied (“ride-along”) by someone using a wheelchair to “test” real accessibility
- Hotels – whether washrooms in accessible hotel rooms are really accessible (e.g. lack of roll-in showers versus tub-type facilities)
- The need to share successes – building on those as “stepping stones”
- Whether future Advisory Board membership could include cross disabilities representation (signage/sensory; hearing)
- Whether buildings such as churches are required to be accessible
- Private residences – no mandate currently under legislation/regulations; other than multiple units (e.g. > 4 units per apartment building)
- Establishing relationships with the construction and building design industries as a means to increase awareness and willingness to build more accessible facilities (beyond minimum standards)
- How does the Board connect/relate to other work on disability related issues being done in our communities and elsewhere?

Other issues/concerns were discussed in general terms:

- Blue Zones
  - Lot size, markings and signage – compliance and enforcement
- Building Awareness
  - Changing attitudes in the community at large
• Building Entrances
  o The need for automatic door openers on interior (i.e. vestibule) doors
• Keeping pace with new technologies – updating legislation
• The adequacy of accessible washroom facilities
• Access to services being limited in many facilities, e.g.:
  o Restaurants
  o Hotels
  o Retail stores
  o Entertainment venues
• Whether passenger lifts should be permitted in accommodations such as hotels versus full elevators
MINUTES
Buildings Accessibility Advisory Board
October 22, 2014 (10:00 am)
Holiday Inn, St. John’s – Salon F

In Attendance:
Cecilia Carroll, Chairperson
Sheila Keating
Ed Smith
Dennis Gill
Pauline Crann (Afternoon Session)

Donna Kelland, ADM, Government Services Branch, Service NL
Catherine Shortall, Facilitator
Claire LeDrew (Student working with Catherine)
Barb Greeley, Recorder

Regrets:
Reg Hedges
Sharon Williams

The Chairperson welcomed the group and brief introductions took place, followed by some housekeeping items. The Agenda for the Meeting was approved. Minutes of the May 28, 2014 meeting were distributed, reviewed and approved. Catherine Shortall of the Department of Advanced Education and Skills was introduced as the meeting Facilitator for the day.

The Honorable Tony Cornet, Minister of Service NL, and his Executive Assistant, Anita Hynes, met briefly with the Advisory Board. The Minister confirmed his strong support for their work and took the opportunity to thank all members for committing their time to participate in the very important and worthwhile work of the Board.

The facilitator, Catherine Shortall, gave an overview of the plans for the format. A number of general topics were discussed by the members (see Appendix A).

Work Planning
The Board discussed a number of aspects of formulation of the Board’s work plan, including:
Who would it be appropriate to consult with in this process?
- Construction Design and Building industry
- Municipalities
- Inspectors
- Others

The work plan should have an end goal, a set of priorities and timelines established. Access to expert advice will be needed in some areas.

Deal with the “hot spots” – i.e. key issues and access “irritants” for people with disabilities

All agreed that more insight and a better understanding of the Buildings Accessibility legislation is needed

As a member of both groups, Dennis Gill would be the liaison between this board and the Provincial Advisory Council for the Inclusion of Persons with Disabilities (PAC)

Catherine suggested that the Board focus on two particular points of the work plan for the next meeting. The Board decided on:

1. Understanding the legislation and regulations
2. Engaging with public stakeholders

General discussion
In keeping with the interest in creating an Advisory Board ‘profile’ – pictures were taken of the attendees. Ms. Kelland will have a draft of each member profile prepared and sent to each member for their review before the next meeting.

Members inquired as to how changes in the Act are done. Ms. Kelland provided a general overview of the process required for making changes to legislation.

Appointments to the Board
Members are appointed to the Board for a two year term and are eligible for reappointment. The current term expired in July 2014 although, in accordance with the Act, members continue until a new Board is appointed. The next round of appointments provide for at least half the Board to be appointed for a three year term and the remainder for a two-year term, reverting to two year terms in subsequent appointment cycles. There is also a new provision for the appointment of a Vice Chair, at the discretion of Cabinet. It is likely that this would occur during the next round of appointments, if approved.
Support to the Board
Dennis Eastman, Director of Engineering and Inspections with Service NL, was available to the Board for technical questions. Concerns were raised regarding: building design and inspections; the possibility of being able to do a “ride along” with an inspector on new construction inspections; inviting key stakeholders, such as members of the building design and construction industry, government inspectors and other relevant parties to discuss accessibility of new and renovated buildings. It was agreed upon that a technical person would be made available from Dennis’ shop to attend the meeting and provide information. Dennis suggested that it would be helpful to identify the most important issues and address them in turn.

