



City of
Peterborough

To: Members of the General Committee

From: David J. Potts, Commissioner, Legislative Services

Meeting Date: November 18, 2024

Report: Parking Penalty Increases, Report LSMLES24-006

Subject

A report to recommend the approval of increases to Administrative Monetary Penalties for parking contraventions.

Recommendation

That Council approve the recommendation outlined in Report LSOC24-006, dated November 18, 2024, of the Commissioner, Legislative Services as follows:

That Parking By-law 09-136 be amended in the form of amending by-law comprising Appendix A to Report LSOC24-006.

Executive Summary

- An increase to the City's existing Administrative Monetary Penalties associated with Parking By-law 09-136 will better align the City's Penalties with comparator municipalities and promote compliance with By-law 09-136 more effectively.

Background

The City's current Parking By-law 09-136 was passed by Council on October 5, 2009. At that time, the set fine amounts under the by-law were \$15.00 for No Parking related infractions and \$30.00 for No Stopping related infractions. Enforcement of By-law 09-136 was by prosecution in the Ontario Court of Justice of Part II certificates of offence issued under the Provincial Offences Act.

In 2015, Council requested that staff review on-street parking fee and fine structures and increase the level of parking enforcement. As a result, Report USTR15-010 recommended changes to parking enforcement and operations. One of the changes approved by Council through Report USTR15-010 was an increase to No Parking related infractions from \$15.00 to \$25.00. No changes to the No Stopping related infractions were contemplated or approved at that time.

Through Council’s approval of the recommendations set out in Report CLSOC20-003, Parking By-law 09-136 was amended in October of 2020 to implement enforcement of parking contraventions by an administrative monetary penalty system, replacing the previous enforcement by prosecution in the Ontario Court of Justice under the Provincial Offices Act. The amounts previously established as set fines were continued as parking penalties without any specific changes.

With the creation of the Municipal Law Enforcement Services (MLES) Division in 2023, responsibilities related to parking enforcement were transferred to MLES

The proposed changes to the City’s existing parking penalties will more effectively promote compliance with parking standards under By-law 09-136 and will better align Peterborough’s parking’s penalties with those of other Ontario municipalities. The proposed parking penalty amount changes are reflected within Chart 1, below.

CHART 1 – AMPS Penalties and proposed increases:

Item:	Contravention:	Current Penalty amount:	New proposed Penalty amount:
1.	Parked at angle other than 90 degrees	\$25.00	\$35.00
2.	Parked not completely within parking space	\$25.00	\$35.00
3.	Occupy more than one parking space	\$25.00	\$35.00
4.	Obstructing aisle	\$25.00	\$35.00
5.	Parked right wheels more than 15 cm from curb	\$25.00	\$35.00
6.	Parked right wheels more than 15 cm from right limit of roadway	\$25.00	\$35.00
7.	Parked left wheels more than 15 cm from curb	\$25.00	\$35.00
8.	Parked left wheels more than 15 cm from left limit of roadway	\$25.00	\$35.00
9.	Stopped on sidewalk	\$30.00	\$50.00
10.	Stopped within intersection/crosswalk	\$30.00	\$40.00
11.	Stopped within 10m of crosswalk	\$30.00	\$40.00
12.	Stopped so as to interfere with traffic	\$30.00	\$40.00
13.	Stopped so as to interfere with snow clearing	\$30.00	\$40.00
14.	Stopped so as to interfere with highway cleaning	\$30.00	\$40.00
15.	Stopped alongside other stopped vehicle	\$30.00	\$40.00

