

re: 10.1.4



PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Halifax Regional Council**  
**August 17, 2004**

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:**

A handwritten signature in black ink, appearing to read "Dan English", written over a horizontal line.

Dan English, Acting Chief Administrative Officer

**DATE:** August 10, 2004

**SUBJECT:** By Law Amendment P-502

**SUPPLEMENTARY REPORT**

**ORIGIN**

Council decision at July 13, 2004 Council meeting to amend the amendment to By-Law P-500.

**RECOMMENDATION**

It is recommended that:

1. By-Law P-502 as presented on July 13, 2004 be changed as attached to reflect Council's decision to reduce the fine for parking meter violations from \$25 with no early pay option to \$20 with an option to pay \$15 if paid within 7 days of issuance.

**BACKGROUND**

Staff presented a report to amend By-Law P-500 in accordance with budget recommendations for fiscal 2004/05 as the parking meter rates and fines had not been reviewed in 14 years.

**DISCUSSION**

The fine increase, recommended in the attached July 13<sup>th</sup>, 2004 staff report, from \$15 to \$25 was deemed excessive by Council. In the past the fine was \$15 with an option to pay \$12 if paid within 7 days. The staff recommendation was to increase the fine to \$25 and, in addition, there be no option to pay early at a reduced rate. Council approved an alternate of a fine of \$20 with an option to pay \$15 if paid within 7 days.

**BUDGET IMPLICATIONS**

The net additional impact to projections of parking meter fine revenue for fiscal 2004/05 will be a reduced revenue of approximately \$155,000. This is in addition to the budget shortfall mentioned in the original report attached. The parking meter ticket revenue will be closely monitored and Financial Services staff will endeavor to absorb the shortfall within the fiscal services budget.

**FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ALTERNATIVES**

Council could discuss and decide on other rate levels. This is not recommended.

**ATTACHMENTS**

Amended By-Law P-502  
Original report of July 13, 2004

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Catherine Sanderson, CMA Manager-Revenue

Report Approved by:  S. Dale MacLennan, CA Director, Financial Services

**HALIFAX REGIONAL MUNICIPALITY**  
**BY-LAW NUMBER P-502**

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**RESPECTING PARKING CARDS, PARKING METER RATES**  
**AND “OUT OF ORDER” PARKING METERS**

**BE IT ENACTED** by the Council of Halifax Regional Municipality that By-Law P-500 Respecting Parking Meters for the Regulation of Parking of Vehicles Left Standing in the Halifax Regional Municipality be amended as follows:

1. The following Section is added immediately after Section 2:

**2A. Definition**

In this By-law,

- (a) “parking card” means a card authorized by the Halifax Regional Municipality and used to purchase time at a parking meter.
2. Subsection 4(3) is amended by striking out “marked” in the second line and substituting “parking”.
3. Section 7 is amended by:
- (a) striking out “or device” in the first line;
  - (b) striking out “either” and “dial pointer or” in the third line;
  - (c) adding “or parking card” immediately after “coin deposit” in the fourth line;
  - (d) striking out “or by the words “Legal Parking” being visible in the observation window of the parking meter during the said period. Either type shall, upon” in the fifth to seventh lines and substituting “. Upon”; and
  - (e) adding “, the parking meter shall” in the seventh line between “parking” and “indicate”.
4. Section 8 is amended by:
- (a) adding “or use a parking card” immediately after “deposit coins” in the second line; and
  - (b) adding “or the amount of money transferred from the parking card” immediately after “deposited” in the third line.
5. Section 9 is amended by striking out “word “nickel” shall mean 5 cents; and the word “dime” shall mean 10 cents; the word “quarter” shall mean 25 cents and the word “dollar”

shall mean 100 cents, all of which is” in the first to third lines and substituting “required coins shall refer only to”.

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6. Section 10 is repealed.
7. Section 11 is repealed and the following Section substituting:

**11. Parking Rates**

The period of time for which parking is permitted shall be as measured by the parking meter relating to the parking space and the rate for parking meters shall be one dollar (\$1.00) per hour in the area that was formerly the City of Dartmouth and one dollar and fifty cents (\$1.50) per hour in the area that was formerly the City of Halifax.

