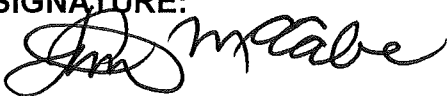




CITY OF HAMILTON

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Parking and By-law Services Division**

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: June 18, 2013	
SUBJECT/REPORT NO: Parked Facing the Wrong Way (PED13109) (City Wide) (Outstanding Business List Item)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: William Young (905) 546-2424 Ext. 2469 Pam Carver (905) 546-2424 Ext. 5110
SIGNATURE: 	

RECOMMENDATIONS

- a) That the Hamilton Police Service Board be requested to adopt the Hamilton Municipal Parking System Policy No. PC008 – Facing the Wrong Way (Appendix “A” to Report PED13109) to provide for consistent enforcement of vehicles parked facing the wrong way in Hamilton.
- b) That the item titled “*Parking on One-Way Streets*” be removed from the Planning Committee’s Outstanding Business List.

EXECUTIVE SUMMARY

This Report responds to the Planning Committee’s, January 15, 2013 direction to investigate amending the Parking By-law to prohibit vehicles parked facing the wrong way only on one-way streets and roadways with painted centre lines.

Alternatives for Consideration – Page 4

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial/Staffing/Legal: N/A

HISTORICAL BACKGROUND

On October 5, 2010, the former Economic Development and Planning Committee directed "...that staff work with Hamilton Police Services in exploring the best enforcement regime for the "wrong way" parking rule on local residential streets when safety hazards are present". Staff reported back, through Report PED11067, titled "Wrong Way Parking", which was received by the Planning Committee on May 3, 2011. No change was recommended to the current practice of enforcing only upon complaint or when a safety hazard is present, except that Hamilton Police Services agreed to adopt the City's policy of enforcing the By-law provision.

Planning Committee, at the January 15, 2013 meeting, approved the following motion by Councillor Chad Collins:

10.1 Parking on One-Way Streets

"That staff report back on amending the Parking By-law to prohibit vehicles parking the wrong way only on one-way streets and roadways with painted centre lines".

POLICY IMPLICATIONS/LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

The Hamilton Police Service, Public Works (Traffic), Risk Management, and Legal Services were consulted in the preparation of this Report.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

The City of Hamilton Parking By-law (By-law 01-218) requires that vehicles be parked facing the direction of traffic flow in the adjacent lane (referred to as the "wrong way parking rule"). The intent of this By-law provision is to promote safe driving practices and to reduce the potential for collisions by discouraging motorists from crossing opposing lanes of traffic when entering/exiting a parking space.

Since at least the 1960s, City staff's practice has been to enforce this By-law provision on local residential streets only upon complaint. Staff has determined that the complaint based approach is appropriate because safety is not normally compromised on local residential streets where traffic volumes are relatively light and because requiring parking on the correct side can promote such unsafe/undesirable activities as block-circling, U-turns and turning around using other's driveways. Proactive enforcement occurs on one-way streets and arterial/collector streets (where there are solid yellow or white dividing centre lines) where parking on the wrong side facing the wrong way is more likely to create an unsafe situation.

In 2012, staff received approximately 417 requests for enforcement of the wrong way parking rule. City staff and the Hamilton Police Services issued approximately 1,771 parking tickets for this regulation in 2012 which generated approximately \$46,000 in revenues.

Several members of Council have expressed the concern that requests for enforcement are, more often than not, driven by neighbourhood disputes rather than parking or safety problems. Further, concerns are related to the fact that the Police continue to enforce this By-law provision proactively from time-to-time despite previous commitments from senior management of the Hamilton Police Service that they would adopt the City's policy of enforcing the By-law provision proactively only on one-way streets and arterial/collector streets.

A 2012 survey indicates that Hamilton's approach to enforcing on local residential streets is already more lenient than other Ontario municipalities, as all 15 municipalities that responded to the survey indicated that the wrong way parking rule is proactively enforced on all streets.

Changing the By-law to legalize wrong way parking on local residential streets would not contradict the Highway Traffic Act, and the potential for traffic safety problems is minimal, as volumes and travelling speeds are lower on these streets. A review of collision statistics identified only one collision in a five-year period associated with parking the wrong way on a local residential street in the City.

However, Book 5 - Regulatory Signs of the Ontario Traffic Manual recommends that "*signs should be installed at an angle of 30 to 45 degrees to the flow of traffic, and should always be visible to approaching traffic*" and this recommendation is followed by the City. Book 5 does not speak to the installation of signs when traffic may be approaching from either side. However, in keeping with Book 5's direction to "*keep as close to the guidelines as possible*", signs would be installed at a 90 degree angle to be visible to approaching traffic from both ways. Not changing the angle of the signs could affect the prosecution of parking tickets when vehicles have approached from the "*wrong way*". The cost of changing all signs from the current 45 degree angle to a 90 degree angle would be prohibitive as well as labour intensive.

