



Report
Staff Report
The Corporation of the City of Brampton
2/19/2025

Date: 2025-02-19

Subject: **SOP Overview for Parking and Property Standards Violations (RM 77/2024)**

Secondary Title: Enforcement Posture Regarding Warnings and Timelines

Contact: Robert Higgs, Director, Enforcement and By-law Services

Report number: Legislative Services-2025-145

RECOMMENDATIONS:

1. That the report from Robert Higgs, Enforcement and By-law Services to the Committee of Council Meeting of Wednesday, February 19, 2025, re: **SOP Overview for Parking and Property Standards Violations (RM 77/2024)**, be received; and
2. That the Administrative Penalty By-law 333 be amended to include the proposed schedule of graduated fines for repeat parking offences that occur on the same street within a six-month rolling timeframe.

OVERVIEW:

- **Report is being submitted in response to the referred matter created by the Committee of Council on Wednesday November 13, 2024 - RM77/2024: "That staff are hereby directed to report back to Council with consideration of waiving warnings for parking and property standards violations, and/or reduce timeframe for compliance, increasing fines for violations."**
- **Default enforcement posture is guided by "A01 – General Enforcement Practices".**
- **Processes that address community concern for 'zero-tolerance' have been implemented and are summarized.**
- **A system of graduated parking fines is being recommended for repeat violations on the same street that occur within a six-month rolling window.**

- **Current timeline standards that are not a part of the recommended changes are reviewed.**
- **Charges vs. warning metrics are 1.6% warnings for parking violations and 6.7% for property standards related violations.**
- **15% of the parking-related violations issued in 2024 were repeat violations.**
- **The recommendations outlined in this report, including the implementation of a graduated fine structure for repeat parking violations, are estimated to generate a maximum potential revenue of \$107,461 based on 2024 volumes. These revenues will be allocated to the Enforcement and By-Law Services Division to support continued enforcement efforts and operational requirements.**

BACKGROUND:

This report is being submitted in response to the referred matter created by the Committee of Council on Wednesday November 13, 2024 (RM77/2024). Specifically, "That staff are hereby directed to report back to Council with consideration of waiving warnings for parking and property standards violations, and/or reduce timeframe for compliance, increasing fines for violations."

CURRENT SITUATION:

The bylaw division's Standard Operating Procedures (SOPs) are under review as a part of the ongoing implementation of the recently concluded Operational Review.

The division operates under specific practices, as outlined in "A01 - General Enforcement Practices", attached as Appendix A to this report.

These general practices include:

- Compliance is the ultimate goal of the Enforcement & By-law Services Division. Where possible and practical, such compliance should be obtained in a progressive, non-confrontational, consistent and timely manner.
- Progressive Enforcement includes:
 - **Education:** Officer shall inform offender, if present, of the existing bylaws and details of the offence(s) committed.
 - **Compliance:** Where the offender is able to comply immediately, officers shall ensure compliance is obtained.
 - **Enforcement:** Where immediate compliance is not possible or does not occur, officers shall issue a violation notice, including Orders to Comply, parking tickets, etc.

- **Towing:** where public safety is an issue, repeat offences or other criteria as set out in the Towing of Motor Vehicles and Trailers SOP, officers may have the vehicle towed, in accordance with the towing procedure.

There are allowances made for “zero tolerance” programs specifically authorized by either the Director or Manager. It should be noted, however, that “zero tolerance” does not completely eliminate the discretion of the officer but rather directs the officer that enforcement efforts will occur in absence of significant extenuating circumstances.

Not all violations are equal and, in the interest of maintaining both the economy of justice, and a professional approach to enforcement, officers are to consider various dynamics when determining their course of action including, but not limited to, the nature of the complaint and the larger community concerns in regard to community standards and enforcement.

Enforcement posture is best addressed via the establishment of processes as opposed to blanket policies. Processes that have specifically addressed community concerns include:

- **Loop enforcement methodology.**
 - The primary premise behind the loop methodology is that it allows officers to proactively attend known areas of community concern in a logical and efficient geographical order. Previously, when utilizing a ‘reactive’ enforcement model, officers’ time was largely consumed with travelling to the different enforcement areas, often requiring multiple trips across the city throughout their shift.
 - An east and west loop have been created for each day and night shift.
 - The enforcement posture for officers assigned to this task is “zero tolerance” in relation to all on-street parking and curb/sidewalk overhang violations.
 - Officers are instructed that the priority is to capture all observed violations as opposed to the important yet ancillary goal of ensuring all streets within the loop are attended. The underlying premise is that enforcement begins at the same point in the loop on a daily basis. As community behaviour adapts to the constant enforcement, the officer will be able to progress further through the loop. After the community has adapted, the continual daily presence will ensure regressive behaviour does not occur.
 - The loop methodology will also be utilized for refuse, and seasonal maintenance like overgrown grass and snow removal.
- **Repeat Violation Locations**
 - While progressive enforcement is the default posture, it does not ‘reset’ for each violation. SOPs now direct that officers review premise enforcement history and, if education efforts have been reasonably provided, to immediately proceed to enforcement efforts. This applies to both parking and property standards violations.