8. Section 12 is amended by striking out striking out ““violation” or” and “or “time expired”” in the fifth line.
9. Section 14 is amended by:
  - (a) striking out ““Violation”” in the heading and substituting ““Expired””;
  - (b) striking out ““Violation”,” in the second line;
  - (c) striking out “or” immediately before ““Expired”” in the third line;
  - (d) striking out “or “Time Expired”” immediately after ““Expired”” in the third line; and
  - (e) adding “or the phrase “Out of Order” is visible in the observation window of the parking meter relating to the parking space” immediately after “Section 13 herein” in the fifth line.
10. Section 18 is repealed and the following substituted:

**18. Penalty**

(1) A person who contravenes any section of this By-law is liable upon summary conviction to a penalty of not less than twenty dollars (\$20.00) and in default of payment, to imprisonment for a term not less than seven (7) days.

(2) A person who is alleged to have violated this By-law and is given notice of the alleged violation may pay twenty dollars (\$20.00) for each hour of violation to the Halifax Regional Municipality, however if such payment is made within a period of seven (7) days following the day on which the alleged violation was committed, then the said payment shall be reduced to fifteen dollars (\$15.00) for each hour of violation and, in any case, such payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for the violation or violations.

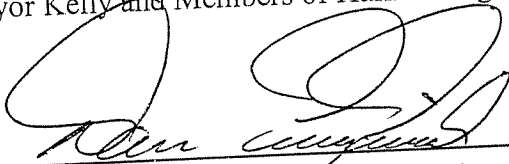
10.1.8



PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

Halifax Regional Council  
July 13, 2004

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:   
Dan English, Acting Chief Administrative Officer

DATE: July 6, 2004

SUBJECT: Parking By-law P-500 Amendments

**ORIGIN**

Feedback from Council and the public including the Downtown Business Commissions has resulted in a review of this By-law. As well, the 2004/05 Operating Budget included an increase in parking meter revenue resulting from an increase in the hourly rate. The last increase in parking meter rates was in 1990.

**RECOMMENDATION**

- 1) It is recommended that Regional Council approve in principle and direct staff to arrange for formal adoption of the amendment outlined in Appendix A to By-law Number P-500, the Parking Meter By-law, to enable parking cards to be used, to eliminate fines if the parking meter is out of order and to set parking meter rates.
- 2) It is recommended that Regional Council endorse an initiative whereby Financial Services, the Traffic Authority and Regional Planning examine additional initiatives around parking revenue alternatives so as to achieve consistency with Regional Plan objectives and improve equity throughout HRM with regards to parking management.

## **BACKGROUND**

Parking meters are installed because they are an effective device for controlling on-street, short term parking in busy areas. The meter creates more parking spaces by generating parking turnover at regular intervals and meters are easy to enforce because they clearly indicate when a vehicle is parked in violation.

In the last 20 years there have been two increases in the former City of Halifax parking meter rates. In 1984, the rate increased from \$0.25 per hour to \$0.50 per hour and in 1990 the rate increased to \$1.00 per hour. A similar history of rate increases exists in the former City of Dartmouth. In the past these rate increases have been accomplished by Council resolution during the budget process, however, recent Supreme Court decisions have directed that such rate changes must be accomplished via the public by-law process, hence the delay in achieving our parking meter revenue targets for this fiscal year.

There are several guiding principles that must be followed when determining the appropriateness of rates for parking meters. As previously mentioned, parking meters encourage the turnover of vehicles in areas where there is a demand for short-term parking. Parking meters must ensure convenience for customers in providing parking options. The location, time duration and cost should meet the needs of both customers and business owners. Finally, there must be consistency with the goals and objectives of the HRM Regional Plan. These include the goal to optimize the supply and efficient use of casual parking in the Capital District and to manage commuter parking as an integral element of the management of the transportation system as a whole.

## **DISCUSSION**

When meter rates are substantially below off-street rates, the on-street metered spaces become more attractive to long-term parkers. Due to the cost savings and the convenience of on-street metered spaces, the long-term parkers are choosing to occupy metered spaces and the concept of generating parking turnover is defeated.

