

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 22, 2016**

Item 5, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 22, 2016.

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#### **INCREASE IN PARKING FINES**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of By-law & Compliance, Licensing & Permit Services, dated March 1, 2016:**

##### **Recommendation**

The Director of By-law & Compliance, Licensing & Permit Services, in consultation with the Acting Deputy City Manager, Community Services, the Director of Financial Planning and Development Finance, Deputy City Treasurer and the City Solicitor, recommends:

1. That By-law 1-96, be amended to include the fines set out in Attachment “1” to this report.

##### **Contribution to Sustainability**

Pressures on the tax base can be lessened by ensuring that fines for non-compliance with parking regulations are increased in line with inflation and align to neighbouring municipalities.

##### **Economic Impact**

The recommended increases in parking fines are expected to generate approximately \$197,000 in additional revenue annually and have been incorporated in the 2016 approved budget.

##### **Communications Plan**

The recommended changes to parking fines are of an administrative nature. As such, no public notice is required. However, the City's web site, which lists all parking infractions, will be updated to reflect the new changes. Access Vaughan, and other internal stakeholders shall be advised through internal channels.

##### **Purpose**

The recommendation in this report is intended to set parking fine amounts at levels that:

- continue to act as a deterrent for parking infractions;
- simplify the fine schedule by decreasing the number of different fine amounts from seven to five; and
- incorporate increases associated with inflationary pressures

The recommendation further consolidates all parking fines under the Administrative Monetary Penalties program.

##### **Background**

Parking tickets (as well as Business Licensing tickets) have been dealt with under the Administrative Monetary Penalty (“AMP”) By-law since August 2009, shortly after Bill 130, the Municipal Statute Law Amendment Act, 2006, further amended the Municipal Act, 2001 on January 1, 2007, permitting municipalities to establish a system of administrative penalties for the enforcement of Licensing and Parking By-laws. The AMP program is intended to improve the efficiency of the ticket dispute process and the administration of justice.

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At the time of the introduction of the AMP program, staff also conducted a review of parking fines. Since then, the Canadian Consumer Price Index has increased from 105.2 (all-items consumer price index by urban centre, not seasonally adjusted for Toronto, November 2004) to 129.1 (all-items consumer price index by urban centre, not seasonally adjusted for Toronto, November 2015) --an increase of 22.7%.

Changes in 2015 to the Regulation governing administrative monetary penalties, now authorize municipalities to deal with accessibility parking infractions (until recently under the Provincial Offences Act) under the Administrative Monetary Penalties program, and to impose penalties beyond \$100.

#### **Analysis and Findings**

##### Fine Increases

The following table compares the fine amounts for some of the more common parking violations in the City of Vaughan with some of the major municipalities in the Greater Toronto Area.

Table 1: Municipal comparator of selected parking fines.

	Park on highway between 02:00 and 06:00	Parking on private/ municipal property	Parking longer than 3 hours between 06:00 and 02:00	Parking in a fire route	Park on a highway, left wheels to curb
Vol. as %	(52%)	(14%)	(9%)	(3%)	(3%)
Vaughan- current	\$35	\$35	\$35	\$100	\$25
Markham	\$50	\$40	\$40	\$200	\$40
Richmond Hill	\$30	\$40	\$30	\$150	\$30
Brampton*	\$35	\$40	\$30	\$100	\$30
Mississauga*	\$40	\$30	\$35	\$100	\$30
Toronto	\$40	\$40	\$15	\$250	\$15
Average (not including Vaughan)	\$39	\$38	\$30	\$160	\$29

\* Both Brampton and Mississauga administer parking offences under AMP; as a result, their fines were also capped at \$100 until recently.

By volume, the above five parking offences make up over 80% of all parking tags issued in the City of Vaughan. In Vaughan, the current fine amounts for all of these offences, save one, are below the GTA average.

The intent of parking fines is to deter people from behaviours that can create hazards, obstruct essential City operations (such as emergency response or snow clearance) and impede the effective flow of traffic. As such, it is important to maintain fines at levels that both deter and are commensurate with the infraction to which they pertain.

In accordance with the above principles and in consideration of the fine amounts currently in force in surrounding municipalities, staff recommend that fines currently set at \$35 be increased to \$40 (increase of 14.3%); that those set at \$25 be increased to \$30 (increase of 20%); and that those set at \$100 be increased to \$150 (increase of 50%). The proposed increases will help offset inflationary pressures and will better align Vaughan's parking fines with the average amounts charged by neighbouring municipalities.

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There is one fine currently set at \$55 (Park within 15m of level railway crossing). For greater consistency, staff are recommending that this fine be lowered to \$50 (decrease of 9.1%). All other fines are recommended to remain at their current levels.

#### **Consolidation of Fines**

Prior to July 1, 2015, Ontario Regulation 333/07, under the Municipal Act, 2001, explicitly prohibited municipalities from designating a by-law relating to its system of disabled parking as a by-law to which the system of administrative penalties applies could apply. As such, infractions relating to parking in a handicapped designated space had to be dealt with under Part II of the Provincial Offences Act, 1990.

However, with the revocation of this provision, disabled parking infractions can now be consolidated under the Administrative Monetary Penalties (“AMP”) program. As such, staff are recommending that the offence for parking in a designated handicapped space be included as an offence under the City’s AMP By-law, with no change to the associated monetary penalty of \$300.

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

The recommendations in this report are in line with the following priority for this term of Council:

- Improve municipal road network – by using parking regulations to optimize traffic flow;
- Continue to ensure the safety and well-being of citizens – by deterring behaviours that can result in hazards or obstructions to City operations; and
- Meet Council tax rate targets (of no greater than 3%) – by increasing fine amounts to offset inflationary pressures

#### **Regional Implications**

No regional implications have been identified as a result of the recommendation of this report.

#### **Conclusion**

The recommended changes are intended to consolidate all parking infractions under the AMP program and are expected to ensure that fine amounts continue to be a reasonable deterrent for parking infractions, limiting any increases in the number of violations, and aligning with average amounts charged by neighbouring municipalities.

#### **Attachment**

1. Parking Infraction Table for Administrative Penalties

#### **Report prepared by:**

Rudi Czekalla Martínez, Manager of By-law Policy

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)