



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Transportation Planning and Parking Division**

<b>TO:</b>	Mayor and Members Committee of the Whole
<b>COMMITTEE DATE:</b>	May 20, 2020
<b>SUBJECT/REPORT NO:</b>	Early Payment Removal and Parking Fine Increase Implementation Update (PED19052(a)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	James Buffett (905) 546-2424 Ext. 3177
<b>SUBMITTED BY:</b>	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That the draft Amending By-law for Administrative Penalty System By-law 17-225 as shown in Appendix "A" to Report PED19052(a) and in a form satisfactory to the City Solicitor, be approved.

### EXECUTIVE SUMMARY

Following the implementation of the Administrative Penalty System (APS) in August of 2015, staff have continued to incorporate additional By-laws into APS. Subsequent, to Recommendation Report PED19052, on April 10, 2019, Council directed staff to implement the removal of Early Payment for parking infractions. On March 2, 2020, the General Issues Committee (GIC) approved a number of parking rate increases, inclusive of Parking Fines, which was ratified at Council on March 20, 2020.

The attached by-law amendment will execute the Early Payment removal as well as the approved parking fine increases. Since the APS By-laws covers all penalties under APS, not just parking, Early Payment Removal applies to all APS.

On March 20, 2020, Council also approved increases to on-street parking meter rates and off-street parking rates. Implementation of these increases was tied to the

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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implementation of the launch of the pay-by-phone application, which is still on track to be implemented in June 2020.

**Alternatives for Consideration – See Page 3**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Removal of the Early Payment may correlate with an increase in annual fine revenue collected from undisputed, voluntary payments of parking penalties (\$350 K). Approving the Set Penalty (Fines) increase may correlate with an increase in the estimated annual revenue (\$380 K). These estimates are under normal operating conditions and not during Emergency Operations (i.e. COVID 19).

Staffing: N/A

Legal: N/A

**HISTORICAL BACKGROUND**

On May 13, 2015, Council approved the implementation of APS for Parking Enforcement as per Ontario Regulation 333/07 of the *Municipal Act, 2001*, S.O. 2001, c. 25. Execution of the implementation was done August 2015. At its meeting of September 27, 2017, Council approved Report 17-015 directing staff to implement the APS to other Municipal By-laws which now includes, for example, Animal Ownership, Licensing and Regulation of Various Businesses, Noise, Municipal Parks, Yard Maintenance, Property Standards, and Vacant Buildings.

On April 10, 2019, Council approved Report PED19052, Early Payment Removal for Parking By-laws.

On March 2, 2020, GIC approved parking rate increases inclusive of Parking Fines (as identified below from Parking Fee Review Report PED19238(a)).

<b>Existing Set Penalty Amounts</b>	<b>New Set Penalty Amounts</b>
\$24.00	\$25.00
\$29.00	\$30.00
\$33.00	\$35.00

<b>Existing Set Penalty Amounts</b>	<b>New Set Penalty Amounts</b>
\$50.00	\$55.00
\$75.00	\$80.00

On March 20, 2020, Council ratified Parking Fine increases outlined in Information Report Parking Fee Review (PED19238(a)) as discussed at GIC March 2, 2020.

### **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The APS By-law 17-225 will be amended with revisions to Tables 1-9, 20 and 21.

### **RELEVANT CONSULTATION**

- Legal Services; and,
- Licensing and Bylaw Services.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

In addition to removing the Early Payment for parking violations, the amending By-law also removes the Early Payment for the Site Alteration By-law (By-law 19-286 Prohibiting and Regulating the Alteration of Property Grades, the Placing or Dumping of Fill, and the Removal of Topsoil) since it was the only remaining by-law with Early Payment. The execution of removing Early Payment across all the APS by-laws provides consistency, improved customer service experience for voluntary payments, and improved efficiencies for the Hamilton Municipal Parking System (HMPS).

As outlined in the April 2019 Early Payment Removal Report PED19052, the impacts of the removal of Early Payment, once implemented, is estimated at \$350 K on an annual basis. The estimated impact of the Fine Increased, as approved by Council on March 20, 2020 estimated at \$380 K on an annual basis.

### **ALTERNATIVES FOR CONSIDERATION**

- (a) Council could choose to defer the adoption of the By-law amendment relating to Early Payment Removal and Parking Fine Increase until parking activity and enforcement operations return to normal following the end of the COVID 19 Emergency Declaration; and,
- (b) Council could choose to defer the adoption of the By-law amendment for Early Payment Removal and Parking Fine Increase and direct staff to implement the

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By-law changes at the same time as the on-street and off-street rate increases and pay-by-phone launch.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” – Draft By-law Amending 17-225

JB:cr