



Staff Report for Committee of the Whole Meeting

Date of Meeting: October 2, 2019

Report Number: SRCS.19.24

Department: Community Services
Division: By-law & Licensing Enforcement

Subject: **SRCS.19.24 Amendment to Schedule 'A' of Administrative Penalty By-law No. 69-16, as amended**

Purpose:

The purpose of this report is to assign administrative penalties to new Parking Regulation By-law violations associated with winter events and adjust the amount of other parking fines.

Recommendation(s):

- a) That Staff Report SRCS.19.24 be received.
- b) That By-law No. 115-19 (Attachment 1) be enacted to amend Schedule 'A' of the Administrative Penalty By-law No. 69-16, as amended, effective November 1, 2019.

Contact Person:

Tracey Steele, Director By-law & Licensing Enforcement

Melinda Fartsalas, Supervisor Administrative Monetary Penalty System

Report Approval:

Submitted by: Ilmar Simanovskis, Commissioner of Community Services

Approved by: Neil Garbe, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner and City Manager. Details of the reports approval are attached.

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Background:

At its meeting of July 9, 2019, Council approved By-law No. 107-19 to amend the Parking Regulation By-law No. 402-89 so that it includes winter event offences necessary for effective enforcement associated with the new Windrow Program. The two new winter parking offences implemented through By-law No. 107-19 are: “Park on highway during a winter event,” and “Park so as to interfere with winter operations”

To enforce the two new provisions by way of Penalty Notice issuance (i.e., ticketing), and adjudicate tickets through the Administrative Monetary Penalty System (AMPS), it is necessary to amend Schedule A of the AMPS By-law No. 69-16 to import these provisions as ticketable violations and assign penalty amounts.

The City’s parking fines have not been reviewed for several years. In an effort to ensure that fines for non-compliance with parking regulations reflect inflationary increases and align with neighboring municipalities, all of the City’s parking penalty amounts have also been reviewed.

Penalty Amount for Winter Offences

Richmond Hill’s previous “interfere with snow removal” violation had an associated penalty amount of \$75.00. Table 1 compares this to the penalty amounts for similar winter parking violations in other municipalities that enforce parking through administrative penalties. At this time, Vaughan currently implements a Windrow Program, while Kitchener has a winter operation system that involves the declaration of a “Snow Event”.

Table 1: Municipal comparator of selected winter event-related parking fines.

Municipality	Infraction	Penalty Amount
Richmond Hill	Interfere with snow removal (former violation)	\$ 75.00
Markham	Park as to interfere with snow removal	\$150.00
Vaughan	Park interfere snow clearing	\$ 75.00
Oakville	Park obstructing snow removal	\$ 50.00
Kitchener	Park during a snow event	\$ 80.00
Oshawa	Park as to interfere with snow clearing or application of sand or salt	\$ 60.00

The intent of parking fines is to deter behaviours that create unsafe conditions, obstruct essential City operations such as snow clearing, and impede the effective flow of traffic.

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It is important to maintain penalties at levels that both deter unwanted behaviors and are commensurate with the infraction to which they pertain. In accordance with these principles, and in consideration of the penalty amounts currently in force in surrounding municipalities, staff recommend that the fines for the two new winter event-related violations in the Parking Regulation By-law be set at \$100.00.

Increase in Parking Penalty Amounts

The penalty amounts for all of the City's existing parking infractions were compared with those of municipalities also enforcing parking using AMPS (See Attachment 2). As a result of the benchmarking, it is proposed that 17 of the 32 existing parking penalty amounts be increased. In the majority of the cases the proposed increases are in the \$10 - \$20 range (e.g., from the existing \$30 to \$40 or \$50); however, some of the recommended increases are more substantial (e.g., the fine for parking in a fire route is proposed to be raised from \$150 to \$200 to be more in line with the \$200 penalty amount for this offence existing in both Markham and Vaughan).

Schedule 'A' Administrative Amendments

The proposed amendments to Schedule 'A' of the Administrative Penalty By-law No. 69-16 (Attachment 1) include a reorganization of some Parking Regulation By-law provisions to read sequentially in accordance with the order they appear in the by-law.

Implementation

It is recommended that the new AMPS By-law Schedule (Attachment 1) be effective November 1, 2019 in order to provide time to make necessary adjustments in the AIMS software system used for issuing and tracking AMPS penalty notices.

Financial/Staffing/Other Implications:

The new penalties for interfering with winter operations are expected to generate additional parking enforcement revenue. Between December 1, 2018 and March 31, 2019 approximately 171 Penalty Notices were issued for the old offence of "Park, Interfere with Snow Removal." This yielded approximately \$12,600.00 in revenue at the original penalty amount of \$75.00 per infraction. An increase in the penalty amount to \$100.00 could generate an additional \$4,200 in annual revenue if the number of penalties issued remains consistent.

The proposed increases to the other 17 parking penalty amounts are anticipated to generate approximately \$120,000 in additional annual revenue.

It should be noted that the estimated revenue increases will be realized gradually over a two year period given the two year receivable on parking fines.

Relationship to the Strategic Plan:

An increase in parking penalty amounts, and the addition of parking penalties for the impediment of winter operations and winter events aligns with the Strategic Plan Goal of

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A More Vibrant Richmond Hill by ensuring the safety of residents through the deterrence of behaviours that can result in hazards or obstructions to City operations.

Conclusion:

Schedule 'A' of the AMPS By-law No. 69-16 must be amended to include the two new winter event parking offences required for effective enforcement in association with the Windrow Program. It is recommended that the penalty for both provisions be set at \$100.00 to align with penalties for similar infractions in comparable municipalities. Similarly, it is recommended that other parking penalty amounts be amended as indicated in Attachment 1 to ensure that they continue to act as a reasonable deterrent for parking infractions and align with amounts charged by neighbouring municipalities.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call the contact person listed in this document.

- Attachment 1 – By-law No. 115-19 Proposed amendment to Schedule A of the Administrative Penalty By-law No. 69-16, as amended
- Attachment 2 – Municipal Comparator of Parking Penalties

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Report Approval Details

Document Title:	SRCS.19.24 Amendment to Administrative Penalty By-law No. 69-16, Schedule A, Winter Operations.docx
Attachments:	- By-Law No. 115-19 Proposed amendment to Schedule A of the Administrative Penalty By-law No. 69-16.docx - SRCS.19.24 Municipal Comparator of Parking Penalties.docx
Final Approval Date:	Sep 24, 2019

This report and all of its attachments were approved and signed as outlined below:

Tracey Steele - Sep 24, 2019 - 2:34 PM

Ilmar Simanovskis - Sep 24, 2019 - 2:40 PM

Neil Garbe - Sep 24, 2019 - 2:45 PM