



## Social Services Department Housing Services

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**Policy Name:** Personal Mobility Device      **Policy Catalogue #** HS 2019-PA 25

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**Department:** Social Services      **Approved by:** Director of Housing

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**Approval Date:** October 15, 2019      **Signature:** *Harry Blinkhorn*

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### 1.0 PURPOSE

The purpose of the Personal Mobility Device Policy is to establish an approach to manage the use of personal mobility devices (“mobility devices”) within buildings owned, operated and managed by the County of Wellington, Housing Services (“the County”) in a fair and consistent manner; to ensure safe, use, storage and charging of mobility devices; and to promote and support tenants to maintain an independent lifestyle, and maximize the potential for independence through mobility device ownership.

### 2.0 REVISION HISTORY

N/A

### 3.0 POLICY

The County of Wellington (“the County”) encourages the rights of tenants to independent living and recognizes that the use of mobility devices can enhance the quality of life for tenants.

The County will work with tenants to enable their use of a mobility devices, while balancing the health and safety of other tenants.

The County encourages tenants to contact the Property Services Officers prior to purchasing a mobility device. County staff will meet with the tenant to determine where the mobility device can be safely and securely stored and charged.

All inquiries with regard to the use and storage of mobility devices will be dealt with on a case-by-case basis in order for the County to meet its obligations and to ensure certain minimum requirements are met. These requests must be directed, in writing, to the Property Services Officer.

The requirements of this policy are applicable to all existing and future tenants who currently own, rent, have use of a mobility device, or who may wish to purchase a mobility device in the future.

This policy does not apply to mobility devices that are powered by gasoline/diesel/other fuels, like a moped or motor assisted bicycle and scooters, as they are considered similar to a vehicle and must be stored in exterior parking lots. These transportation devices shall not be brought into or stored within tenant units.

This policy does not apply to e-bikes, which are similar to conventional bicycles.

The County will not be held liable for any damage to a tenant or visitor's mobility device; parking and operation of a mobility device on County property will be at the mobility device operator's own risk.

The tenant will be responsible for damage caused by their mobility device or the mobility device of their guests or another persons living in the rental unit. This includes damage in the tenant's unit, as well as in any common areas such as a hallway, elevator, stairway, driveway, or parking area.

The tenant shall ensure that their visitors are aware of the County Personal Mobility Device Policy if they use a mobility device to visit the tenant at a County property. It is the tenant's responsibility to make sure that their visitors and guests comply with the rules and regulations of the housing community.

Mobility devices must be in working condition and mobility devices that are not in working condition must be removed from County property.

### **3.1 TENANT RESPONSIBILITIES**

#### **3.1.1 SAFE OPERATION**

Mobility devices must be ridden in a safe manner at all times and comply with laws related to fire safety and all applicable legislation. The County reserves the right to remove the mobility device if it is a hazard.

Tenants must not take short cuts through unauthorized areas or operate the mobility device in a way that may endanger or pose a threat to other tenants, visitors or staff.

The County will take steps to ensure that safety of all tenants and visitors are protected if, by there own general disregard for safety, the mobility device operator places tenants, visitors, staff and/or property at risk.

#### **3.1.2 STORAGE**

The County does not have an obligation to provide storage or charging stations for mobility devices, but aims to provide storage and charging options where possible, subject to the practical constraints within the individual housing communities.

The communal areas, sidewalks, passages, public halls, stairways, fire escapes, and vestibules shall not be obstructed or used for any purpose other than gaining access to and from the leased premises.

Communal areas, entrances and exits must be kept clear at all times.

If a tenant owns a mobility device and it cannot be stored in the tenant's unit, and there are not communal storage areas available, the tenant may be required to store the mobility device outside with an appropriate cover for weather conditions, supplied by the tenant. The County will work with the tenant to achieve a reasonable solution.

The allocation of a parking spot for outdoor use mobility devices will be at the discretion of County and where parking spots are available. Compliance with the direction given to the tenant as to where to park the mobility device must be respected.

Where parking is limited, the County may consider, at its sole discretion, designating a common area for parking mobility devices or doubling up with other mobility devices in the parking lot in a designated parking area specific for mobility devices.

No alterations can be made to a tenant's unit or the communal storage area without written permission from the County.

The storage of mobility devices must not cause any health and safety issues to any other tenants, visitors, or pose a risk to the building or grounds.

In buildings with mobility device storage, a waiting list will be maintained by Property Services and space will be assigned chronologically. A maximum of one storage space will be granted for each tenant who owns a mobility device. The County is not responsible for mobility devices stored in the storage areas.

### **3.1.3 CHARGING**

Mobility device batteries must only be recharged within the tenant's unit or by using the charging outlets provided in those buildings where there are mobility device storage stations. Recharging must not take place in any other area.

Charging must be undertaken in accordance with the manufacturer's instructions.

It is the responsibility of the tenant to ensure that the battery for the mobility device is maintained and charged.

## **4.0 DEFINITIONS**

"E-bikes" mean a power-assisted bicycle as defined in Motor Vehicle Safety Regulations made under the Motor Vehicle Safety Act (Canada).<sup>1</sup>

"Communal areas" means an area that is not considered part of the tenant's unit, included, but not limited to: hallways, corridors, stairwells, alcoves, common rooms, lobbies, laundry rooms, common area washrooms, and sitting areas.

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<sup>1</sup> [https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,\\_c.\\_1038/FullText.html#s-2](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1038/FullText.html#s-2)

“Mobility Device” means a wheelchair or battery powered mobility scooter that can be driven by muscular power or other types of power; is designed for and used by people whose mobility is limited by a condition or functional impairment.<sup>2</sup>

## 5.0 APPLICATION

The local mobility device rule comes into effect on the policy approval date.

The Personal Mobility Device Policy will apply to all current and future households in units administered by the County of Wellington.

## 6.0 RELEVANT LEGISLATION & POLICY

Accessibility for Ontarians with Disabilities Act  
Ontario Human Rights Code



Alternative Formats Available Upon Request

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<sup>2</sup> <http://www.mto.gov.on.ca/english/vehicles/wheelchairs-and-medical-scooters.shtml>