A comparison of the hourly parking meter rates to the average off-street parking rates in the HRM is provided below:

	1984	1990	2004
Parking Meter Rate - Halifax	\$0.50	\$1.00	\$1.00
Parking Meter Rate - Dartmouth		\$0.75	\$0.75
Average Off-street Rate - HRM	\$0.75	\$1.20	\$1.84
- Downtown Halifax			\$2.10
- Universities / Hospitals			\$1.76
- Spring Garden Road			\$1.43
- Downtown Dartmouth			\$1.54

The proposal to increase the hourly rate for parking meters is in line with the increases in both the off-street rates in HRM and the metered rates for other Canadian Municipalities over the past fourteen years. The average hourly rate for off-street parking in Halifax has increased 55% over the past fourteen years while the average meter rate for the other Canadian Municipalities has increased 57% over the same time period. The proposed increase in the meter rates is 50% in Halifax and 67% in Dartmouth, and yet the rate is still almost 20% below the national average. The attached Schedule "A" identifies the rates for the other Canadian Municipalities.

The current rate for the meters in the former City of Halifax is \$1.00 per hour while the rate for the former City of Dartmouth is \$0.75 per hour. When we compare the proposed new rates of \$1.50 for the Halifax meters and \$1.00 for Dartmouth meters to the average hourly parking rates at off-street parking facilities, the proposed new rates are about 20% below the off-street rates for Halifax and 35% below the off-street rate for Dartmouth. The attached Schedule "B" identifies the rates for off-street parking facilities in the HRM. Staff intends to review rates again next year and will recommend that Dartmouth move to equity with Halifax.

It has been identified through the parking industry that the price for short term on-street parking should be at a premium compared to off-street parking due to the convenience for motorists and for the desire for high turnover of metered spaces.

In order for parking meters to be effective in controlling on-street short term parking and to be priced reasonably as compared to off-street parking and to be comparable with other Canadian Municipalities, staff is recommending that the current rates be increased by \$0.50 per hour for all meters in the Halifax area and \$0.25 per hour for meters in the Dartmouth area.

Staff have also acknowledged that the parking meter violation fine has not been revised in many years and realize that the cost of a ticket can still be a bargain as opposed to off street parking rates again defeating the purpose of meters in the Capital District. A review of other jurisdictions shows that HRM's fine is below that for an average of other Canadian jurisdictions. As well, the rate should be adjusted to reflect Traffic Authority concerns that the low fine for meter violations encourages abuse of meters in the Capital District. Attached as Schedule C is a comparison of parking meter fines across Canada.

It has also been suggested by Traffic Authority and Financial Services staff that the early payment part of the fine is no longer relevant to induce violaters to pay since there is a mechanism in place to ensure the fine is paid upon renewal of registration or license with the Department of Motor Vehicles. The rationale for the early payment came from the former City of Dartmouth and Halifax and was intended to increase cash flow and save police resources who used to be dispatched to deliver summonses to those who did not pay.

Meetings were held with representatives of the Business Associations in the Capital District to discuss the recommended rate increase and to explore options to improve parking for customers and visitors in their business districts. It was agreed that the business case supported a rate increase and that the new rates would encourage long term parkers to go to the hourly parking lots. A petition was received at the Clerk's office from various downtown businesses expressing concern about the rate increase. These concerns have been addressed for the most part via our discussions with the Capital District Business Commissions. There were other parking related items that were discussed and will be implemented as part of the rate increase. These include:

- a review of current meter utilization with the goal of moving meters to high demand areas and providing for additional meters where required.
- make meter times consistent across HRM
- revise the current Parking Meter By-law P-500 to address the clause that penalizes parkers for parking at a broken meter. The recommendation is for broken meters to revert to timed parking based on the assigned parking meter time duration.
- implement parking cards to provide for customer convenience and offer discounted parking rates to frequent customers. Staff are hoping to expand this card to a city wide "smart" card in the future.



- develop a communication plan to inform the public and business communities of the rationale for the rate increase and the other improvements to on-street parking.
- plan to consider, as part of the 2005/06 budget process, a dedication of some of the fines and/or meter revenues to enhanced Capital District maintenance programs eg snow removal
- plan to create a Transportation reserve where parking meter revenue and on street parking permit revenue would be the source of funds and expenditures from the fund would be specifically geared to improve transportation to the Capital District. This is an initiative of the Regional Planning group and will be tabled for consideration as part of the 2005/06 budget planning cycle.

Currently, parking meter revenues are included as own source revenue in the Fiscal Services budget. The same budget contributes significantly to transportation initiatives such as \$1 M in contributions to the Ferry Replacement reserves and significantly to debt charges for road improvements and other transportation related capital projects which operate under a capital from operating funding source. The "Transportation Reserve" would nonetheless make it very clear that parking revenues would be expended to directly support sustainable transportation initiatives.

