



THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

Subject: Traffic and Parking By-Law Amendment and Enforcement

Director: Corporate Services

Manager: Legislative Services

Report Number: Legislative Services-2022-13

Meeting Date: Wednesday, April 20, 2022

Recommendation:

1. **THAT Council approve an amendment to By-law No. 2019-165, Municipality of Kincardine Traffic and Parking By-law, to increase the set fines in Schedule “Z” per Report Legislative Services 2022 – 13.**
2. **THAT Council direct Staff to enter into an agreement with Ops-Com for use of Electronic Ticketing;**

AND FURTHER THAT Council approve a budget amendment for the estimated revenues and expenses, including the purchase of 3 printers and 3 phones per report Legislative Services 2022 - 13, with any potential cost overage funded from the year-end operating surplus or Contingency Reserve.

3. **THAT Council direct Staff to bring back a report outlining the process for implementing Paid Parking in 2023.**

Date to be considered by Council: Monday, May 2, 2022

Report Summary:

Staff is proposing an increase in traffic and parking fines to bring the Municipality of Kincardine in line with surrounding municipalities. Traffic and Parking fines have not increased since 2009. Staff is also recommending an electronic ticketing system to help streamline and modernize the traffic and parking ticketing process in the Municipality of Kincardine. Additionally, Staff is presenting information regarding the possibility of implementing paid parking throughout the Municipality, to generate additional revenue for the Municipality of Kincardine.

Origin: Staff review and Resolution #02/23/22-02

Existing Policy: Traffic and Parking By-law No. 2019-165

Background/Analysis: Fines

Staff, in consultation with our By-law Enforcement Contractor James Special Services, has reviewed the fees for violations in Traffic and Parking By-law No. 2019-165. The Municipality of Kincardine has not increased fees in the Traffic and Parking By-law since By-law No. 2009-006 was passed.

While researching, it was determined that we are currently charging as much as 57% less per violation than municipalities with similar seasonal traffic including Lambton Shores (Grand Bend), Wasaga Beach and Brockton. The current ticket price does not reflect the increased cost for management and enforcement of the violations since 2009. Staff is recommending an amendment to schedule "Z" part XXII – Voluntary Payment of Penalties of By-law No. 2019-165 Traffic and Parking, to increase the violation fees, as per attached chart. The average fine in the Municipality of Kincardine is currently \$20 for early voluntary payment within 7 days and \$30 after 7 days. The proposal is to increase it to \$35 early voluntary payment within 7 days and \$50 after 7 days.

Electronic Ticketing

Since the implementation of our by-law contract with James Special Services (JSS) in 2021, the volume of violations issued has greatly increased. In 2021, 160 violations were issued, from the time that JSS started with the Municipality in the June. In 2022 we have also seen an increase in tickets over the winter months to assist with snow removal and event management.

With the increased volume of tickets comes a need for a more stream-lined process. Therefore, with the aide of JSS, Staff have researched the option of electronic ticketing.

Electronic ticketing would greatly minimize the time the By-law Enforcement Officers need to manually issue the tickets and take the necessary evidence photos, which would allow for more time patrolling.

In addition, the electronic ticketing application would allow for Municipal Staff to more efficiently track tickets and pull reports for violations that have been issued, are paid and are still outstanding. With the ability to connect directly with the MTO to elevate any unpaid violations to the provincial level, the Municipality would be able to promote a higher level of accountability for those who do not pay their traffic and parking fines. The program can also be used to issue other set fines associated with other Municipal By-laws including the newly updated Public Nuisance By-law. The electronic ticketing application would also allow the public to pay for violations online. Currently all fines must be paid in person or by mail to the Municipal Administration Centre.

Staff researched two companies which are used by surrounding municipalities, Ops-com and Roker. Below is the comparison for both companies. The

difference in annual fees is significant. The upfront cost for the hardware (i.e. printers, phones/tablets) would be comparable between both companies as the required software is similar.

| ITEM | OPS-COM | ROKER |
|------------------------|---|--|
| Application annual fee | \$3,900.00 + HST*includes 2000 violations | \$5,988.00 + HSTplus \$1 per violation |
| MTO management fee | \$995.00 + HST | \$5,988.00 + HST |
| Total annual fee | \$4,895.00 + HST | \$11,976.00 + HST |

* Once the Municipality has passed the 2000 violations allotted, the fee is \$195 + HST for an additional 100 violations

Staff are recommending that we invest in the OPS-COM System to help manage and modernize our ticketing process. The annual fee of \$4,895.00 will come from the By-law Enforcement operating budget and will be offset with revenue from tickets issued.