Among the other questions were:
- Legislated requirements for automatic door openers in buildings and especially vestibules – what is in the current regulations does not always work for the person using the entrance – does the regulation need to be changed or are the contractors following regulations? It appears that many of the new box stores and strip malls do not have automatic door openers.
- Accessible (Blue Zone) parking spaces – some business have moved them further away from the entrance to the building (e.g. Chapters).
- Ramps and grade of ramps is not always user friendly. Some ramps are steep – hard to get up the ramp unless assisted. Getting onto ramps is sometimes a challenge – due to raised lip – pavement does not always meet entrance.
- Who looks at this once the job is complete? Does someone with accessibility issues actually try to access a building?

Meeting Frequency and Content
The meeting resumed at 1:30 pm after a lunch break, with round table discussion on moving forward. The following points were discussed:
- Frequency and possible locations for meetings
  - Decided next meetings should be planned for December, April and July;
- Specific Agendas are required for each meeting and plan topics and who will attend (invited guests);
- Need to outline roles and responsibilities of members/board; Board requires some guiding principles;
- Mandate of the Board – need to be simplistic and clear
Presentation by Coalition of Persons with Disabilities (COPD-NL)
Kelly White and Sean Kilpatrick, both with the Coalition were invited to discuss their Blue Zone parking initiative funding by Service NL under the guidance of the Buildings Accessibility Advisory Board. The Coalition has been funded to undertake a series of education and awareness initiatives for the business (building owners) community, municipalities and the general public, including production of a brochure and a quick reference card. They are hoping this material, along with education presentations to key groups, will help further the understanding of parking space and permit requirements and the importance of compliance to ensure access for people with disabilities. The coalition is asking for input from Board members on the content and presentation of the brochure. Comments and suggestions can be submitted through Service NL – barbgreeley@gov.nl.ca by November 5th.

There was consideration discussion on Blue Zone parking:
- Issues with parking at hospitals, restaurants, shopping centers, etc.
- More municipalities/builders need to be informed on regulations and how to facilitate blue zone parking
- Just because a business/facility put in blue zone parking – does not mean it is done properly – needs to be inspected

Follow up required prior to next meeting (tentatively December 11th)
Board members:
- Review draft Blue Zone Parking brochure and submit feedback
- Review Bio when sent for profile
- Consider who they would like to invite for presentations / discussions
- How/who could help us understand the legislation better?

Department:
- Ensure Bios are prepared and send out to each for review
- Gather feedback on blue zone brochure and pass along to the Coalition
- Advise the Board on appointments once final decisions are made

The meeting adjourned at 4:30 pm.

Prepared by: Barb Greeley/Donna Kelland, SNL
Approved by: Cecilia Carroll, Chairperson
Date: December 8, 2014
Appendix A
Topics and Issues for Discussion

What is our job as board members? What do we need to do to do this properly? How can we accomplish the items as outlined on our work plan? How to address issues – are they the result of improper application/inspection or does the legislation need to be changed?

Topics raised included:

- Blue Zone configuration
  - Lot size, markings and signage – compliance and enforcement
  - Access size and van shared aisle
- Lifts vs elevators
- Full Service Gas Stations
- Interac Machines – accessibility of these machine (e.g. height)
- Some access but improper accommodation
  - Bathrooms – measurements of stalls; placement of grab bars
  - Automatic door openers
  - Location of accessible hotel rooms – e.g. not on ground level
- Emergency evacuation procedures in public facilities
- Elevation of outside entrances (specific)
- Right to use the same entrance as most of the public (e.g. schools; public buildings)
- Ramp specifications – are guidelines a reality when you actually use the ramp?
- Seating in public places – i.e. Mile One, Arts & Culture – they do not account for the person that is accompanying them to the event

