

DECISION NOTE – Regular Meeting

Title: Timed Parking Areas – By-Law Amendment

Date Prepared: August 12, 2019

Report to: His Worship the Mayor and Members of Council

Councillor and Role: All Members of Council

Ward: All Wards

Decision/Direction Required:

To decide whether the City should amend the *Ticketing Amendment By-Law* to include a separate section specifically for timed parking areas.

Discussion – Background and Current Status:

The City currently has a number of parking areas that allow free parking for a set period of time. Many of these parking areas were recently implemented as a temporary measure to address the need created by damaged/vandalized meters. While progress is being made with the RFP, it may be until Spring 2020 before the new meters/pay stations will be up and running across the City. Even when the meters/pay stations come into effect, there may still be some pockets in the City that have timed parking restrictions (e.g. City Hall Parking Garage, Gower St, Casey St, etc.).

Currently, timed parking tickets are issued under a broad section of the *Ticketing Amendment By-Law* that encompasses several parking restrictions. It is recommended that timed parking be carved out into its own section with a separate fine (\$50). By creating a separate section, the City will be better able to enforce/prosecute instances of re-parking and therefore provide for more turnover of parking spaces for use by customers attending at businesses in the downtown. The amendment will address those individuals who attempt to “restart the clock” by:

- Backing out of a parking spot and re-parking in the same parking spot.
- Pulling out of a parking spot and re-parking in the same timed parking area.
- Pulling out of a parking spot, briefly leaving the timed parking area, and returning to the same timed parking area

Key Considerations/Implications:

1. Budget/Financial Implications:

- The fine for the new timed parking section will be lower than what it is now; however, there will be an increased prospect of conviction for tickets issued for re-parking.



2. Partners or Other Stakeholders:
 - The general public
 - Parking Services
 - Provincial Fines Administration/Provincial Court
3. Alignment with Strategic Directions/Adopted Plans:
 - Decisions for the benefit of the community, good governance (Effective City)
4. Legal or Policy Implications:
 - There will be an increased prospect of conviction for tickets issued for re-parking in a timed parking area
5. Engagement and Communications Considerations:
 - Amendments to the By-Law will have to be advertised and published in the Gazette in order to be legally in effect.
 - It may be helpful for Communications to be involved to ensure the public understands the restrictions on re-parking
6. Human Resource Implications: N/A
7. Procurement Implications: N/A
8. Information Technology Implications:
 - The amended by-law will need to be updated on the City's website.
9. Other Implications: N/A

Recommendations:

It is recommended that the *Ticketing Amendment By-Law* be amended to include a separate section specifically for timed parking areas. The By-Law is attached for Council's adoption.

Prepared by/Date:

Katie Philpott
August 12, 2019

Reviewed by/Date:

Cheryl Mullett
August 14, 2019

Approved by/Date:

Cheryl Mullett
August 14, 2019

Attachments:

Ticketing Amendment No.3-2019 By-Law (Timed Parking)



BY-LAW NO.

ST. JOHN'S TICKETING AMENDMENT (AMENDMENT NO. 3-2019) BY-LAW

PASSED BY COUNCIL AUGUST _____, 2019

Under and by virtue of the powers conferred by Sections 189 and 190 of the Highway Traffic Act, RSNL 1990, Chapter H-3, as amended, pursuant to a delegation of power by the Minister of Works, Services and Transportation dated April 27, 1990, pursuant to an approval of the Minister of Works, Services and Transportation dated April 12, 1996, and in pursuance of the powers vested in it under and by virtue of the City of St. John's Act, RSNL 1990, c.C-17 as amended, and all other powers enabling it, the City of St. John's enacts the following By-Law relating to ticketable offences.

BY-LAW

1. This By-Law may be cited as the St. John's Ticketing Amendment (Amendment No. 3-2019) By-Law.
2. Subsection 6(3) of the St. John's Ticketing Amendment By-Law is hereby amended by deleting the existing subsection and replacing it with the following:

"6(3) For the purposes of subsections 6(4) and 6(5):

 - a) "Timed Parking Area" means a street, portion of a street, parking lot, or parking facility that is designated with one or more signs which taken together indicate the bounds of the Timed Parking Area and which set out the Time Limit for the Timed Parking Area.
 - b) "Time Limit" means the maximum period of time within which a vehicle may be parked in a Timed Parking Area, the calculation of which shall commence at the time that the vehicle is first parked in the Timed Parking Area on one calendar day."
3. Subsection 6(4) of the St. John's Ticketing Amendment By-Law is hereby amended by deleting the existing subsection and replacing it with the following:

"6(4) No person shall allow a vehicle to remain in the same Timed Parking Area for longer than the Time Limit indicated on any sign governing the Timed Parking Area."
5. Section 6 of the St. John's Ticketing Amendment By-Law is further amended by adding the following subsections:

- “6(5) At the expiry of the Time Limit a person shall remove the vehicle from the Timed Parking Area after which the vehicle shall not be returned to the same Timed Parking Area until a period of time equivalent to, or exceeding, the Time Limit has lapsed.
- 6(6) Any person who violates or contravenes this section is guilty of an offence and is liable to a minimum fine of fifty dollars (\$50.00).
- 6(7) An offence under this section may be prosecuted by means of a traffic ticket under the provisions of the Provincial Offences Act.”

IN WITNESS WHEREOF the Seal of the City of St. John’s has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk this _____ day of August, 2019.

MAYOR

CITY CLERK