



Increase in Parking Ticket Penalty Amount

Date: May 6, 2019

To: General Government and Licensing Committee

From: General Manager, Transportation Services

Wards: All

SUMMARY

In response to direction from the General Government and Licensing Committee at the April 23, 2019 meeting, this report provides an overview of the existing parking penalty applicable for the violation, Park – Longer than 3 Hours, and recommends an increase in the penalty amount from \$15 to \$30.

Parking penalties are used to encourage compliance and increases in penalties leads to greater compliance. When reviewing the proposed increase in the current parking penalty, staff considered a number of factors, including a jurisdictional review, alternative parking options and other mitigating factors to arrive at an appropriate penalty level.

The review of other municipalities across Ontario found that Toronto's penalties tend to be higher than those of other municipalities. This is due to Toronto's unique attributes, size, daytime vehicle and street occupancy, traffic density and other factors such as being a major tourist hub. While many of Toronto's penalties are higher, Toronto's Park – Longer than 3 Hours penalty tends to be lower than other municipalities.

From an enforcement perspective, this offense is typically done on a complaint basis since most of the violations are committed on low-traffic volume, residential side streets. However, with the similar costs of off-street parking lots (ranging from \$3 to \$10 overnight in Toronto Parking Authority lots) and residential on-street permits (\$9.76 plus HST for 24 hours) the penalty amount no longer serves as an adequate deterrent against parking longer than 3 hours.

Other considerations were also made in determining an appropriate penalty, including the seriousness of the offense (e.g., parking in a rush hour zone impacts traffic mobility more severely) and the fact that the offense is unsigned and not all drivers may know of the offense.

Based on all of these factors, staff recommend an increase in the penalty from \$15 to \$30.

The General Manager, Transportation Services, has consulted with the Deputy City Manager, Community and Social Services, the City Solicitor, the Director, Court Services, and the Chief Financial Officer and Treasurer in the preparation of this report.

RECOMMENDATIONS

The General Manager, Transportation Services recommends that:

1. City Council increase the penalty amount from \$15 to \$30 for the "Park – Longer than 3 Hours" offence in Section 950-400D(5) of the City of Toronto Municipal Code Chapter 950 (Traffic and Parking), with an implementation date of September 3, 2019;
2. City Council amend the City of Toronto Municipal Code Chapter 610 (Penalties, Administration of), generally as set out in Attachment 2 to the report (May 6, 2019) from the General Manager, Transportation Services.

FINANCIAL IMPACT

There is no financial impact to Transportation Services resulting from the adoption of the recommendations in this report.

Each year, approximately 113,000 parking tickets (5.5 percent of all tickets issued) are written for the violation "Park – Longer than 3-Hours". An increase to the penalty amount for this violation from the current \$15 to \$30 can be expected to generate additional parking violation revenues of approximately \$1,400,000 annually, assuming an overall collection success rate of 83 percent and assuming that driver behavior remains unchanged, and issuance volumes remain at current levels. With a planned effective date of September 3, 2019, it is estimated that 2019 parking violation revenues would be increased by approximately \$470,000.

Any increase in enforcement measures to achieve a measurable and recognizable improvement in compliance with the current regulations may also require enhanced enforcement initiatives, in the form of directed patrols which may affect planned expenditures by the Toronto Police Service's Parking Enforcement Unit.

The revenues and expenditures will be monitored and any necessary budget changes will be considered as part of the 2020 Operating Budget process.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact statement.

DECISION HISTORY

At its meeting of April 23, 2019, the General Government and Licensing Committee, in adopting [Item GL4.12: Administrative Penalty System - 2018 Activity](#), requested:

The City Solicitor, in consultation with the Deputy City Manager, Community and Social Services, the General Manager, Transportation Services, and the Chief Financial Officer and Treasurer, to consider the feasibility of increasing the penalty amount for "Parking - 3 Hour Limit - Park Longer than 3 Hours" from \$15 to \$30, effective September 3, 2019, and to report to the General Government and Licensing Committee at its meeting on May 21, 2019.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL4.12>

COMMENTS

This report provides an overview of the existing parking penalty applicable for the violation: Park – Longer than 3 Hours (offence provision §950-400D(5) of City of Toronto Municipal Code Chapter 950, Traffic and Parking). It is recommended that the penalty amount for this violation be increased from the current \$15 as found in Schedule A, Table 10: Chapter 950, Traffic and Parking, of the City of Toronto Municipal Code Chapter 610, Penalties, Administration of, to \$30, effective September 3, 2019.