The Board members felt they would benefit from Service NL expert/advisor to attend meetings. Members also indicated a desire/need to be more educated on an aware of the provisions of the legislation.
MINUTES
Buildings Accessibility Advisory Board
May 12-13, 2015 (10:00 am)
Holiday Inn, St. John's – Salon F

In Attendance:
Cecilia Carroll, Chairperson
Sean Kilpatrick, Vice-Chair
Sheila Keating
Ed Smith
Sharon Williams
Jason Blair
Reg Hedges
Dennis Gill

Donna Kelland, ADM, Government Services Branch, Service NL
Barb Greeley, Recorder
Dennis Eastman, Service NL (Afternoon Session)
Justin Mercer, Service NL (Afternoon Session)
Phil Smith, Service NL (Afternoon Session)

Regrets:
Pauline Crann

The Chairperson welcomed the group and brief introductions took place, followed by some housekeeping items. The Agenda for the Meeting was reviewed and approved.

Minutes of the October 22, 2014 meeting were distributed, reviewed and approved. Ed Smith made a motion to approve, seconded by Sharon Williams.

The draft awareness brochure was distributed for members to review. Board members indicated that they agreed with the importance of the opportunity for education and awareness on blue zone parking requirements. COD-NL (the ‘Coalition’) is in the process of developing an action plan for promoting with businesses, industry and municipalities.
  o Action item - members will review the brochure and provide comments to Donna's office to coordinate feedback to the Coalition.
Web Profile
Pictures and draft profiles of Board members have been completed and submitted to members for review and comments.

Review of a draft brochure “A General Guide to The Buildings Accessibility Act and Regulations”
Each member took a few minutes to review the brochure. There were a number of suggestions for improvement.
  - Action item – each member was asked to submit their suggestions via email.

Advice paper from the Provincial Advisory Council for the Inclusion of Persons with Disabilities
Members briefly reviewed the paper from the Council. There will be further discussion at tomorrow’s meeting.

Report from the Office of the Citizen’s Representative – on Blue Zone Parking
It was agreed that members would discuss this at tomorrow’s session.

Preparation for afternoon session:
There was a general discussion on questions for the afternoon session with Dennis Eastman and his staff.

Afternoon Session

Dennis Eastman, Justin Mercer and Phil Smith of the Engineering and Inspection Services Division of Service NL attended for the afternoon session. Dennis gave a presentation on Buildings Accessibility Design Review / Inspection process. There were a number of issues discussed.

  - Number of inspectors – there are inspectors located in St. John’s, Clarenville, Gander, Corner Brook and Happy Valley-Goose Bay, supported by other technical inspectors located around the province.

  - The number of inspections and time frame for conducting them varies depending on size and scope of project. Annually there are about 450-500 design registrations and exemptions and about 800 associated inspections.

  - Many municipalities work closely with Service NL inspectors. Some municipalities do not have their own inspectors and rely on provincial...
inspectors to confirm that work is completed satisfactorily prior to issuing an occupancy permit.

- There are requirements for upkeep or maintenance on buildings and ramps. Any concerns can be directed to the nearest Government Service Centre or the Engineering and Inspection Services Division. Buildings with voluntary improvements have to meet current regulatory standards.

- There was a question on who provides the estimates on the costs of renovations / reconstruction in relation to the cost of a building (i.e. the “50% rule”). Estimates submitted by the owner’s agent and/or architects and are cross-checked by the Division to ensure they are reasonable.

- There was a question about Buildings Accessibility codes in other jurisdictions. Most are based on the National Building Code of Canada although there are some variances among provinces. NL has its own stand-alone legislation which in many cases exceeds the NBCC requirements.

- The need for Blue Zone parking spaces large enough to accommodate vans with side ramps was discussed. This will be reviewed further.

**Other Business**

- There was a brief discussion on the legislative requirements for people with visual disabilities – e.g. lighting, markings on stairs/ramps.
  - Jason Blair agreed to arrange a presentation for the next meeting

- Dennis Gill provided an update on the Provincial Advisory Council for the Inclusion of Persons with Disabilities.

**Day 2 - May 13, 2015**

**Review of previous day’s items and additional issues**

- There was further discussion on the Advice Paper from the Provincial Advisory Council for the Inclusion of Persons with Disabilities. Board members agreed that it would be considered in the context of a guide for board discussions, given that a number of the issues raised are already on this Board’s agenda.

