



Hamilton

INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	January 12, 2016
SUBJECT/REPORT NO:	Parked Facing the Wrong Way (PED13109(a)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
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SIGNATURE:	

Council Direction:

On July 12, 2013, Council approved Planning Committee Report 13-011 which included the following direction:

- “(ii) Parked Facing the Wrong Way (PED13109) (City Wide) (Referred from Council on June 26, 2013) (Item 8.2)
- (a) Report PED13109, Parked Facing the Wrong Way, was referred back to staff to investigate the matter further and report back to the Planning Committee at a later date on issues related to, but not limited to: a more thorough breakdown of the statistics (including time of day), when the Hamilton Police Service is enforcing and to what extent; the breakdown of Municipal Law Enforcement versus Hamilton Police Service enforcement; the breakdown of safety concerns versus neighbourhood disputes; and on how many occasions the Hamilton Police Service writes tickets that are deemed to be invalid;
 - (b) Staff were directed to explore the feasibility that Municipal Law Enforcement be the sole responsibility with respect to parking facing the wrong way;
 - (c) The Hamilton Police Service was requested to adopt the same policy as it relates to the City of Hamilton Parking By-law (By-law 01-218).”

Information:

The City of Hamilton Parking 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 feel 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 by City staff only 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.

The Hamilton Police Service (HPS) however, enforce both proactively and reactively as they deem necessary.

The following information is provided in response to the July 12, 2013, Council direction:

- a) Statistics (including time of day), when the Hamilton Police Service is enforcing and to what extent and breakdown of Municipal Law Enforcement versus Hamilton Police Service enforcement -

In 2014, 818 parking tickets were issued for “*facing the wrong way*” violations (755 tickets issued by the City and 63 tickets issued by the HPS). From January 1 to June 30, 2015, a total of 597 parking tickets were issued for “*facing the wrong way*” violations (518 tickets issued by the City and 79 tickets issued by the HPS).

The HPS has advised that most of the “*facing the wrong way*” tickets issued by Police Officers are based on complaints. The Police do not keep a breakdown of parking tickets whether it is number or type issued.

City Parking Enforcement statistics reveal that approximately 60% of the “*facing the wrong way*” tickets issued by the HPS in 2015 were issued in the late evening hours or early morning hours of the day including early Sunday when parking enforcement is not working.

- b) Breakdown of safety concerns versus neighbourhood disputes -

The HPS does not record this information.

As part of the standard operating procedure, Parking Enforcement staff only enforces parked facing the wrong way proactively for safety related concerns. This is restricted to vehicles parked facing the wrong way on one-way streets and on high traffic volume roadways with a painted centre line, which represents approximately 10% of tickets (1,352 issued between January 1, 2014 and June 30, 2015). All other enforcement of this regulation is on a complaint only basis.

- c) On how many occasions the Hamilton Police Service writes tickets that are deemed to be invalid -

For the 18-month period of January 1, 2014 to June 30, 2015 approximately 20% of all HPS issued tickets received at Parking Enforcement were deemed invalid due to an error on the face.

Staff normally returns copies of the invalid tickets to the HPS with appropriate corrections to educate the officers.

- d) The feasibility that Municipal Law Enforcement be the sole responsibility with respect to parking facing the wrong way -

Hamilton Parking Enforcement does not normally operate on Sunday or between 5:45 a.m. and 7:00 a.m., or on Statutory Holidays. During these periods the HPS provides low level coverage for parking enforcement and responds to parking complaints in the absence of City Parking Enforcement staff. Therefore, the HPS should maintain the ability to enforce facing the wrong way violations at least for when City Parking Control Officers are not working.

- e) Requesting that the Hamilton Police Service adopt the same policy as it relates to the City of Hamilton Parking By-law (By-law 01-218) –

Staff has consulted with the HPS who have advised that while enforcing “*facing the wrong way*” violations is a low priority of the HPS, enforcement is at the discretion of the Police Officer, and the HPS will not adopt the same policy (complaint based enforcement only) as it relates to the City of Hamilton Parking By-law (By-law 01-218).

WY:GB:st