



REPORT N° ADMIN 2019-013

Date	02/12/2019
Submitted by	Mario Villeneuve
Subject	Traffic & Parking by-law and Administrative Penalties by-law
File N°	N/A

1) **NATURE/GOAL :**

The purpose of this report is to submit for adoption a new Traffic and Parking by-law and a new Administrative Penalty by-law for the City of Clarence-Rockland.

2) **DIRECTIVE/PREVIOUS POLICY :**

These two new by-laws are being submitted after a comprehensive review of our existing Traffic and Parking by-law 2007-01 as amended. The review was initiated by the CAO to follow up on a number of requests and complaints regarding existing policies.

3) **DEPARTMENT'S RECOMMENDATION :**

WHEREAS municipal staff was mandated to do a full review of the existing Traffic and Parking by-law;

THAT the Committee of the Whole recommends Council adopt a new Traffic and Parking By-law as recommended in Report No. ADMIN2019-013; and

THAT the Committee of the Whole also recommends Council adopt an Administrative Penalty By-law as attached to Report No. ADMIN2019-013; and

THAT the Committee of the Whole recommends to Council the parking changes outlined in attachment 3 as attached to Report No. ADMIN2019-013.

ATTENDU QUE le personnel a été mandaté de faire une révision complète du règlement portant sur la circulation automobile et sur le stationnement ;

QUE le comité plénier recommande au conseil municipal d'adopter le nouveau règlement portant sur la circulation automobile et sur le stationnement tel que recommandé dans le rapport ADMIN2019-013 ;
et

QUE le comité plénier recommande au conseil municipal d'adopter un nouveau règlement portant sur les pénalités administratives tel que recommandé dans le rapport ADMIN2019-013; et

QUE le comité plénier recommande au conseil les changements au stationnement tels qu'énoncés dans l'annexe 3 du rapport ADMIN2019-013.

4) **BACKGROUND :**

The present Traffic and Parking by-law was adopted on June 1st 2007 and has been amended at least 20 times since its adoption.

5) **DISCUSSION :**

The proposed new Traffic and Parking by-law will improve standardization and enforcement. We have also brought the regulation in line with provincial regulations and good engineering practices. Below is a list of items that have been added, modified or removed from the previous By-law:

- a- All the definitions have been verified to ensure that they convey what we are looking for when the by-law is to be interpreted and enforced. (section 1)
- b- We have removed the vending vehicle section as this is already covered in by-law number 2017-84
- c- The section that covers heavy trucks, trailers and buses has been extended to prevent those vehicles to circulate and park on streets where signs are erected to that effect. Parking remains limited to two hours for such vehicles. (section 6)
- d- Some of the distances have been increased to prevent parking where pedestrians are more at risk ie: 8 meters instead of 6 meters from an intersection controlled by traffic lights. (section 7)
- e- Unlicensed vehicles will not be allowed to remain parked on roads. (section 8(g))
- f- This by-law clearly stipulates where parking will be allowed based on the width of the road and the traffic count:
 - i. Parking is allowed on both sides of highways having a minimum width of ten (10) meters,
 - ii. Parking is allowed on one side of highways having a minimum width of eight (8) meters and,
 - iii. Where signs have been erected, parking is allowed on one side of highways having a minimum width of six (6) meters and traffic volumes below 500 vehicles per day. (section 9)
- g- All the schedules have been removed from the new by-law. Therefore, changes to traffic and parking signs covered by this by-law will not necessitate an amendment to the by-law and enforcement will be simplified.

- h- Vehicles will not be allowed to stop within thirty (30) meters of a roundabout. (section 13. (2)(d))
- i- The three (3) hour maximum parking limit has been removed from this by-law as requested by Council. Parking limits will be enforced where signs are present only.
- j- The overnight winter parking restriction section has been completely revamped to allow for some on street parking between November 15 and April 1, 1:00AM to 7:00AM. If we receive a weather forecast of 7cm or more of snow, the residents would be notified by various means that a parking restriction is in effect. This parking restriction can also be imposed for snow or ice clearing at the discretion of the Director of Infrastructure and Planning or his/her delegate. (section 17)
- k- A new provision is being proposed in the Traffic and Parking by-law to let people play ball hockey in the street where the free flow of traffic is not impeded. (section 37.(1))
- l- Sections 47 to 51 were added to provide for the establishment and enforcement of park and pay parking lots if the Corporation decides to establish such areas for the purpose of controlling and regulating parking in municipal parking lots.
- m- Provisions have been provided for enforcement of parking spaces for electric vehicles. (section 56.)
- n- All references to the number and size of parking spaces for persons with disabilities have been removed from the new by-law since these requirements are already covered by the municipal zoning by-law under section 5.3.2. of said by-law.
- o- A process has been established and confirmed to address requests for changes to the new Traffic and Parking by-law. Procedure number CW-2016-001 that has already been approved by Council in 2016 will be the formal process that residents and members of Council will need to follow to have any changes approved for the installation, modification or the removal of traffic signs. (section 64.)
- p- All of the infractions identified in the Traffic and Parking by-law will now be recoverable under the new proposed Administrative Penalty by-law. This process will allow the Corporation to keep the proceeds of traffic and parking infractions within its coffers. Contraveners would have the opportunity to have their invoice revised by a two-stage process if requested. This method will save time and money for the residents at fault and for our by-law enforcement officers that will not have to defend those infractions in court in L'Orignal.

The proposed Administrative Penalty by-law is being introduced as a new method for collecting contravention revenues from the Traffic and Parking by-law. As explained above, this process will be beneficial to both the municipality and the contraveners, as we will have to establish an internal revision process that shall eliminate the need to

attend court when an infraction notice is being appealed.

Attachment number 3 is a list of modifications that are being recommended to improve some parking and no parking areas in the City. Most of them come from situations that have been brought to our attention in the past but that have not been approved by Council so far. They have been verified on site and we therefore recommend their implementation. Once the Traffic and Parking by-law is adopted and in effect, all the existing signs and parking restrictions in existence in the City will be “grandfathered” and any future requests for modifications will have to follow the request for change process established in the said by-law.

6) **CONSULTATION:**

N/A

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

The Directors of the Corporation and the Accessibility Advisory Committee have all been consulted in this process and their comments have been incorporated in the final version of the by-laws where deemed appropriate.

8) **FINANCIAL IMPACT (expenses/material/etc.) :**

As the Administrative Penalty By-Law will only come into force on June 1st, the Finance department will work on establishing a system for the collection of fines and making sure that the operations are at minimum no cost to the City.

9) **LEGAL IMPLICATIONS :**

The Corporation’s legal council has been consulted in the revision process of both by-laws and his/her comments have been incorporated in the final version that is now before Council.

10) **RISK MANAGEMENT:**

N/A

11) **STRATEGIC IMPLICATIONS:**

The adoption of these two by-laws is in line with the health and wellness strategic priority of the city’s strategic plan.

12) **SUPPORTING DOCUMENTS:**

Attachment 1: Traffic and Parking by-law

Attachment 2: Administrative Penalties by-law

Attachment 3: list of proposed modifications to no parking areas