Item:	Contravention:	Current Penalty amount:	New proposed Penalty amount:
16.	Stopped on bridge/tunnel/underpass	\$30.00	\$40.00
17.	Stopped on median	\$30.00	\$40.00
18.	Stopped along excavation/obstruction impede traffic	\$30.00	\$40.00
19.	Stopped near intersection pedestrian signal	\$30.00	\$40.00
20.	Stopped where prohibited in school area	\$30.00	\$40.00
21.	Stopped near school crossing	\$30.00	\$40.00
22.	Parked on or over boulevard	\$25.00	\$35.00
23.	Parked within 2 m of driveway	\$25.00	\$35.00
24.	Parked to obstruct driveway	\$25.00	\$50.00
25.	Parked within 3 m of fire hydrant	\$25.00	\$50.00
26.	Stopped within 10 m of intersection	\$30.00	\$40.00
27.	Stopped within 30 m of intersection	\$30.00	\$40.00
28.	Parked to display vehicle for sale	\$25.00	\$35.00
29.	Parked to grease/wash/repair vehicle	\$25.00	\$35.00
30.	Parked 30 m advance/15 m beyond railway crossing	\$25.00	\$35.00
31.	Parked within 4 m of railway tracks	\$25.00	\$35.00
32.	Parked to obstruct removal of other parked vehicle	\$25.00	\$35.00
33.	Parked longer than 3 hours	\$25.00	\$35.00
34.	Parked between 2 a.m. and 6 a.m. December 1 st to April 1 st	\$25.00	\$35.00
35.	Parked on a temporarily closed highway	\$25.00	\$35.00
36.	Parked oversized vehicle on highway	\$25.00	\$35.00
37.	Parked at covered parking control device	\$25.00	\$35.00
38.	Stopped in prohibited area	\$30.00	\$40.00
39.	Parked in prohibited area	\$25.00	\$35.00
40.	Parked longer than maximum permitted period	\$25.00	\$35.00
41.	Parked on private property without consent	\$25.00	\$35.00
42.	Parked in fire route	\$25.00	\$35.00
43.	Parked on municipal property without consent	\$25.00	\$35.00
44.	Parked in lot	\$25.00	\$35.00
45.	Parked in parkade	\$25.00	\$35.00
46.	Parked longer than maximum permitted at control device	\$25.00	\$35.00
47.	Parked in commercial vehicle loading zone	\$25.00	\$35.00
48.	Stopped in taxi stand	\$30.00	\$40.00
49.	Parked in bus stop	\$25.00	\$35.00
50.	Parked 18m in advance of or 30 m beyond bus stop	\$25.00	\$35.00

Item:	Contravention:	Current Penalty amount:	New proposed Penalty amount:
51.	Parked in a school bus loading zone	\$25.00	\$35.00
52.	Parked in Accessible Parking Space – no permit displayed	\$300.00	\$350.00

The changes outlined above represent an increase of \$10.00 to current Penalty amounts with exceptional increases to Items 9, 24, 25, and 52. Increases beyond \$10.00 to these contraventions is being proposed to either further align Peterborough penalties with those of comparator municipalities or to more effectively promote compliance with parking standards for which MLES staff have noted continued non-compliance and a high volume of complaint.

The Infrastructure, Planning and Growth Management Department intends to undertake a fulsome and complete review of the City’s parking regulations in the coming years. It is anticipated that any additional changes relative to parking penalties will be included as part of that larger review. Until such time as that review can be undertaken, the proposed changes will allow for more immediate enforcement changes to be made within the context of the City’s existing parking regulations.

Strategic Plan

Strategic Pillar: Governance & Fiscal Sustainability

Strategic Initiative: Support review/update of City’s By-law to make them effective and efficient, meeting the needs of our growing City.

The recommendation set out in this report aligns with the strategic pillar of Governance & Fiscal Sustainability and the Strategic Priority of reviewing and updating City By-laws to make them effective and efficient, meeting the needs of our growing City.

Budget and Financial Implications

There are no negative budget or financial implications associated with the approval of this recommendation. As this report recommends an increase to parking penalties for current parking standards, there are no anticipated additional costs. It is anticipated that approval of this report’s recommendation will result in a higher offset to the annual operating costs associated with municipal law enforcement.

Attachments

Appendix A: Proposed Amending By-law

Submitted by,

David J. Potts, B.A., LL.B., C.S.
Commissioner, Legislative Services and City Solicitor

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Appendix A, Proposed Amending By-law



The Corporation of the City of Peterborough

By-Law Number 24-[xxx]

Being a By-law to amend Parking By-law 09-136 to increase parking penalties

Whereas Council of The Corporation of the City of Peterborough considers it appropriate to increase penalties for contraventions of parking standards to encourage compliance with such standards.