Traffic congestion is a significant issue and remains a growing problem in the City of Toronto. One of the major contributing factors to traffic congestion is the impact of illegally parked vehicles and/or illegally stopped vehicles, particularly on major arterial roads and especially during rush-hour periods. However, with multiple access points to the subway and bus routes across the City, illegal parking remains an issue with commuters leaving their vehicle parked illegally on residential side-streets while taking public transit to their final destination. This type of illegal parking inhibits traffic flow and street cleaning/maintenance.

The City of Toronto has taken a number of steps to combat congestion and illegal parking. One proven approach has been to increase the penalty (previously fine) amount for parking violations. From past experience, almost immediately after implementing a penalty or fine increase, the number of illegally parked vehicles dropped significantly. A recent example is the rush-hour type violations, whereby immediately following the fine increase, the City experienced 60 percent fewer infractions of that violation utilizing near identical enforcement resources. This methodology is proven to increase compliance.

Municipalities have the flexibility to set the penalty for various parking infractions. It is clear that in order to manage and reduce traffic congestion, a balanced combination of enforcement and appropriate penalty levels are required. The City of Toronto continues to implement a number of strategies to combat traffic congestion, and one measure is an increase in parking penalties to gain greater compliance.

As requested by the General Government and Licensing Committee at its meeting of April 23, 2019, staff have examined the feasibility of increasing the penalty amount for "Park – Longer than 3 Hours".

Attachment 1 to this report provides a comparison of parking fine/penalty amounts with other Ontario jurisdictions. It is important to note that many municipalities use a "No Parking" violation as a common violation to enforce both 3 hour/extended parking and general no parking violations.

From Attachment 1, it can be seen that the penalty for this violation in Toronto is generally lower than other municipalities across Ontario. While Toronto's penalties tend to be higher than those of other Ontario municipalities, given Toronto's unique attributes, size, day-time vehicle and street occupancy, traffic density and other factors such as being a major tourist hub, staff believe that higher parking penalties ensure an adequate deterrent to illegal parking.

From an enforcement perspective, this violation type represents only 5.5 percent of all parking violations across the City of Toronto. This violation applies in all areas where a street does not have other parking prohibitions or regulations and the 3 Hour violation remains the default violation which does not require signage. This particular violation tends to be enforced primarily on a complaint basis since most of the violations are committed on low-traffic volume, residential side-streets.

Moreover, with the similar costs of off-street parking lots (ranging from \$3 to \$10 overnight in Toronto Parking Authority lot) and residential on-street permits (\$9.76 + HST for 24 hours) the penalty amount no longer serves as an adequate deterrent against parking longer than 3 hours. As such, certain areas in the City are experiencing increased illegal long-term parking on residential streets.

Other considerations were also made in determining an appropriate penalty including the seriousness of the offense (e.g., parking in a rush hour zone impacts traffic mobility more severely) and the fact that the offense is unsigned so not all drivers may be aware of the offense.

In light of the considerations above, and the need to ensure that the penalty continues to serve as an adequate deterrent against illegal parking, staff are recommending an increase in the penalty amount from \$15 as found in Schedule A, Table 10: Chapter 950, Traffic and Parking, of the City of Toronto Municipal Code Chapter 610, Penalties, Administration of, to \$30 for the violation "Park – Longer than 3 Hours" (offence provision §950-400D(5) of City of Toronto Municipal Code Chapter 950, Traffic and Parking).

