

<b>TO:</b>	<b>CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON AUGUST 12, 2019</b>
<b>FROM:</b>	<b>KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER</b>
<b>SUBJECT:</b>	<b>AMENDMENTS TO THE TRAFFIC AND PARKING AND UNAUTHORIZED AREA PARKING BY-LAWS</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of Managing Director, Environmental & Engineering Services and City Engineer, the attached proposed by-laws (Appendix 'A' and 'B') **BE INTRODUCED** at the Municipal Council meeting to be held on August 27, 2019, for the purposes of amending the Traffic and Parking By-law (PS-113) and the Unauthorized Area Parking By-law (S-3) with regards to the introduction of the Administrative Monetary Penalty System.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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- Community Protective Services Committee - January 23, 2018 - [Administrative Monetary Penalties](#)
- Community Protective Services Committee - December 10, 2018 - [Administrative Monetary Penalties](#)
- Community Protective Services Committee – June 17, 2019 - Administrative Monetary Penalty By-law.

<b>COUNCIL'S 2019-2023 STRATEGIC PLAN</b>
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The following report supports the Strategic Plan through the strategic focus area of **Building a Sustainable City** by improving safety, traffic operations and residential parking needs in London's neighbourhoods.

<b>BACKGROUND</b>
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On June 25<sup>th</sup>, 2019 Municipal Council approved the transition of parking related infractions from the Provincial Offences Act to the Administrative Monetary Penalties process effective November 1, 2019. In order to accommodate this, changes to the wording of the Traffic and Parking By-law (PS-113) and the Unauthorized Area Parking By-law (S-3) are recommended.

<b>PREPARED BY:</b>	<b>REVIEWED AND CONCURRED BY:</b>
<b>SHANE MAGUIRE, P. ENG. DIVISION MANAGER, ROADWAY LIGHTING AND TRAFFIC CONTROL</b>	<b>DOUG MACRAE, P.ENG., MPA DIRECTOR, ROADS AND TRANSPORTATION</b>
<b>RECOMMENDED BY:</b>	
<b>KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER</b>	

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August 2, 2019/sm

Attach: Appendix A: By-law to amend the Traffic and Parking By-law (PS-113)  
Appendix B: By-law to amend the Unauthorized Area Parking By-law (S-3)

cc. City Solicitor's Office  
Parking Office

## APPENDIX A

### BY-LAW TO AMEND THE TRAFFIC AND PARKING BY-LAW (PS-113)

Bill No.

By-law No. PS-113

A by-law to amend By-law PS-113 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London."

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

#### 1. General Penalty

PS-113 By-law is hereby amended by **deleting** Section 80 in its entirety and by **inserting** the following:

- 80           (1) Except where otherwise expressly provided by this by-law or the Highway Traffic Act, every person who
- (a) contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to an administrative monetary penalty as per Schedule A of the Administrative Monetary Penalty System By-law;
  - (b) penalty notices indicating a contravention of the by-law shall be issued in accordance with the Administrative Monetary Penalty System By-law;
  - (c) a motor vehicle owner who is served with a penalty notice under this by-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law.

This by-law comes into force and effect on November 1, 2019.

PASSED in Open Council on August 27, 2019

Ed Holder, Mayor

Catharine Saunders, City Clerk

First Reading – August 27, 2019

Second Reading – August 27, 2019

Third Reading – August 27, 2019

## APPENDIX B

### BY-LAW TO AMEND THE UNAUTHORIZED AREA PARKING BY-LAW (S-3)

Bill No.

By-law No. S-3

A by-law to amend By-law S-3 entitled, "A By-law to provide Front Yard, Side Yard and Boulevard Parking within the City of London."

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

#### 1. Fine – for contravention

S-3 By-law is hereby amended by **deleting** Section 4.1 in its entirety and by **inserting** the following:

4.1 Any person who

- (a) contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to an administrative monetary penalty as per Schedule A of the Administrative Monetary Penalty System By-law;
- (b) penalty notices indicating a contravention of the by-law shall be issued in accordance with the Administrative Monetary Penalty System By-law.

This by-law comes into force and effect on November 1, 2019.

PASSED in Open Council on August 27, 2019

Ed Holder, Mayor

Catharine Saunders, City Clerk

First Reading – August 27, 2019

Second Reading – August 27, 2019

Third Reading – August 27, 2019