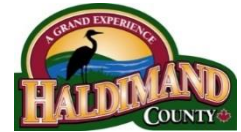

HALDIMAND COUNTY

Report ECW-08-2019 Concession 12 and Sandusk Road Tow Away Zones For Consideration by Council in Committee on April 16, 2019



OBJECTIVE:

To receive Council approval to amend Haldimand County Parking Control By-law 307/02 to create tow away zones on Concession 12 Walpole and Sandusk Road, west of Hagersville.

RECOMMENDATIONS:

1. THAT Report ECW-08-2019 Concession 12 and Sandusk Road Tow Away Zones be received;
2. AND THAT Haldimand County Parking Control By-law 307/02, be amended as outlined in this report;
3. AND THAT Haldimand County Parking Control By-law 307/02, Schedule "J" Tow Away Zone – Hagersville, be amended as outlined in this report.

Respectfully submitted: Tyson Haedrich, M. Eng., P. Eng., General Manager of Engineering & Capital Works

Approved: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

Through Report PW-ES-14-2018 Concession 12 Walpole and Sandusk Road No Stopping Zones - Parking Control By-law Amendment, approved in August 2018, no stopping zones were created to address the issues along Concession 12 Walpole and Sandusk Road related to noise, unruly behaviour and littering by the occupants of vehicles parked and accessing the private quarry lands. The no stopping zones have not proven to be an effective deterrent and staff are now recommending that the no stopping zones be converted to tow away zones to curb the problem behaviour.

BACKGROUND:

Concession 12 Walpole and Sandusk Road are relatively straight rural roads bounded by the existing quarries. The quarries are no longer active and are filled with water making them a popular swimming spot. The quarries are in private ownership, are posted with no trespassing signs and the entrances are closed off with concrete blocks.

Local residents have raised concerns related to noise, unruly behaviour and littering by the occupants of vehicles parked along Concession 12 Walpole and Sandusk Road and accessing the private quarry lands. In response to these concerns Council approved Report PW-ES-14-2018 Concession 12 Walpole and Sandusk Road No Stopping Zones - Parking Control By-law Amendment at the August 28, 2019 Council-in-Committee meeting w no stopping zones in the problem areas.

ANALYSIS:

The no stopping zones implemented last summer through Report PW-ES-14-2018 have not proven to be an effective deterrent and staff are now recommending that the no stopping zones be converted to tow away zones (see Attachment 1) in order to address the ongoing issues associated with the occupants of vehicles parking on Concession 12 Walpole and Sandusk Road to access the quarries.

The implementation of the tow away zones will allow County Municipal Law Enforcement Officers and the OPP to issue tickets to vehicles parked in this area and have them towed away after 15 minutes. The set fine for tow away will be established by applying to the Ministry of the Attorney General for approval. It is expected the approval will take about two months to be granted, however this does not prevent cars in violation of the by-law from being towed away.

In order to make the required changes, the following amendment to Haldimand County Parking Control By-law 307/02 is required:

Parking Control By-law 307/02 Schedule “J” Tow Away Zone – Hagersville to Add

Street	Side	From	To	Period
Concession 12 Walpole	Both	900 m west of Sandusk Road	850 m east of Sandusk Road	Anytime
Sandusk Road	Both	915 m north of Concession 12 Walpole	920 m south of Concession 12 Walpole	Anytime

The following sections of the by-law will also have to be modified to reflect the inclusion of a tow away zone provision in the bylaw:

Section 9 of the by-law will be amended by including a schedule for a tow away zone:

9.1. No person shall stop a vehicle upon the side or sides of any streets or part of any streets, as designated in Schedule “J” as a Tow Away Zone, when appropriate authorized signs have been erected and are on display.

Section 17 of the by-law will be amended by deleting the current wording and replacing it with language that reflects when a vehicle may be towed:

17. Any police officer or Municipal Law Enforcement officer may cause a vehicle to be taken and stored in a suitable place and all costs relating to the removal, care and storage thereof shall be a lien upon the vehicle which may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990. Chapter R.25, as is provided for within this Section.

17.1 Further to the authorities as set out in Section 17, a police officer or Municipal Law Enforcement officer upon discovery of any vehicle parked or left in contravention of one or more of these provisions of this by-law may tow a vehicle:

- i. after 15 minutes and issuing a Parking Infraction Notice or, after 15 minutes without the duty to issue a Parking Infraction Notice as outlined in Section 19 or, after doing both, where a vehicle is found stopped in a Tow Away Zone, or;
- ii. Immediately, without the duty to issue a Parking Infraction Notice as outlined in Section 19, where a vehicle is found parked, stopped or left in a manner that is an obstruction of highway use or threatens public safety, or;

- iii. In all other cases, after issuing a Parking Infraction Notice and after serving to the owner or vehicle a Notice of Towing, in the event that the contravention is a continuing offence, on the day(s) following the issuance of the Parking Infraction Notice.

Section 20 of the by-law will be added with language that reflects the exemptions to the by-law:

20. The parking regulations within this by-law do not apply to any vehicle so parked by any police officer, Municipal Law Enforcement officer, emergency response vehicle, Haldimand County vehicle or a vehicle used for a Public Utility maintenance when the operator of such vehicle has parked in the vehicle while in the course of exercising their respective duties.

FINANCIAL/LEGAL IMPLICATIONS:

Roads Operations will be responsible for installing the required signage and line painting. The estimated cost is approximately \$2,000 and will be funded from the Road Operations regulatory/warning signage operating budget.

STAKEHOLDER IMPACTS:

Not applicable.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Map of Proposed Tow Away Zones on Concession 12 Walpole and Sandusk Road