

CITY OF HAMILTON

MOTION

Council: August 21, 2020

MOVED BY COUNCILLOR A. VANDERBEEK.....

SECONDED BY MAYOR / COUNCILLOR

Special Enforcement Area with Increased Fines – Johnson Tew Park

WHEREAS, on April 10, 2019 Council approved Amendments to By-law 01-218, being a By-law to Regulate On-Street Parking (the “On-Street Parking By-law”) and By-law 17-225, being a By-law to Establish a System of Administrative Penalties (the “Administrative Penalties By-law”) which created Special Enforcement Areas utilizing an increased fine structure and enforcement strategy to provide relief to local residents from serious negative parking impacts in the Greensville Waterfall Area;

WHEREAS, since the Special Enforcement Areas were created in April 2019, parking penalty issuance in the Medwin Drive and Tews Lane Area has decreased by 57%; and

WHEREAS, staff, in consultation with the Ward 13 Councillor, recommend the implementation of similar amendments to By-law 01-219, being a By-law to Manage and Regulate Municipal Parks (the “Parks By-law”) and corresponding amendments to By-law 17-225, being the Administrative Penalties By-law to create Special Enforcement Areas to increase the fine structure for certain parking infractions within Johnson Tew Park to further alleviate parking issues in the vicinity of Tew Falls.

THEREFORE, BE IT RESOLVED:

- (a) That By-law 01-219, being a By-law to Manage and Regulate Municipal Parks (the “Parks By-law”) be amended, to enforce parking related matters utilizing a Special Enforcement Area, as attached hereto as Appendix “A”; and
- (b) That By-law 17-225, being a By-law to Establish a System of Administrative Penalties be amended, by adding Items 14 - 17 to Table 4, as attached hereto as Appendix “A”.

Authority: Item 6.4 (Motion)
CM: August 21, 2020

Bill No.

**CITY OF HAMILTON
BY-LAW NO.**

Being a by-law to amend a By-law to Manage and Regulate Municipal Parks No. 01-219, and Administrative Penalty By-law No. 17-225 to create Special Enforcement Areas

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The Parks By-law No. 01-219 is amended by:

(a) adding the following subsections to section 32:

(13) No person shall park or stop a vehicle in contravention of Section 32(3), Section 32(4) or Section 32(5) of this By-law within a Special Enforcement Area.

(14) For the purposes of subsection (13), “Special Enforcement Area” means an area set out on Schedule D-1.

(15) Schedule D-1 describes the following:

(a) in column one thereof, the name of the roadway or part of the roadway included within the Special Enforcement Area;

(b) in column two thereof, the side of the roadway, by compass direction, where the Special Enforcement Area regulation applies;

(c) in column three thereof, the point upon the subject roadway where the Special Enforcement Area regulation commences and the point where the regulation terminates;

(d) in column four thereof, those periods during which the Special Enforcement Area regulation is in force and effect.

Appendix “A” to Item 6.4

- (16) No person shall park or stop a vehicle in contravention of Section 32(8) of this By-law within a Special Enforcement Area.
- (17) For the purposes of subsection (16), “Special Enforcement Area” means an area set out on Schedule D-2.
- (18) Schedule D-2 describes the following:
- (a) in column one thereof, the name of the Park or part of the Park included within the Special Enforcement Area;
 - (b) in column two thereof, the location where the Special Enforcement Area regulation commences and the point where the regulation terminates;
 - (d) in column three thereof, those periods during which the Special Enforcement Area regulation is in force and effect.

(b) adding the following to section 56 in sequence:

Schedule “D”- Special Enforcement Areas

(c) adding Schedule “D” as follows:

Schedule D-1 - Special Enforcement Area			
Roadway	Side	Location	Increased Fine in Effect
Medwin Drive	Both	290m westerly of Tews Ln to westerly end	March 15 - November 15

Schedule D-2 - Special Enforcement Area		
Park	Location	Increased Fine in Effect
Johnson Tew Park	All areas within the boundaries of the Park	March 15 - November 15

Appendix “A” to Item 6.4

2. Table 4 of the Administrative Penalty By-law No. 17-225 is amended by adding the following items:

Item	Column 1 Designated By-law & Section		Column 2 Short Form Wording	Column 3 Set Penalty
14	01-219	32(13)	Park in Contravention of Section 32(3) in a Special Enforcement Area	\$250.00
15	01-219	32(13)	Park in Contravention of Section 32(4) in a Special Enforcement Area	\$250.00
16	01-219	32(13)	Stop in Contravention of Section 32(5) in a Special Enforcement Area	\$250.00
17	01-219	32(16)	Park or Stop in Contravention of Section 32(8) in a Special Enforcement Area	\$250.00

3. This By-law comes into force on the day it is passed.

PASSED this 21st day of August, 2020

F. Eisenberger
Mayor

Andrea Holland
City Clerk