A change or increase in the penalty requires Council approval followed by an amendment to Schedule A, Table 10: Chapter 950, Traffic and Parking, of the City of Toronto Municipal Code Chapter 610, Penalties, Administration of. Furthermore, preparation and changes to ticket books used by the Parking Enforcement Unit require some lead time for implementation along with minor programming for City parking systems. As a result, it is anticipated that the earliest the penalty increase could be implemented would be September 3, 2019.

The increased penalty should in theory reduce illegal parking, however, an integrated approach in which current enforcement protocols are augmented with directed patrols and public awareness campaigns to complement the new penalty amount remains a viable option to increase compliance.

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SIGNATURE

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ATTACHMENTS

Attachment 1: Comparison of Parking Fines with other Ontario Municipalities
Attachment 2: Amendments to Municipal Code Chapter 610, Penalties, Administration
of

ATTACHMENT 1

Comparison of Parking Penalties/Fines with other Ontario Municipalities

Municipality	Obstruct Traffic	Interfering with Snow Removal	2 am to 6am Nov - Mar/Apr	No Parking & 3 Hour*	No Stopping
Aurora	\$25	\$75	\$50	\$35	\$50
Brampton	\$40	\$75	\$35	\$35	\$100
Brantford	\$50	\$50	\$30	\$30	\$50
Burlington	\$46	\$100	\$46	\$46	\$62
Cambridge	\$25	N/A	\$25	\$25	\$45
East Gwillimbury	\$30	\$30	N/A	\$30	\$30
Grimsby	\$40	N/A	\$20 (regional Road)	\$20	\$40
Guelph	\$60	N/A	\$35	\$35	\$60
Halton Hills	\$40	\$50	\$30	\$30	\$50
Hamilton	N/A	\$75	\$33	\$33	\$75
Kingston	\$30	\$80	\$30	\$25	\$30
Kitchener	\$25	\$80	\$30	\$25	\$45
London	\$60	N/A	3am-5am \$40	\$40	\$60
Markham	\$40	\$150	\$50 (2:30 am-6am year-round)	\$40	\$40
Midland	\$20	\$20	\$20 (12:01am - 7:00am, Nov-Apr)	\$20	\$20
Milton	\$30	\$30	\$40 (year round)	\$20	\$40
Mississauga	\$30	\$40	\$40	\$40	\$45
Niagara Falls	\$50	N/A	\$25	\$25	\$50
Niagara on the Lake	\$35 > \$40	\$50	\$40	\$30	\$50
Oakville	\$50	\$50	\$40	\$40	\$50

Orangeville	\$15-\$22	\$20-\$25	\$20 - \$25	\$15-\$22	N/A
Oshawa	\$60	\$60	\$30 (3am-6am Dec1-Apr1)	\$30	\$45 (school zone \$60)
Owen Sound	\$30	N/A	\$30 1am - 7am	\$30	\$20
Peterborough	\$30	\$80	\$25 Dec-Apr.	\$25	\$30
Sarnia	\$25	N/A	\$20	\$30	\$30
Sault St. Marie	N/A	\$20	\$15	\$15	\$15
Stratford	\$20	N/A	\$20 (year-round)	\$30	\$20
Toronto	\$150	\$60	\$40 Dec 1 - Mar 31	\$15	\$60 Rush Hour \$150
Welland	\$30	\$60	N/A	\$30	\$45
Windsor	\$100	\$30	N/A	\$30	\$40

*The 3 Hour penalty Code is specified in Toronto, however many municipalities utilize a common "no parking" offence to enforce the same code violation(s)

ATTACHMENT 2

Amendments to Municipal Code Chapter 610, Penalties, Administration Of

Deletion from Schedule A, Table 10: Chapter 950, Traffic and Parking:

Column 1 Designated Part of Chapter	Column 2 Short Form Wording	Column 3 Penalty Amount
§ 950-400D(5)	Park – Longer than 3 Hours	\$15.00

Addition to Schedule A, Table 10: Chapter 950, Traffic and Parking:

Column 1 Designated Part of Chapter	Column 2 Short Form Wording	Column 3 Penalty Amount
§ 950-400D(5)	Park – Longer than 3 Hours	\$30.00