Now Therefore, The Corporation of the City of Peterborough by the Council thereof enacts as follows:

1. Parking By-law 09-136 is amended by deleting its Schedule X and by substituting as Schedule X the form of schedule attached to this By-law as Appendix A.
2. This By-law is in effect when it is passed.

By-law passed this ____ day of _____, 2024.

Jeff Leal, Mayor

John Kennedy, City Clerk

Appendix A to By-law 24-[xxx]**Schedule X****Administrative Penalties**

Item	Short Form Wording	By-law	Penalty
1.	Parked at angle other than 90 degrees	4.2	\$35
2.	Parked not completely within parking space	4.3(a)	\$35
3.	Occupy more than one parking space	4.3(b)	\$35
4.	Obstructing aisle	4.3(c)	\$35
5.	Parked right wheels more than 15 cm from curb	4.8	\$35
6.	Parked right wheels more than 15 cm from right limit of roadway	4.9	\$35
7.	Parked left wheels more than 15 cm from curb	4.10	\$35
8.	Parked left wheels more than 15 cm from left limit of roadway	4.11	\$35
9.	Stopped on sidewalk	4.13	\$50
10.	Stopped within intersection/crosswalk	4.14	\$40
11.	Stopped within 10m of crosswalk	4.15	\$40
12.	Stopped so as to interfere with traffic	4.16	\$40
13.	Stopped so as to interfere with snow clearing	4.17	\$40
14.	Stopped so as to interfere with highway cleaning	4.18	\$40
15.	Stopped alongside other stopped vehicle	4.19	\$40
16.	Stopped on bridge/tunnel/underpass	4.20	\$40
17.	Stopped on median	4.21	\$40
18.	Stopped along excavation/obstruction impede traffic	4.22	\$40
19.	Stopped near intersection pedestrian signal	4.23	\$40
20.	Stopped where prohibited in school area	4.24	\$40
21.	Stopped near school crossing	4.25	\$40
22.	Parked on or over boulevard	4.26	\$35
23.	Parked within 2 m of driveway	4.27	\$35
24.	Parked to obstruct driveway	4.28	\$50
25.	Parked within 3 m of fire hydrant	4.29	\$50
26.	Stopped within 10 m of intersection	4.30	\$40
27.	Stopped within 30 m of intersection	4.30	\$40
28.	Parked to display vehicle for sale	4.31	\$35
29.	Parked to grease/wash/repair vehicle	4.32	\$35

Item	Short Form Wording	By-law	Penalty
30.	Parked 30m advance/15 m beyond railway crossing	4.33(a)	\$35
31.	Parked within 4 m of railway tracks	4.33(b)	\$35
32.	Parked to obstruct removal of other parked vehicle	4.34	\$35
33.	Parked longer than 3 hours	4.35	\$35
34.	Parked between 2 a.m. and 6 a.m. December 1 st to April 1 st	4.36	\$35
35.	Parked on a temporarily closed highway	4.37	\$35
36.	Parked oversized vehicle on highway	4.38	\$35
37.	Parked at covered parking control device	4.39	\$35
38.	Stopped in prohibited area	5.1	\$40
39.	Parked in prohibited area	6.1	\$35
40.	Parked longer than maximum permitted period	6.2	\$35
41.	Parked on private property without consent	7.1	\$35
42.	Parked in fire route	7.3	\$35
43.	Parked on municipal property without consent	7.4	\$35
44.	Parked in lot	8.4	\$35
45.	Parked in parkade	8.6	\$35
46.	Parked longer than maximum permitted at control device	9.2	\$35
47.	Parked in commercial vehicle loading zone	10.1	\$35
48.	Stopped in taxi stand	11.1	\$40
49.	Parked in bus stop	12.2	\$35
50.	Parked 18 m in advance of or 30 m beyond bus stop	12.3	\$35
51.	Parked in school bus loading zone	12.5	\$35
52.	Parked in Accessible Parking Space – no permit displayed	13.3	\$350