- There was also further discussion on the Report of the Office of the Citizen’s Representative on Blue Zone Parking.
There was some discussion on why there are exemptions for Blue Zone parking for pre-existing (i.e. pre-1982) buildings. Essentially the legislation only covers parking spaces related to buildings, so exempt buildings are also exempt from a parking perspective. Board members indicated they would like to explore this issue further at a later date.

Municipalities have the authority to set their own by-laws for parking, provided they do not conflict with provincial legislation. The provincial range for fines is $100-$400. St. John’s has a minimum fine of $400. Most municipalities in the province do not have separate parking by-laws; provincial law applies in these communities.

Board members asked to have parking issues in three areas investigated. Dennis Eastman will report back on these for the next meeting.

Blue Zone Paint – A review of potential “slip and fall” hazards on the fully painted areas in blue zone parking spaces is underway.

Application of legislation to apartment complexes
  o An appeal from a local developer with respect to the requirement to make every 5th apartment accessible was upheld by the Buildings Accessibility Appeal Tribunal. The Department is currently reviewing the legislation to ensure greater clarity with respect to the intent of this provision.

Automated Doors
  o There was a brief discussion on requirements for automatic doors openers, particularly with respect to requiring vestibule type entrances to have openers on each door. There was also some discussion on whether all doors in new construction should require automatic openers, regardless of other accessibility requirements.

Invitation to the Architect’s Association.
  o The NL Association of Architects has been invited to make a presentation at the next Board meeting.

Next Meeting(s)
  o The next meeting was set for July 15-16, 2015 at the Holiday in St. John’s. Tentative dates for the fall meeting are October 5th and 6th (location to be determined).

The meeting adjourned at approximately 3 pm.
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**DATE:** 15-MAR-13  
**TOTAL:** $1,376.00

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Jill March (729-3056)
Assistant Deputy Minister's Office
Service NL
P.O. Box 8700
St. John's, NL A1B 4J6

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Government Purchasing Agency
30 Strawberry Marsh Rd.
St. John's, NL
A1B 4R4

TO: FORTIS PROPERTIES CORPORATION
o/a Holiday Inn St John's
180 Portugal Cove Road
St John's, NL
A1B 2N2
Canada

BILL TO: Government Services & Lands
2nd Floor West Block, Confederation
PO Box 8700
St. John's, NL A1B 4J6
Canada

Customer NO. 0031748817  Supplier NO. Ordered by / Buyer 21-OCT-14 Green S Revised / Buyer
Payment Terms: Carrier / Shipment F.O.B: DESTINATION
On Invoice Approval Requestor: Contact:
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<td>(3:00 am Afternoon Break)</td>
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<td>20.00</td>
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**AUTHORISED BY:** Green, S  
**DATE:** 21-OCt-14  
**TOTAL:** $578.84
**TO:** FORTIS PROPERTIES CORPORATION  
o/a Holiday Inn St John's  
180 Portugal Cove Road  
St John's, NL  
A1B 2N2  
Canada

**BILL TO:** Government Services & Lands  
P.O. Box 8700  
St. John's, NL A1B 4J6  
Canada

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<tr>
<th>Customer NO.</th>
<th>Supplier NO.</th>
<th>Ordered by / Buyer</th>
<th>Revised / Buyer</th>
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<td></td>
<td>0031748817</td>
<td>21-OCT-14 Green S</td>
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**Payment Terms:** Carrier / Shipment  
**F.O.B.:** DESTINATION

**Freight:** Requestor: Creeley, Barb.

**IMPORTANT:** Document valid ONLY if NAME and DATE are present in "Authorized By" section.

**AUTHORIZED BY:** Green, S  
**DATE:** 21-OCT-14  
**TOTAL:** $578.84

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<tr>
<th>Line NO.</th>
<th>Item NO. / Description</th>
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***End of Document***
## Buildings Accessibility Advisory Board Members - Travel Claims Submitted by member

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<th>Supplier Name</th>
<th>Vendor #</th>
<th>Invoice #</th>
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<th>Payment Accounting Distribution</th>
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