

The Corporation of the City of Richmond Hill

By-law 79-19

A by-law to amend various by-laws of the City to extend the system administrative penalties established in By-law 69-16 to contraventions of non-parking by-laws

Whereas on February 11, 2019, Council of the Corporation of the City of Richmond Hill (“Council”) enacted an amendment to By-law 69-16 that established an administrative monetary penalty system (the “AMPS”) for parking infractions, to expand the AMPS system so that it may also apply to promote compliance with any by-law passed pursuant to the *Municipal Act, 2001*;

And Whereas on June 25, 2019, Council of the City of Richmond Hill adopted the recommendations of the Committee of the Whole to enact a new by-law for Tow Truck Licensing as set out in staff report SRCS.19.16 (the “Tow Truck Licensing By-law”) and to add such by-law as a designated by-law to by-law 69-16 so that the Tow Truck Licensing By-law may be enforced using the AMPS;

Now Therefore The Council of The Corporation of The City Of Richmond Hill enacts as follows:

1. That By-law 69-16 of the Corporation of the City of Richmond Hill, as amended, be further amended by deleting Schedule ‘A’ and replacing it with Schedule ‘A’ attached to By-law 79-19:
2. Except as herein provided and as required to give effect to the amendments in this By-law 79-19, the provisions of By-law 69-16 continue in full force and effect without amendment.

Passed this 25th day of June, 2019.

Dave Barrow
Mayor

Stephen M.A. Huycke
City Clerk

SCHEDULE "A"

ADMINISTRATIVE PENALTY BY-LAW

1. The headings of the following tables identify the Designated By-laws for the purposes of this By-law.
2. For the purposes of Part 3 of this By-law, Column 2 in the following tables list the applicable provisions in each Designated By-law.
3. Column 3 in the following tables set out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 2.
4. Column 4 in the following tables set out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 2.

Table 1 – Parking Regulation By-law

Municipal Code, Chapter 1116, being By-law No. 402-89, Parking Regulations			
Column 1 Item	Column 2 Designated Provisions	Column 3 Short Form Wording	Column 4 Administrative Penalty Amount
1	1116.3.1	Park on highway, left wheels to curb.	\$30.00
2	1116.3.6 (a)	Park on a highway within 9m of Intersection.	\$30.00
3	1116 .3.6 (b)	Park on a highway within 3m of a fire hydrant.	\$50.00
4	1116.3.6 (c)	Park obstruct private Roadway	\$30.00
5	1116.3.6 (d)	Park so as to obstruct sidewalk	\$30.00
6	1116.3.6 (e)	Park so as to obstruct pedestrian crosswalk.	\$30.00
7	1116.3.6 (f)	Park interfere with traffic	\$30.00
8	1116.3.6 (g)	Park interfere with snow removal	\$75.00
9	1116.3.7 (n)	Park in excess of 3 hours	\$30.00
10	1116.3.6 (i)	Park on boulevard	\$30.00
11	1116.3.7 (b)	Park on highway within 24 metres of a designated bus stop.	\$30.00
12	1116.3.7 (d)	Park in areas designated emergency parking.	\$40.00
13	1116.3.7 (e)	Park in a School Bus Loading Zone - Schedule "D"	\$40.00
14	1116.3.7 (f)	Park on highway within 15 metres of an intersection.	\$40.00
15	1116.3.7 (g)	Park on a highway within 30 metres (100 ft.) of an intersection.	\$40.00
16	1116.3.7 (h)	Park on a highway designated prohibited parking - signs displayed - Schedule "A"	\$40.00
17	1116.3.7 (i)	Stop on a highway designated prohibited stopping - signs displayed - Schedule "B"	\$40.00
18	1116.3.7 (j)	Park on a highway designated limited parking - signs displayed - Schedule "C"	\$40.00
19	1116.3.8	Park in a fire route	\$150.00
20	1116.3.9	Park in a designated disabled parking space without permit	\$300.00
21	1116.4.2	Park on a highway designated permit parking without permit -Schedule "E"	\$40.00
22	1116.3.11	Park on private property	\$40.00
23	1116.3.14	Park on Municipal Property not	\$40.00
24	1116. 3.15	Park on Municipal Property	\$40.00
25	1116.3.18	Park on highway at times and days not as specified Schedule "G"	\$40.00
26	1116.3.20	Park at Parking Meter Space - Time	\$20.00

		Expired	
27	1116.3.20(a)	Parked vehicle not wholly within a parking meter space	\$20.00
28	1116.3.6(o)	Park in a Cul-de-Sac	\$30.00
29	1116.3.7(o)	Park on a highway between the hours of 3 a.m. and 6 a.m.	\$30.00
30	1116.3.30	Park vehicle not wholly within a parking space	\$30.00
31	1116.3.2	Park on highway more than 30cm (12 inches) from the Curb or boundary	\$40.00
32	1116.3.7(p)	Park on a highway between the hours of 1:00 a.m. and 7:00 a.m. from December 1 st to March 31 st	\$75.00

