

Date: 2021-08-25

Subject: Electric Vehicle Charging Stations – Amendments to Traffic By-law 93-93, as amended and Administrative Penalty By-law – Parking (By-law 333-2013), as amended, to create Administrative Monetary Penalties for parking violations in Electric Vehicle Charging

Contact: Rajkaran Chhina, Manager Asset Management & Capital Planning, Energy Management

Report Number: Public Works & Engineering-2021-938

Recommendations:

Based on the following report, it is recommended:

1. That the report from Rajkaran Chhina, Manager Asset Management & Capital Planning, Energy Management dated August 18, 2021, titled “**Electric Vehicle Charging Stations- Amendments to Traffic By-law 93-93, as amended and Administrative Penalty By-law – Parking (By-law 333-2013), as amended**” to the Committee of Council Meeting of September 22, 2021 be received; and
2. That Traffic By-law 93-93, as amended, be amended to add provisions addressing parking violations in Electric Vehicle Charging Stations; and
3. That Administrative Penalty By-law – Parking (By-law 333-2013), as amended, be amended to create administrative penalties for parking violations in Electric Vehicle Charging Stations.

Overview:

- Subsection 102.1 (1) of the *Municipal Act, 2001*, authorizes a municipality to pay an administrative penalty in respect of violations of by-laws relating to the parking, standing or stopping of vehicles
- On December 11, 2013 Council passed Administrative Penalty By-law – Parking (By-law 333-2013) to designate portions of the City’s Traffic By-law 93-93, as amended, that deal with the parking, standing or stopping of vehicles to be applicable to the administrative penalty system

- **The *Reserved Parking for Electric Vehicle Charging Act, 2019 (Bill 123)* came into force on January 1, 2021 to amend the *Highway Traffic Act* to create parking offences for improperly parked vehicles in electric vehicle charging stations**
- **In order to enforce parking violations in Electric Vehicle Charging Stations by way of administrative monetary penalties, staff recommends amendments to the Traffic By-law 93-93, as amended, and to Administrative Penalty By-law-Parking (By-law 333-2013), as amended.**

Background:

The *Reserved Parking for Electric Vehicle Charging Act, 2019 (Bill 123)* came into force on January 1, 2021 to amend the *Highway Traffic Act* to create parking offences for improperly parked vehicles in electric vehicle charging stations. These changes help to protect Electric Vehicle (EV) charging infrastructure for use by those who need to charge their EVs.

These amendments to the *Highway Traffic Act* create offences that are enforced under Part II of the *Provincial Offences Act* by way of the issuance of a ticket. A person may be ticketed if they park in an EV charging space marked by a regulated sign in a non-electric vehicle, or if they park an electric vehicle that is not plugged in. Ticketed vehicle owners may be subject to a fine of \$125 under section 30.2 of the *Highway Traffic Act*.

As the City has opted to enforce all parking violations by way of administrative monetary penalties, enforcement of the provisions under the *Highway Traffic Act* is not possible. It is therefore recommended that the Traffic By-law 93-93, as amended, be amended to include a violation for parking in an EV charging station similar to those violations under the *Highway Traffic Act* and that the Administrative Penalty By-law-Parking (By-law 333-2013), as amended, be amended to allow for the enforcement of violations for improper parking in designated EV charging stations by way of administrative penalties. It is recommended that the administrative monetary penalty be \$125.00, which is the same as if a ticket were issued.

Current Situation:

The City currently has 50+ designated electric vehicle charging stations available across the City that are affected by this legislation. In March 2021, the City installed the prescribed signage from the Ministry of Transportation for these designated parking stations. This signage will be used to enforce the proposed requirements under the Traffic By-law by way of administrative penalty

Corporate Implications:

Financial Implications:

There are no financial implications. Any increases in revenue from potential tickets will offset enforcement activities.

Legal Implications

There are no legal implications.

Other Implications:

There are no other implications resulting from the approval of the recommendations of this report.

Term of Council Priorities:

This report achieves the “Brampton is a Well-Run City” Term of Council Priority by streamlining the public service delivery of our EV charging parking stations. This initiative will ensure service excellence by allowing these parking stations to be available for use by EV users only.

This report also achieves the “Brampton is a Green City” Term of Council Priority as the use of EV charging stations by the public will help to support the adoption of electric vehicles and reduction of community based GHG emissions.

Conclusion:

The aforementioned amendments to Traffic By-law 93-93, as amended and Administrative Penalty By-law - Parking (By-law 333-2013), as amended are recommended to enforce the City’s parking regulations by administrative monetary penalties for designated EV charging stations.

Authored by:

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Approved by:

Submitted by:

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Attachments:

Appendix 1: Draft By-law to amend Traffic By-law 93-93, as amended, and
Administrative Penalty By-law – Parking 333-2013, as amended

Appendix 2 – Signage for Electric Vehicle Charging Stations