

February 21, 2010



City Council Committee Report

To: Mayor & Council

Fr: Heather Kasprick, Deputy Clerk

Re: Parking Over the time options

Recommendation:

THAT that an awareness campaign take place advising those non-compliance vehicles that the chalking of tires and regular monitoring of vehicles will now be in place and regularly enforced by the City by-law enforcement officers.

Background:

Council has had concerns brought forward to them from downtown business owners with regards to staff of local businesses parking in the downtown core at meters for an entire day. Most of these employees who choose this option for parking, park directly in front of their place of employment and continue to plug the meter all day. Council's concern has been that we need to address this issue with our by-law enforcement staff and ensure that this practice ceases.

Through research from other communities, it appears that when it comes to over the time limit parking, there was not another city within the area including Dryden, Sioux Lookout, Thunder Bay and Fort Frances that use a GPS system that some municipalities in the Eastern part of the province may use.

By Law Officers in Northwestern Ontario chalk tires, mark down the time and location, and document all details including taking photographs of the vehicle and specific details of the parking. Fort Frances uses a hand held computer to mark license plates and time. They keep the print information for the duration of one month in case a ticket is challenged.

All of the towns/cities surveyed are stating that if you have a vehicle paying for the meter why worry about implementing the time limit as long as revenue is coming in? If a vehicle receives a parking infraction for expired time and continues to not plug the meter they will receive a second parking infraction for an additional \$10.00 fine.

Thunder Bay implements the time restriction for residential zones where there are no meters. They currently time the two hour restriction by having the officers use a pre-drawn diagram of vehicle wheels, and they mark the valve stem positions on the diagram, then, they go back after two hours and mark them on another diagram, and if they are the same, they issue a ticket. There is nothing that the officers can do if the vehicle has moved forward or back. In the metered zones Thunder Bay marks the valve stem and notes the time and location in their book. They then return fifteen minutes

after the time limit to recheck and issue a parking infraction to the vehicle that have surpassed the time limit even if additional coins have been inserted.

In Kenora if they move ahead or back just to change the chalk position or wipe it off there is nothing we can do as we cannot prove the vehicle has not left the location.

Our current bylaw, Section 4.16 states that a peace officer for the purposes of enforcing the provisions of this by-law, or of any other by-law or regulation of the City of Kenora respecting the parking of vehicles, may make or place a temporary mark upon a vehicle which is parked on a highway. Section 4.17 No person shall remove, alter, obliterate or deface a mark made or placed upon a vehicle by a peace officer as provided in Section 4.16 until the vehicle has been moved through the nearest intersection.

Our City solicitor has been consulted in the wording in our by-law to ensure that it is an enforceable offence under the current by-law. He has advised that he deems no reason why this would not stand up in court, however, did recommend that since this provision of the by-law has not generally been enforced it would be advisable to provide public relations in advance to issuing tickets. This could be done through issuing warnings to those in offence, and placing notices on the meters warning drivers that they will be ticketed if they overstay the maximum time limit stated on the meter, even if there is time left showing on the meter.

If we were to move to regular monitoring and chalking, these veteran plates would also have to be included as they are not exempt from time limits, only the fee.

The by-law enforcement officers are very knowledgeable on who these particular 15-20 over the time vehicles belong to. They also have attempted to address these individuals and advise them that they are contravening the by-law. There may be some compliance immediately following the discussion, but not soon after, they return to the same patterns.

Budget: N/A

Communication Plan/Notice By-law Requirements:

I would support the recommendation by our City solicitor and work with the By-law enforcement officers to give some warning notices to offenders prior to issuing offence notices. This could be done through a public awareness campaign and through direct contact with the parties who we are aware regularly abuse the parking by-law.