- In situations where remediation efforts may be required, such as refuse violations, repeat violations will be addressed with an immediate penalty notice in addition to the issuance of an order to comply. A further penalty notice will be issued if the conditions of the order to comply are not met and remediation efforts will be undertaken. Costs associated with the remediation efforts will be attached to the property's tax roll.
- **Proactive ARU Parking Enforcement**
 - Areas of high-volume ARUs &/or parking complaints not on the loop routes are addressed via Enforcement Special Attention Patrols and specific enforcement efforts as directed by the Escalations and Communications Supervisor. These efforts also have a zero-tolerance enforcement posture.
- **2024 Overgrown lawn and weed complaints**
 - Properties that received an overgrown lawn/weed complaint in 2024 will be receiving correspondence this spring reminding the property owner of their property standards obligations and notifying them that enforcement action will be undertaken on first contact in 2025 should a complaint of similar nature be received.
 - As noted previously, proactive loop enforcement will be conducted based on 2024 metrics and the proactive enforcement posture will mirror the zero-tolerance posture of complaint-driven violations.

Timeframes

The above processes speak to the waiving of warnings and systematically moving to immediate enforcement in defined circumstances. The referred matter also requested a review of reducing timelines for compliance for orders that have been issued.

The current standard is:

- For vital services, restoration, and pool enclosures the timeline is 'immediate'.
- For overgrown grass/weeds and refuse, the timeline is three days, but there is a requirement to allow five days for mail delivery, so the effective timeline is eight days.
 - Leaving the notice posted at the premise does meet the criteria of being 'served' in relation to refuse violations, however, given the large propensity that the property is a rental property, there is a reasonable belief that the property owner will not be made aware of the order by the residents.
- For violations that require 'repair' the minimum allowed order duration is fourteen days, plus the allowance of five days for mail delivery which leads to an effective timeline of nineteen days. Current practice is to allow for twenty-one days.

It is not recommended that these timelines be altered. The 'vital services and pool enclosures' cannot be reduced from 'immediate'. The remaining two timelines provide a balance between fairness to the property owner of due notice and the ability to pursue

an appeal with the aforementioned processes accounting for repeat violators providing responsiveness to the community's concern for property standards.

Next Steps

It is recommended that the Administrative Penalty By-law 333 be updated to allow for graduated parking fines. The methodology being proposed is that any vehicle that receives a parking violation, on the same street in a rolling six-month timeframe, will receive graduated fines of the existing set fine for the first offence, one and one-half times the existing fine for the second offence and two times the existing set fine for the third, and all subsequent, offences.

Proposed schedule (First Offence column is the current set fine)

ITEM	COLUMN 1 Designated Provisions	COLUMN 2 Short Form Wording	COLUMN 3 Administrative Penalty		
			First Offence	Second Offence	Subsequent Offence
1	Sect. 40(1)	Park more than 15 cm from curb	\$30.00	\$45.00	\$60.00
2	Sect. 40(1)	Park facing wrong way	\$30.00	\$45.00	\$60.00
3	Sect. 42(1)	Park obstructing sidewalk	\$40.00	\$60.00	\$80.00
4	Sect. 42(2)	Park within 3 m of fire hydrant	\$100.00	\$150.00	\$200.00
5	Sect. 42(3)	Park in front of driveway	\$40.00	\$60.00	\$80.00
6	Sect. 42(3)	Park in front of laneway	\$30.00	\$45.00	\$60.00
7	Sect. 42(4)	Park within 9 m of intersection	\$45.00	\$67.50	\$90.00
8	Sect. 42(6)	Obstructing traffic	\$40.00	\$60.00	\$80.00
9	Sect. 42(7)	Park on boulevard	\$30.00	\$45.00	\$60.00
10	Sect. 42(7)(a)	Park overhanging curb	\$30.00	\$45.00	\$60.00
11	Sect. 42(8)	Park in excess of 3 hours	\$30.00	\$45.00	\$60.00
12	Sect. 42(10)	Park on crosswalk	\$40.00	\$60.00	\$80.00
13	Sect. 42(10)	Park on pedestrian crossover	\$30.00	\$45.00	\$60.00
14	Sect. 42(11)	Parking 2:00 a.m. to 6:00 a.m. prohibited	\$35.00	\$52.50	\$70.00
15	Sect. 42(12)	Park in prohibited area	\$35.00	\$52.50	\$70.00
16	Sect. 42(13)	Fail to park within designated space	\$30.00	\$45.00	\$60.00
17	Sect. 43(2)	Stop where sign prohibiting stopping is displayed	\$100.00	\$150.00	\$200.00
18	Sect. 43(4)	Park in taxicab stand	\$40.00	\$60.00	\$80.00
19	Sect. 43.1(1)	Park in no parking loading zone	\$50.00	\$75.00	\$100.00
20	Sect. 43.1(2)	Stand in no parking loading zone	\$50.00	\$75.00	\$100.00
21	Section 44	Park interfering with snow removal and/or winter maintenance (Bylaw 180-2023)	\$125	\$250	\$500