Ops-Com provided 4 recommendations for portable printers ranging in price from \$585.00 to \$895.00 per unit. Phone cost would be approximately \$800.00 per unit. After reviewing all products, Staff are recommending the purchase of 3 – portable printer priced at \$599.00 per unit and 3 phones priced at \$800.00 per phone.

The total cost for hardware would be approximately \$4,200.00. These would belong to the Municipality of Kincardine exclusively and the expense would come from the operating budget and Contingency Reserve.

Paid Parking

At the February 23, 2022 meeting of Council, Resolution #02/23/22-02 was passed that directed Staff to investigate “paid parking in high tourist areas, with residents with municipal addresses being provided a parking exempt pass, to potentially act as a revenue generating approach to fund by-law enforcement.”

Staff have researched the options for paid parking in the Municipality of Kincardine to bring in additional revenue. Initial “high tourist” locations considered for paid parking were Station Beach, Dusmore Park and Queen Street from Broadway Street to Durham Market North. Other locations and Municipal parking lots could be considered as well.

Paid parking can be charged on a seasonal basis, focusing on the months of June through to the end of Labour day weekend. The user would have the option of hourly or daily passes. Using the preferred electronic ticketing option above, the Municipality could offer residents free parking passes.

There are 106 parking spaces at station beach (excluding grass area) and 76 spaces at McPherson/Dunsmore Park, totaling 182 spaces. If you consider a day pass at \$30, the possible revenue could be \$169,260.00 per month. However, revenues would be impacted by the number of residents parking in those spaces, the weather, and the amount of time people spend at the location (i.e. hourly pass vs day pass). No study has been done at these locations to determine the factors noted.

MacKay Meters offers Tango meters and uses Sentinel Meter Management company. MacKay Meters has provided a quote for 5 parking meters. The cost for 5 parking meters would be approximately \$45,000.00 plus HST (\$7,599.00 per machine and one time fees of \$2,060.00 plus HST for set up and training).. There would be a monthly fee of \$55 + HST per machine for use of the Sentinel browser application, as well as an upfront cost of \$875 to integrate the Ops-Com and Sentinel systems. The ongoing cost to support and maintain the data feed between the two systems would be \$85 annually.

MacKay Meters offers an off season fee of \$30/month. Since the account stays active when it is not in use, we would pay the off season rate for those months.

Although paid parking may see increased revenue, it can also cause greater parking issues elsewhere as visitors and residents search for free parking. It may cause users to look for beaches elsewhere in the Municipality where there is less parking and amenities. There will be an increase in Staff time to manage the resident passes, increased tickets, and infraction management.

With the lack of data available and the Waterfront Plan being developed in 2022, Staff are recommending that additional research and consultation be completed and a report outlining the process for implementing Paid Parking, including locations be considered for implementation in 2023.

The additional research and consultation would be done through:

- a survey for residents and parking users that can be conducted over the summer to better understand the uses of parking in the various areas (i.e. resident vs visitor, day vs hourly, and location);
- consultation with the BIA, Kincardine Economic Development Committee, Chamber of Commerce and the Strategic Initiatives department to understand the impact of paid parking for visitors on the municipal economy;

Integrated Strategy 2020 - 2025: CW 7.2 Implement measures to update, provide education and enforce various municipal by-law

Financial Implications: The revenue generated from parking infractions will potentially increase by \$15 to \$20 per ticket. The cost for the OPS COM System annual fee is \$4,895.00 plus HST and the hardware cost will be \$4,200.00 plus

HST. The \$9 095.00 plus HST will be offset through the increase revenue in the operating budget and the Contingency Reserve.

The revenue for paid parking is unknown at this time. The approximate annual cost to the Municipality for paid parking using five machines would be 3,385.00 plus HST (\$55.00 monthly, per machine).

Attachments: Proposed fee increase to schedule “Z” part XXII – Voluntary Payment of Penalties of By-law No. 2019-165 Traffic and Parking.

Prepared by: Nicole Bauman, Legislative Services Administrative Assistant

Submitted by: Jennifer Lawrie, Manager of Legislative Services/Clerk