SUBJECT: Parked Facing the Wrong Way (PED13109) (City Wide) - Page 4 of 4

In view of the above signing requirements, it would not be appropriate to legalize parking facing the wrong way. However, staff recommends that Council formally ask the Hamilton Police Service Board to adopt the City's practice of enforcing reactively (upon complaint) except on one-way streets and arterial/collector streets (where there are solid yellow or white dividing centre lines) where parking on the wrong side facing the wrong way is more likely to create an unsafe situation.

ALTERNATIVES FOR CONSIDERATION

Council could decide to amend By-law 02-218 to legalize the parking of vehicles in either direction on two-way local streets with no painted centre line. However, all parking restriction signs would have to be repositioned to 90 a degree angle, which, in staff's opinion would be cost prohibitive.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN:

Strategic Priority #2



Valued & Sustainable Services

WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.

APPENDICES / SCHEDULES

Appendix "A" - Hamilton Municipal Parking System Policy No. PC008 – Facing the Wrong Way

BY/dt

	DEPARTMENT:	Planning and Economic Development Department	
	DIVISION:	Parking and By-Law Services	
	SECTION:	Hamilton Municipal Parking System	
	GROUP:	Parking Control	

PROCEDURE TITLE: 3B FACING THE WRONG WAY	
POLICY NO. PC008	EFFECTIVE DATE: July 2007
PROCEDURE NO.	REVISED DATE: September 2012
MAINTENANCE RESPONSIBILITY: Pat Tompkins, Supervisor, Parking Enforcement	
APPROVED BY: _____	
Pam Carver, Manager, Parking Enforcement & School Safety	

1.0 Policy

The Facing the Wrong Way Policy concerns instances where Parking Infraction Notices may be issued to vehicles parked facing the wrong way.

In the City of Hamilton, vehicles must be parked in such a manner that the passenger side of the vehicle is parked on the curb side of the street. In other words, vehicles shall park in the same direction as the flow of traffic.

Vehicles facing the wrong way, attempting to pull in to the travel lane, would impede oncoming traffic. Officers may issue PINs to vehicles facing the wrong way.

In the case of a one-way street, where parking on the left (driver's side) is permitted, no PIN shall be issued.

2.0 Purpose

To provide a standard format for actions taken by enforcement officers in instances where vehicles are parked facing the wrong way.



3.0 Scope

The procedures stated apply to all instances where a vehicle is identified as being parked facing the wrong way.

4.0 City's Strategic Commitment

The Facing the Wrong Way Policy addresses the following City Strategic Commitments:

- A City of growth and opportunity by supporting economic development and business viability.

	DEPARTMENT:	Planning and Economic Development Department	
	DIVISION:	Parking and By-Law Services	
	SECTION:	Hamilton Municipal Parking System	
	GROUP:	Parking Control	

- A healthy, safe and green City by providing enforcement of parking regulations.

5.0 Procedure

Officers may enforce facing the wrong way while on patrol. Proactive enforcement will be restricted to arterial and residential streets with a solid yellow or white dividing centre line, and one way streets only. Streets with no solid yellow or white dividing centre line are only enforced on a complaint specific to facing the wrong way.

One time is required on the PIN.

All pertinent information must be written on the PIN; for example: complaint, impeding traffic, facing westbound, left wheels at curb, etc.

6.0 Relevant Legislation/Corporate Policy

- Provincial Offences Act
- City By-Laws

7.0 History of Policy and Procedure

Date initially developed: July 2007
Date reviewed by: March 2009
Approved by: Pam Carver



The revisions made:

- Revision date changed from July 2007 to March 2009
- Maintenance changed from Pam Carver to Doug Eldridge
- Approved by changed from Bill Young to Pam Carver
- Add the following in procedures: "Streets with no solid yellow or white dividing centre line are only enforced on a complaint specific to facing the wrong way."
- Add the words 'proactive enforcement' to the first paragraph, beginning of the second sentence to describe how enforcement on arterial and residential streets will take place.

Date initially developed: July 2007
Date reviewed by: October 2010
Approved by: Pam Carver

The revisions made:

- Revision date changed from March 2009 to October 2010

	DEPARTMENT:	Planning and Economic Development Department	
	DIVISION:	Parking and By-Law Services	
	SECTION:	Hamilton Municipal Parking System	
	GROUP:	Parking Control	

- Approved by changed from Pam Carver, Acting Manager, Parking Enforcement and School Safety to Pam Carver, Manager, Parking Enforcement and School Safety

Date initially developed: July 2007
Date reviewed by: October 2011
Approved by: Pam Carver

The revisions made:

- Revision date changed from October 2010 to October 2011
- Maintenance Responsibility changed from Doug Eldridge to Pat Tompkins, Supervisor of Parking Enforcement.

Date initially developed: July 2007
Date reviewed by: September 2012
Approved by: Pam Carver

The revisions made:

- Revision date changed from October 2011 to October 2012.

N:/Municipal Parking/Policy and Procedures/Parking Control/PC008 3B Facing the Wrong Way