Table 2 – Waste By-law

Municipal Code, Chapter 715, being By-law No. 18-19, Waste By-law			
Column 1 Item	Column 2 Designated Provisions	Column 3 Short Form Wording	Column 4 Administrative Penalty Amount
1	5.1(a)	Set out for Collection any Non-Collectible Waste – Low/Medium Density Residential	\$50.00
2	5.1(a)	Set out for Collection any Non-Collectible Waste – Multi-Residential	\$150.00
3	5.1(b)	Set out for Collection Recyclable Material as Garbage – Low/Medium Density Residential	\$30.00
4	5.1(b)	Set out for Collection Recyclable Material as Garbage – Multi-Residential	\$100.00
5	5.1(c)	Set out for Collection Organics as Garbage – Low/Medium Density Residential	\$30.00
6	5.1(c)	Set out for Collection Organics as Garbage – Multi-Residential	\$100.00
7	5.1(d)	Set out for Collection Yard Waste as Garbage	\$30.00
8	5.1(e)	Set out for Collection Christmas Trees as Garbage	\$30.00
9	5.1(f)	Set out for Collection Metal Items and Large Appliances as Garbage	\$30.00
10	5.1(g)	Sweep, throw or deposit Waste or Non-Collectible Waste on public property	\$40.00
11	5.1(h)	Fail to remove empty Approved Containers after 9:00 p.m. on the Scheduled Collection Day	\$30.00
12	5.1(i)	Fail to remove uncollected material after 9:00 p.m. on the Scheduled Collection Day	\$30.00
13	5.1(j)	Accumulate or store Waste or Non-Collectible Waste so that it becomes a public nuisance – Low/Medium Density Residential	\$50.00
14	5.1(j)	Accumulate or store Waste or Non-Collectible Waste so that it becomes a public nuisance – Multi-Residential or I.C. & I. Property	\$150.00

15	5.1(k)	Allow any Approved Container to emit offensive odours or to attract pests, vermin or insects	\$40.00
16	5.1 (l)	Set out Waste so as to endanger public health or safety	\$100
17	5.1(m)	Disturb any Waste set out for Collection without prior consent from the Property Owner	\$30.00
18	5.1(n)	Set out items or materials on public property for private collection	\$100.00
19	5.1(o)	Set out Waste so as to impede or interfere with traffic or maintenance	\$50.00
20	5.1(p)	Deposit Waste generated from a Dwelling Unit in the City's Waste receptacles	\$50.00
21	5.1(q)	Deposit Non-Collectible Waste in public receptacles	\$70.00
22	5.1(r)	Set out Waste onto any other Person's property without their consent	\$40.00
23	5.1(s)	Set out Waste onto the curb abutting any other Person's property without their consent	\$40.00
24	5.1(t)	Set out for Collection Waste that is not in an Approved Container	\$30.00
25	5.1(u)	Collect Waste without the necessary license(s)	\$200.00
26	5.1(v)	Collect Waste in contravention of any applicable laws	\$200.00
27	5.1(w)	Set out more than the maximum permitted Garbage Items without a Garbage Tag	\$30.00
28	5.1(x)	Remove a Garbage Tag affixed to a Garbage item	\$50.00
29	5.1(y)	Directly deposit Waste into a Collection vehicle	\$50.00
30	5.1(z)	Set out Waste in a manner that allows it to be frozen to the ground	\$30.00
31	5.1(aa)	Set out Waste behind snow banks or windrows	\$30.00
32	5.1(bb)	Allow any Waste set out for Collection to blow away or to litter	\$40.00
33	5.1(cc)	Fail to pick up Waste set out for Collection that has blown or littered	\$40.00
34	5.1(dd)	Fail to comply with any Work Order – Low/Medium Density Residential	\$40.00
35	5.1(dd)	Fail to comply with any Work Order – Multi-Residential or I.C. & I. Property	\$150.00
36	4.2(b)	Fail to ensure all Occupants of a Multi-Residential Property have the ability to participate in applicable Diversion Programs	\$150.00
37	4.2(c)	Fail to maintain Multi-Residential Waste Collection Infrastructure in good working order	\$150.00
38	6.4	Owner/Occupant set out for Collection waste before 6 pm the day prior to scheduled pick-up	\$30.00