22	Sect. 45	Park large motor vehicle on street (By-law 127-2016)	\$125.00	\$125.00	\$125.00
23	Sect. 45	Park detached trailer on street	\$40.00	\$60.00	\$80.00
24	Sect. 46(1)	Park on private property	\$40.00	\$60.00	\$80.00
25	Sect. 47(5)	Park in designated fire route (By-law 127-2016)	\$150.00	\$150.00	\$150.00
25.1	Sect. 48.1	Park in Electric Vehicle Charging Station contrary to sign (By-law 127-2023)	\$125.00	\$125.00	\$125.00
26	Sect. 49	Park prohibited time as posted	\$30.00	\$45.00	\$60.00
27	Sect. 50	Stop prohibited time as posted	\$100.00	\$150.00	\$200.00
28	Sect. 51	Park in excess of posted time limit	\$30.00	\$45.00	\$60.00
29	Sect. 55(1)	Park unlicensed vehicle	\$30.00	\$45.00	\$60.00
30	Sect. 55(2)	Park immobile vehicle	\$30.00	\$45.00	\$60.00
31	Sect. 56(4)	Park at expired meter	\$20.00	\$30.00	\$40.00
32	Sect. 56(10)	Stop vehicle on highway controlled by bagged parking meter	\$40.00	\$60.00	\$80.00
33	Sect. 57(12)	Park on municipal property	\$40.00	\$60.00	\$80.00
34	Sect. 56.1(3)	Park and fail to display receipt	\$20.00	\$30.00	\$40.00
35	Sect. 56.1(3)	Park and display illegible pay and display receipt	\$20.00	\$30.00	\$40.00
36	Sect. 56.1(4)	Park and exceed time displayed on pay and display receipt	\$20.00	\$30.00	\$40.00
37	Sect. 56.1(5)	Park and exceed maximum time permitted in pay and display location	\$20.00	\$30.00	\$40.00
38	Sect. 56.1(10)	Park at bagged pay and display machine	\$20.00	\$30.00	\$40.00
39	Sect. 57(6)(3)	Park and fail to display receipt	\$20.00	\$30.00	\$40.00
40	Sect. 57(6)(3)	Park and display illegible pay and display receipt	\$20.00	\$30.00	\$40.00
41	Sect. 57(6)(4)	Park and exceed maximum time permitted on pay and display receipt	\$20.00	\$30.00	\$40.00
42	Sect. 57(6)(5)	Park at pay and display lot and exceed maximum time permitted	\$20.00	\$30.00	\$40.00
43	Sect. 57(6)(7)	Park at bagged pay and display machine	\$20.00	\$30.00	\$40.00
44	Sect. 28.1(1)	Through traffic – blocked signalized intersection	\$90.00	\$135.00	\$180.00

45	Sect. 46(1)(c)	Park on municipal laneway	\$40.00	\$60.00	\$80.00
46	Sect. 51.2(1)	Park on an authorized residential only area without authorization	\$35.00	\$52.50	\$70.00
47	21(2)(b)	Park/stop in bicycle lane (By-law 37-2024)	\$150.00	\$150.00	\$150.00
48	Sec 43.2	Park/stop in taxi zone	\$50.00	\$75.00	\$100.00
49	Sect. 43(1)(k)	Park accessible parking space on street/no permit (By-law 127-2016)	\$350.00	\$350.00	\$350.00
50	Sect. 48(5)(a)	Park in accessible parking space/no permit (By-law 127-2016)	\$350.00	\$350.00	\$350.00
51	Sect. 55	Obstruct access aisle (By-law 127-2016)	\$300.00	\$300.00	\$300.00

Metrics

The below observations can be made when reviewing the salient 2024 metrics:

- There were a total of 123,599 parking related penalty notices issued
 - Of these, 1.6% (2,040) were 'Warnings'
- There were a total of 2106 Property Standards related penalty notices issued
 - Of these, 6.7% (152) were 'Warnings'
- Of the total 123,599 parking related penalty notices issued 15% (18,677) were repeat offenders

These metrics are provided for background; however, the assumption is that the newly implemented SOPs will significantly increase the number of penalty notices issued and the number of repeat violations identified. Post-implementation metrics will be included in our **#2**, Q4 2025.

CORPORATE IMPLICATIONS:

Financial Implications:

The recommendations outlined in this report, including the implementation of a graduated fine structure for repeat parking violations, are estimated to generate a maximum potential revenue of \$107,461 based on 2024 volumes. These revenues will be allocated to the Enforcement and By-Law Services Division to support continued enforcement efforts and operational requirements.

Communications Implications:

A communications strategy will be developed to educate the community on the implemented changes to the fee structure.

STRATEGIC FOCUS AREA:

Government & Leadership: Focusing on service excellence with equity, innovation, efficiency, effectiveness, accountability, and transparency.

CONCLUSION:

The Enforcement and By-law Services division has been progressing through a change management season for the past eight months. Processes and staffing have been proactively addressed to ensure customer service and community responsiveness is constantly improving. The above summaries and recommendations are the next iteration of these efforts.

The community has clearly expressed its concern for parking and property standards violations and this report is part of our ongoing effort to address these concerns.

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Attachments:

- Attachment 1 – A01 - General Enforcement Practice