



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

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| TO: | Chair and Members Planning Committee |
| COMMITTEE DATE: | September 17, 2024 |
| SUBJECT/REPORT NO: | Parking Penalty Increases (PED24139) (City Wide) |
| WARD(S) AFFECTED: | City Wide |
| PREPARED BY: | James Buffett (905) 546-2424 Ext. 3177 |
| SUBMITTED BY: | Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department |
| SIGNATURE: |  |

RECOMMENDATION

That the amending by-law to Administrative Penalty System By-law 17-225 (APS) which outlines increases to certain parking penalties attached as Appendix "A" to Report PED24139 and prepared in a form satisfactory to the City Solicitor be approved.

EXECUTIVE SUMMARY

In 2019, a comprehensive review of parking penalties was undertaken as input to the 2020 budget process. At that time, several changes were made, including the removal of the early payment discount, and the adjustment of numerous penalty amounts, to align with rates in peer municipalities. Administration fees applied at various stages of the penalty aging process (e.g. late payment fees) are reviewed and adjusted annually as part of the user fee by-law process.

The purpose of this Report is to seek Council approval to increase various parking penalties for consistency and efficiencies with parking enforcement, in an effort, to increase compliance with on-street regulations and apply an equitable penalty structure for Municipal Car Park violations in comparison to privately-owned lots in the City of Hamilton.

OUR Vision: To be the best place to raise a child and age successfully.

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.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Enacting the amending By-law may correlate with an increase in penalty revenue collected from paid parking penalties. It is estimated that \$250,000 in additional parking penalty revenues may be generated. This increase will be incorporated into the operating budget as part of the 2025 budget process.

Staffing: Not Applicable.

Legal: Legal Services assisted with the preparation of the proposed By-law Amendment, attached as Appendix “A” to Report PED24139.

HISTORICAL BACKGROUND

Following the adoption of By-law 17-225, being a By-law to Establish a System of Administrative Penalties (the “Administrative Penalty By-law”), Council has the authority to approve penalty increases on an ongoing basis through the enactment of amending by-laws.

The last comprehensive adjustment of parking penalties was undertaken in April 2019 in conjunction with the removal of the early payment option. These changes were initiated following Council approval through Report PED19052.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Enactment of the proposed By-law Amendment will be required to increase penalties in Tables 1 and 3 of the Administrative Penalty By-law.

RELEVANT CONSULTATION

Not Applicable.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The application and enforcement of parking by-laws serves, a number of, important purposes, such as helping to maintain traffic flow, ensuring safety for vulnerable road users, and helping to manage on-street and off-street parking supply, in conjunction with pricing. In 2023, approximately 143,000 parking penalties were issued in the City. A large majority of these penalties (25%, approximately 35,000) are related to paid parking infractions for municipal parking spaces on and off-street.

It is important, to ensure, that parking penalty amounts are set at a rate that encourages compliance but are also reasonable and fair to residents. Based on a review of current penalty amounts, as well as a comparison to other jurisdictions, staff are recommending adjustments to certain on-street penalties within By-law No. 01-218, Being A By-law to Regulate On-Street Parking. Primarily, increases are focused on low value infractions associated with on-street paid parking in efforts to increase compliance with paid parking. Other infractions such as “Park – Obstructing Bicycle Lane”, and “Park in signed area where prohibited” are being adjusted to ensure greater attention and increased effort of deterrence of negative parking behaviour to safeguard vehicles, bicycles, and pedestrians.

Another recommended change is to align parking penalties for public off-street lots with private lots. Currently, privately-owned lots that are enforced with By-law 01-220, being a By-law to Regulate the Parking of Motor Vehicles on Private and Municipal Property, are subject to penalties beginning at \$55.00. Conversely, penalties for the same type of infraction/violation within Municipal Car Parks, as governed by By-law 01-216, being a By-law to Regulate Municipal Parking Facilities, are subject to penalties under Table 1 of Schedule “A” of the Administrative Penalty By-law, attached as Appendix “B” to Report PED24139, beginning at \$25.00. Increasing the penalties under the Administrative Penalty By-law for violations within Municipal Car Parks will provide enforcement parity and an equitable approach to off-street parking enforcement.

In addition, several penalties have been identified to be increased minimally, to be consistent with other infractions of the same nature, as a housekeeping item.

ALTERNATIVES FOR CONSIDERATION

Council could direct staff to increase certain fines higher, than proposed in this Report, to further emphasise the importance of compliance for priority areas. For example, the City of Toronto recently increased fines for parking on a bicycle path from \$60 to \$200.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A” to Report PED24139 - Draft By-law to amend By-law 17-225, as amended, being a By-law to Establish a System of Administrative Penalties

- Appendix “B” to Report PED24139 - Tracked Changes to Tables 1 and 2 of Schedule “A” of By-law 17-225, as amended, being a By-law to Establish a System of Administrative Penalties