Table – 3 Tow Truck Licensing By- law

Designated By-law 78-19 – Tow Truck Licensing By-law			
Column 1 Item	Column 2 Designated Provisions	Column 3 By-law 78-19 Short Form Wording	Column 4 Administrative Penalty Amount
1	3.3	Own/Operate a tow truck/brokerage without a valid licence	\$500
2	4.1(b)	Driver fail to comply with instructions from hirer	\$300
3	4.1(c)	Driver fail to be civil and behave courteously	\$200
4	4.1(d)	Owner/Driver fail to keep daily record of work performed	\$200
5	4.1(e)	Owner/Driver fail to keep tow truck and all equipment clean, in good repair, and free from damage	\$200
6	4.1(f)	Owner/Driver fail to provide itemized invoice based on the schedule of rates to hirer	\$300
7	4.1(h)	Fail to register name of licensed vehicle pound facility	\$200
8	4.2(b)	Driver fail to clean up debris, glass fragments, motor vehicle parts or other materials from any highway	\$100
9	4.2(d)	Driver fail to retain/produce Permission to Tow	\$150
10	4.3(b)	Owner fail to charge flat rate for collision Tow (as set out in section 6.3)	\$300
11	4.3(e)	Owner fail to produce Tariff Card to Hirer	\$150
12	4.3(i)	Owner fail to use the service of a licensed Tow Truck driver under this by-law	\$250
13	4.3(j)	Owner fail to affix owner's plate to the tow truck	\$200
14	4.4	Owner permit to/operate a tow truck that is found to be mechanically defective	\$400
15	5.1(a)(i)	Owner/Driver permit to/operate a tow truck without a winching/hoisting device	\$200
16	5.1(a)(iv)	Owner/Driver permit to/operate a tow truck without 2 dry chemical fire extinguishers	\$100
17	5.1(a)(v)	Owner/Driver permit to/operate a tow truck without a minimum of 2 required safety chains	\$100
18	5.1(a)(vi)	Owner/Driver permit to/operate a tow truck without 4 safety pylons	\$30
19	5.1(a)(vii)	Owner/Driver permit to/operate a tow truck without an intermittent amber warning light system	\$100
20	5.1(a)(viii)	Owner/Driver permit to/operate a tow truck without a broom	\$30
21	5.1(a)(ix)	Owner/Driver permit to/operate a tow truck without a shovel	\$30
22	5.1(a)(x)	Driver operate a tow truck without a general purpose first aid kit	\$30
23	5.1(a)(xi)	Owner/Driver permit to/operate a tow truck without a crowbar/pry bar of at least 152.4 cm (60 inches) in length	\$30
24	5.1(a)(xii)	Owner/Driver permit to/operate a tow truck without at least 2 wheel blocks	\$30
25	5.1(a)(xiii)	Owner/Driver permit to/operate a tow truck	\$30

Designated By-law 78-19 – Tow Truck Licensing By-law			
Column 1 Item	Column 2 Designated Provisions	Column 3 By-law 78-19 Short Form Wording	Column 4 Administrative Penalty Amount
		without flares or reflector kits	
26	5.1(a)(xiv)	Owner/Driver permit to/operate a tow truck without wheel wrenches	\$30
27	5.1(a)(xvi)	Owner/Driver permit to/operate a tow truck without a dolly	\$300
28	5.1(c)	Driver induce person to employ tow truck by making false representation	\$300
29	5.1(f)	Driver demand/receive a drop fee	\$300
30	5.1(h)	Driver suggest/recommend to a hirer a particular salvage yard/body shop/storage yard/public garage without request	\$250
31	5.1(i)	Driver permit passenger in tow truck	\$200
32	5.1(j)	Owner/Driver permit to/operate a tow truck with a G.V.W.R of less than 10,000 lbs	\$400
33	5.1(l)	Owner/Driver operate/permit to operate a tow truck without an owner's plate	\$200
34	5.2(a)	Commence to tow/convey/hook/lift/connect a motor vehicle to a tow truck unless directed by the hirer/police officer/municipal fire department/municipal by-law officer	\$400
35	5.2(b)	Driver fail to complete permission to tow form prior to move/hook/lift/connect motor vehicle at collision	\$100
36	5.2(c)	Driver alter/provide any information on the Permission to Tow form	\$300
37	5.2(e)	Driver ask/seek out/direct to ask/seek out a hirer at a collision scene/within 200 metres of the collision location where the actions constitute a nuisance	\$300
38	5.2(f)	Driver tow/convey a vehicle outside the boundary of Richmond Hill unless requested to do so	\$350
39	5.3(a)	Owner permit owner's plate to be affixed to unlicensed tow truck	\$350
40	5.3(c)	Owner alter/amend Schedule of Rates without notice to the Licensing Section	\$300
41	6.2	Owner/Driver charge more than set tow rates	\$500
42	6.3(a)	Owner/Driver charge other than prescribed collision fee	\$500
43	6.3(c)	Owner/Driver charge other than prescribed winch fee	\$500
44	10.1	Fail to produce documents, certificates, cards in relation to tow truck licence upon request	\$300
45	10.3	Fail to notify licensing section within 72 hours of a change in information relating to a licence	\$300
46	11.3	Owner/Operator fail to submit tow truck for inspection/obstruct inspection	\$400
47	11.4	Driver fail to provide driver's licence upon request	\$200
48	11.5	Fail to produce licences/permits for inspection	\$200
49	11.6	Hinder/obstruct any person authorized to enforce the provisions of this By-law from	\$600

Designated By-law 78-19 – Tow Truck Licensing By-law			
Column 1 Item	Column 2 Designated Provisions	Column 3 By-law 78-19 Short Form Wording	Column 4 Administrative Penalty Amount
		entering/inspecting any tow truck/premises	
50	14.7	Fail to return licence within 24 hours of receiving written notice to do so	\$300