Staff will commit to an annual review of rates so as to keep pace with the parking environment in which HRM operates.

### **BUDGET IMPLICATIONS**

The 2004/05 approved Operating Budget includes, in account M550-4901, Fiscal Services, a revenue increase of \$1,089,000 as a result of an increase in the hourly rate for parking meters. Due to the delays in approval, it is anticipated that the increased revenue realised will be reduced to \$861,000 in this fiscal year. The estimated shortage of \$228,000 will be closely monitored as projections for the fiscal year proceed and staff will endeavor to find opportunities to absorb the shortage within the Fiscal Services or Financial Services budget.

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

### **ALTERNATIVES**

There are several alternatives available

1) Convert all the parking meters in Halifax with 1 hour and 2 hour time limits to a 90 minute time limit and charge a rate of \$2.00 for 90 minutes, or \$1.33 per hour. This equates to a rate increase of 33% and would result in a revenue shortfall of \$398,000. The business district associations were in favour of this approach including Dartmouth which would, however, still maintain their lower rate. Staff do not recommend this approach as the 1 ½ hour limit may further discourage high turnover in metered parking areas and encourage plugging of the meter. As well, this meter rate remains well below the national average.

2) Increase the times meters are to be used to include evenings and Saturdays. This option was not supported by the business district associations. Staff discovered that other jurisdictions in Canada do charge for parking at meters on weekends and note that this approach would result in a revenue increase of \$233,000 for fiscal 04/05.

3) Have different rates for Downtown Halifax and Spring Garden Road and hospital/university areas which are more closely tied to existing off street rates for each area. This is not recommended as it was not supported by the business district associations affected.

**ATTACHMENTS**

**Schedule A - Canadian Municipalities - Parking Meter Rates**

**Schedule B - Off-Street Parking Rates in the HRM**

**Schedule C- Canadian Municipalities - Parking Meter Fines**

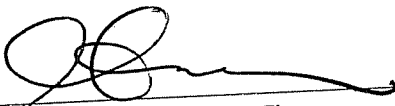
Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:

Catherine Sanderson, Manager of Revenue 490-6470

Report Approved by:

*for*

  
S. Dale MacLennan, Director, Finance

490-6308

Schedule A  
Canadian Municipalities  
Parking Meter Rates per Hour  
May 2004

City	1994	2004
Halifax	\$1.00	\$1.00
Dartmouth	\$0.75	\$0.75
Moncton	\$0.40	\$1.25
St. John	\$0.50	\$1.00
Fredericton	\$0.60	\$1.00
St. John's	\$0.75	\$1.00
Montreal	\$1.50	\$2.00
Ottawa	\$1.00	\$2.50
Kingston	\$1.00	\$1.50
Kitchener	\$1.25	\$1.25
Toronto	\$1.00	\$2.00
Winnipeg	\$1.00	\$1.00
Saskatoon	\$1.00	\$1.00
Saskatoon	\$1.25	\$3.50
Calgary	\$1.25	\$1.25
Edmonton	\$1.25	\$1.25
Victoria	\$1.00	\$1.25
Vancouver	\$1.50	\$2.00
Average	\$1.00	\$1.57

**Schedule B**  
**Off-Street Parking Rates per Hour**  
**Halifax Regional Municipality**  
**December 2003**

**Halifax - Downtown**

Waterfront Development Corp. - Meters	\$2.00
Cable Wharf	\$2.25
Queens Landing	\$2.25
Maritime Museum	\$2.00
Bishops Landing	\$2.25
Waterfront Warehouse	\$2.25
Scotia Square Parkade	\$2.50
Metro Park Parkade	\$2.50
Maritime Mall	\$2.50
Westin Hotel	\$2.00
5151 Terminal Rd	\$1.00
Sexton Campus	\$1.00
Summit Place	\$2.00
Law Courts	\$2.50
Casino Hotel	\$2.50
Purdy's Wharf	\$2.25
Casino Parking	\$2.00
	<u>\$2.10</u>

**Hospitals / Universities**

Victoria General Hospital Site	\$2.00
N.S. Rehab Center Site	\$2.00
Camp Hill Site	\$2.00
Museum of Natural History	\$1.50
Fenwick Medical Ctr	<u>\$1.30</u>
	<u>\$1.76</u>

