

Date: 2023-10-25

Subject: **(RM 22/2023) Increased Penalty for Vehicles Interfering with Snow Removal on City Roads**

Contact: Sam Mattina, Manager, Contracts, Operations Planning & Projects, Road Maintenance, Operations and Fleet

Shane Keyes, Manager, Enforcement, By-Law Enforcement & Bylaw Services

Report Number: Public Works & Engineering-2023-870

Recommendations:

1. That the report from Sam Mattina, Manager, Contracts, Operations Planning & Projects, Road Maintenance, Operations and Fleet and Shane Keyes, Manager, Enforcement, By-Law Enforcement & Bylaw Services to the Committee of Council Meeting of October 25, 2023, re: **(RM 22/2023) Increased Penalty for Vehicles Interfering with Snow Removal on City Roads**, be received; and
2. That the recommended amendment to Schedule “A” of the Administrative Monetary Penalty System (AMPS) By-Law 333-2013, to substantially increase the set penalty for vehicles interfering with snow removal and/or winter maintenance, be approved.

Overview:

- **The City provides winter snow removal and/or winter maintenance to approximately 4000 kilometers of City owned roads.**
- **The City’s service level is to clear and remove snow from residential roads after the accumulation of five centimeters snow within 24 hours of the end a winter snow event.**
- **Parked vehicles on roads hinder the City’s ability to efficiently plow and remove snow during, following and in between winter storm events.**
- **The current penalty amount is \$75 for vehicles interfering with snow removal and/or winter maintenance.**

- **The implementation of a graduated penalty system would set fines at \$125 for the first offence, \$250 for the second offence, and \$350 for the third offence.**
- **For the 2023-24 winter season, the City will deploy runners to inspect roads ahead of the plowing operation, and when necessary, arrange for the towing of parked vehicles to improve towing enforcement activities.**

Background:

The presence of parked vehicles on the roadway, sidewalks and driveway entrances continues to be an inherent challenge faced in delivering winter control services in an effective and efficient manner. Parked vehicles prevent efficient and effective snow plowing and removal, which results in higher operating costs for the City.

The City sends staff to inspect roads ahead of snow plowing operations to identify vehicles parked on the road, and then summon By-law Enforcement Officers to attend to the site to tag the violating vehicle. The City also sends staff to place flyers on windshields of parked vehicles, alerting vehicle drivers, of the impending plowing activity and requesting compliance to the storm initiated no parking requirements.

Enforcement Overview

Currently the penalty for vehicles interfering with snow removal and/or winter maintenance is set at \$75. The chart below illustrates the number of penalty notices, and warnings issued to parked vehicles interfering with snow removal and/or snow maintenance from 2019 to 2023.

Year	Penalty Notices Issued	Warnings Issued
2023	3,559	73
2022	3,536	122
2021	2,118	62
2020	3,146	7
2019	2,239	0

When snowplows have been dispatched to clear the roads during a winter storm, the public is notified and all on road permitted parking privileges are revoked. By-Law Enforcement is initiated, including the provision to tag and tow any parking violators under Bylaw # 93-93. All costs and charges for the removal, care and storage are borne totally by the vehicle owner.

When plowing activity is initiated, proactive towing will commence to remove illegally parked vehicles in snow routes. To initiate the towing task, the presence and assistance of a By-Law Officer, designate City staff, or a Police Officer is required.

When the violating vehicle is towed, the vehicle owner is assessed the minimum towing fee of \$145 (includes hook up and storage from 0-24 hrs.) and a vehicle storage rate of \$60.00 per 24 hours as outlined in the Mobile Licensing By-Law 67-2014.

The towing process involves Peel Regional Police verification that a violating vehicle is not stolen. This step occurs before the tow truck operator hooks up the vehicle. This verification step significantly affects the process timeline. The provision for towing is slow and cumbersome and does not provide an efficient solution to the problem.

Current Situation:

Despite the enforcement provisions, parked vehicles continue to be a significant obstacle that interferes with the effective delivery of winter control services, resulting in significant quality deficiencies, delays in service delivery, numerous complaints to City staff, Mayor and Council, and added costs overall.

Increased Parking Penalty

Parking penalties are used to encourage compliance and increases in penalties leads to greater compliance. While towing will inevitably be required in some situations, significantly increasing the penalty for vehicles interfering with snow removal and/or winter maintenance will serve as a greater deterrent.

Under the Administrative Monetary Penalty System Program, (AMPS), the penalty cannot be punitive in nature and shall not exceed the amount reasonably necessary to promote compliance.

The current penalty amount is \$75. The following graduated parking penalties would deter chronic violators:

- First Offence: \$125
- Second Offence: \$250
- Subsequent Offences: \$350

Legal Services were consulted in the preparation of this report. If this approach is approved, housekeeping amendments to Schedule "A" of the AMPS By-Law 333-2013, to substantially increase the set penalty for vehicles interfering with snow removal and/or winter maintenance, would be required.

Enhanced Towing for 2023-24

Currently, By-Law Enforcement Officers investigate vehicles interfering with snow removal, issue penalty notices, and when necessary, arrange for the illegally parked vehicles to be towed. However, for the 2023-24 winter season, the City will deploy

runners to inspect roads ahead of the plowing operation, and when necessary, arrange for the towing of parked vehicles. This is anticipated to improve towing enforcement activities and improve compliance with the City's Traffic By-Law.

City staff will engage in public education to raise awareness of the importance of moving vehicles during a snow event, and if approved by Council, the increased penalty amount for vehicles interfering with snow removal and/or winter maintenance.

Corporate Implications:

Financial Implications:

There are no direct financial implications associated with the recommendations in this report. Any revenue from the revised parking violation fees will be captured under the Court Administration Division and will be offset by all costs related to education and compliance, which are reflected under the Road Maintenance, Operations and Fleet Division.

Strategic Focus Area:

This report supports Brampton's Transit & Connectivity by delivering high quality winter snow clearing and removal services efficiently while meeting residents' expectations for safe navigable City roads after a winter snow event.

Conclusion:

Parked vehicles on roads hinder the City's ability to safely, effectively and efficiently clear snow, during and after a winter snow event. The City would further deter residents from parking on the roads during snow removal and/or winter maintenance with an increase of the current \$75 to \$125 for first offence, \$250 for second offence and \$350 for third offence.

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