

Alternate Side Parking – grace period for changeover on streets with permit parking

Date:	March 20, 2008
To:	Public Works and Infrastructure Committee
From:	General Manager, Transportation Services
Wards:	All City Wards
Reference Number:	Pw08055te.top.doc

SUMMARY

Transportation Services following consultation with the Toronto Police Service is reporting on an inquiry from Councillor Joe Mihevc, St. Paul's Ward 21, to extend the grace period given by the Toronto Police Service – Parking Enforcement Unit to persons with overnight parking permits on streets where alternate side parking regulations are in effect.

The current policy provides a 12-hour grace period from 9:00 p.m. on the evening preceding the parking changeover to 9:00 a.m. on the morning of the changeover. It has been suggested the grace period be extended to apply from 6:00 p.m. on the evening preceding the parking changeover to noon on the day of the changeover.

Both Transportation Services and the Toronto Police Service feel the current grace period, which was adopted by Council in 2004 as City policy, is sufficiently generous and extending the grace period further is not recommended.

Financial Impact

There is no financial impact associated with the receipt of this report.

DECISION HISTORY

The Public Works and Infrastructure Committee at its meeting of June 27, 2007 considered a communication (June 18, 2007) from Councillor Joe Mihevc requesting that the Toronto Police Service be asked not to give parking tickets to permit parkers on streets with alternate side parking regulations, between the hours of 6:00 p.m. on the evening of the day preceding the parking changeover and noon on the day of the parking changeover. The Committee referred this communication to the General Manager, Transportation Services for consideration and report to the Public Works and Infrastructure Committee (Item PW7.20).

ISSUE BACKGROUND

The matter of a grace period for the changeover on streets with alternate side parking has been considered extensively by Committee and Council. These past reviews culminated in City Council's decision at its meeting of June 22, 23 and 24, 2004 (Clause No. 17a of Report No. 3 of the Works Committee) to adopt as City policy the current practice on grace periods for alternate site parking as embodied in the Toronto Police Service Parking Enforcement Unit Policy and Procedure Manual (attached to this report as Appendix A). Legal considerations, implications and rationale for the procedures were set out in two previous staff reports, March 25, 2004 and June 11, 2003.

COMMENTS

Alternate Side Parking

The function of the alternate side parking system is to allow streets with suitable pavement widths and a similar number of parking spaces on both sides, to be cleaned on both sides by mechanical sweeping equipment on a regular basis. The system operates during non-winter months April through November. Parking changes over from one side of the street to the other side at regular intervals. Alternate side parking, usually operates in conjunction with permit parking regulations on certain streets in the former municipalities of Toronto, East York and York. The effective changeover time is 12:00 midnight in all areas

Grace Period on Changeover Days

Technically, the owner of a vehicle parked on a street with permit parking and alternate side parking regulations is required to move the vehicle to the opposite side of the street at midnight of the day preceding the changeover date. Recognizing this requirement can create difficulties for residents, the Toronto Police Service, Parking Enforcement Unit has employed a longstanding operational policy to allow an "unofficial" grace period on streets with alternate side parking before officers begin tagging illegally parked vehicles. The policy is quoted in full in Appendix "A" attached to this report. As noted above, the procedure was adopted by Council as City policy.

The unofficial grace period is provided to vehicles with valid on-street parking permits, on changeover days and applies from 9:00 p.m. of the day preceding the changeover to 9:00 a.m. on the day of the changeover. If the changeover day falls on a weekend or on a statutory holiday, the parking enforcement officer is instructed to not enforce the changeover until the next business day, except where there is a public safety concern. An

example is a street that is too narrow to allow traffic and/or emergency vehicles to pass when vehicles are parking on both sides of the street.

During the previous deliberations, Transportation Services reviewed the feasibility of implementing a legislated grace period. The Legal Services Division was requested to provide an opinion on this matter.

Including a legislated grace period in the traffic by-laws was not recommended for the following reasons.

- If narrow streets were blocked, this could result in possible safety and liability issues for the City.
- Legally implementing a grace period required amended traffic by-laws to allow parking on both sides of the street during the “grace” period. This would take the discretion away from the Police to tag vehicles interfering with traffic flow.
- Street signs required to advise motorists of the “grace” period would be quite complex and potentially confusing to motorists.

Further extension of the grace period

Extending the current grace period by three hours at either end so as to apply from 6:00 p.m. on the day preceding the changeover to 12 noon on the day of the changeover exposes pedestrians, cyclists, moving traffic, and parked vehicles to greater risk. Traffic and pedestrian volumes in the 6:00 p.m. to 9:00 p.m. and 9:00 a.m. to 12:00 noon shoulder periods are potentially higher, increasing the potential for a collision.

In general, the quasi two-sided parking arrangement that now occurs on changeover days is inherently problematic and potentially unsafe. In addition, any extension to the grace period requires a change in City Council policy and Police policy and procedure, requiring a request of this nature to the Police Services Board for approval. As was previously concluded, the current grace period gives residents an ample window to relocate their vehicles without unduly compromising safety.

Conclusion

Provided that Parking Enforcement Officers, parking tags administrative staff and the City prosecutors adhere to the terms of the Toronto Police Service Parking Enforcement Unit Policy and Procedure Manual, the current operational procedures provide a grace period when it is safe to do so and adequately addresses concerns affecting the practical aspects of moving vehicles from one side of the street to the other in the vast majority of cases.

Extending the unofficial grace period currently from 9:00 p.m. to 9:00 a.m. to apply from 6:00 p.m. to 12 noon the following day is not justified or recommended.

CONTACT

Ron Hamilton

Manager, Traffic Operations, Toronto and East York District (West)

Phone: 416-392-7773

Fax: 416-392-1920

e-mail: rhamilto@toronto.ca

SIGNATURE

Gary Welsh, P.Eng.

General Manger, Transportation Services

ATTACHMENTS

Appendix "A" – Excerpt from Toronto Police Service

Parking Enforcement Unit Policy and Procedure Manual

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