**Spring Garden Road**

City Center Atlantic	\$1.35
Spring Garden "Customer Parking"	\$1.25
Parklane	\$1.35
Professional Ctr Spring Garden Rd	<u>\$1.75</u>
	<u>\$1.43</u>

**Parking Meter Rate Increase  
Council Report**

**July 13, 2004**

<b>Dartmouth</b>	\$1.00
Metropolitan Place	\$2.00
Alderney Landing	\$1.00
Alderney Gate	\$1.50
Lot 1 Queen St.	\$2.00
Lot 2 Queen St.	\$1.50
Ochterloney St. - booth	\$1.80
Royal Bank Building	\$1.50
Prince & Portland	<u>\$1.54</u>
	\$1.84

**Rates are for regular day time hours,  
excluding after hours & Weekends.**

Schedule C  
Canadian Municipalities  
Parking Meter Violation Fines (regular rate)  
May 2004

Moncton	\$10
St. John	\$15
Fredericton	\$10
St. John's	\$15
Montreal	\$30
Ottawa	\$25
Kingston	\$15
Kitchener	\$15
Winnipeg	\$30
Saskatoon	\$40
Calgary	\$16
Edmonton	\$25
Vancouver	\$25
Average	\$21

Appendix A

HALIFAX REGIONAL MUNICIPALITY  
BY-LAW NUMBER P-502

RESPECTING PARKING CARDS, PARKING METER RATES  
AND "OUT OF ORDER" PARKING METERS

**BE IT ENACTED** by the Council of Halifax Regional Municipality that By-Law P-502 Respecting Parking Meters for the Regulation of Parking of Vehicles Left Standing in the Halifax Regional Municipality be amended as follows:

1. The following Section is added immediately after Section 2:

**2A. Definition**

In this By-law,

1. "parking card" means a card authorized by the Halifax Regional Municipality and used to purchase time at a parking meter.
2. Subsection 4(3) is amended by striking out "marked" in the second line and substituting "parking".
3. Section 7 is amended by:
  - (a) striking out "or device" in the first line;
  - (b) striking out "either" and "dial pointer or" in the third line;
  - (c) adding "or parking card" immediately after "coin deposit" in the fourth line;
  - (d) striking out "or by the words "Legal Parking" being visible in the observation window of the parking meter during the said period. Either type shall, upon" in the fifth to seventh lines and substituting ". Upon"; and
  - (e) adding ", the parking meter shall" in the seventh line between "parking" and "indicate".
4. Section 8 is amended by:
  - (a) adding "or use a parking card" immediately after "deposit coins" in the second line; and
  - (b) adding "or the amount of money transferred from the parking card" immediately after "deposited" in the third line.
5. Section 9 is amended by striking out "word "nickel" shall mean 5 cents; and the word "dime" shall mean 10 cents; the word "quarter" shall mean 25 cents and the word "dollar" shall mean 100 cents, all of which is" in the first to third lines and substituting "required coins shall refer only to lawful money of Canada".
6. Section 10 is repealed.

7. Section 11 is repealed and the following Section substituted:

**11. Parking Rates**

The period of time for which parking is permitted shall be as measured by the parking meter relating to the parking space and the rate for parking meters shall be one dollar (\$1.00) per hour in the area that was formerly the City of Dartmouth and one dollar and fifty cents (\$1.50) per hour in the area that was formerly the City of Halifax.

8. Section 12 is amended by striking out striking out ““violation” or” and “or “time expired”” in the fifth line.

9. Section 14 is amended by:

- (a) striking out ““Violation”” in the heading and substituting ““Expired””;
- (b) striking out ““Violation”,” in the second line;
- (c) striking out “or” immediately before ““Expired”” in the third line;
- (d) striking out “or “Time Expired”” immediately after ““Expired”” in the third line; and
- (e) adding “or the phrase “Out of Order” is visible in the observation window of the parking meter relating to the parking space” immediately after “Section 13 herein” in the fifth line.

10. Section 18 is repealed and the following substituted:

**18. Penalty**

(1) A person who contravenes any section of this By-law is liable upon summary conviction to a penalty of not less than twenty five dollars (\$25.00) and in default of payment, to imprisonment for a term not less than seven (7) days.

(2) A person who is alleged to have violated this By-law and is given notice of the alleged violation may pay twenty five dollars (\$25.00) for each hour of violation to the Halifax Regional Municipality and such payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for the violation or violations.