



Town of Newmarket
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Memorandum to Council

Escalating Administrative Monetary Penalties and 30-Minute Parking on Main Street Housekeeping By-law Amendments

Monday, April 24, 2023

To: Mayor and Members of Council

From: Ben Worthington, Acting Manager of Regulatory Services

Re: **Escalating Administrative Monetary Penalties (AMPS) and
30-Minute Parking on Main Street Housekeeping By-law
Amendments**

AMPS By-law 2019-62, Schedule “A”

On December 12, 2022, Council enacted amendments allowing a tiered escalation of penalty amounts under Schedule “A” of the Administrative Monetary Penalty System (“AMPS”) By-law 2019-62. Staff have identified an error in the language of amendments made relating to the twenty five percent (25%) discount for Early Payment and the twenty five percent (25%) surcharge for Late Payment in accordance with Section 5(5) of By-law 2019-62.

Schedule “A” currently reads:

4. The penalties shown in Column **A5 below include** a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5(5)(a) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
5. The penalties shown in Column **A7 below include** a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5(5)(c) of this By-law that is payable for contravention of the designated provisions listed in Column A3.

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Prior to the amendments enacted on December 12, 2022, this language was intended for when Column A5 was illustrating the Early Payment amount, where it now illustrates the first (1st) Offence Set Penalty amount and when Column A7 was illustrating the Late Payment amount, where it now illustrates the third (3rd) Offence Set Penalty amount.

The way Schedule “A” currently reads, staff can only apply a 25% discount for first (1st) Offence Set Penalties, but not second (2nd) and third (3rd) Offence Set Penalties. Likewise, staff can only apply a twenty five percent (25%) surcharge for third (3rd) Offence Set Penalties, but not for first (1st) or second (2nd) Offence Set Penalties.

To resolve this error, Schedule “A” should read as:

4. The penalties shown in Column A5, A6 and A7 below are subject to a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5(5)(a) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
5. The penalties shown in Column A5, A6 and A7 below are subject to a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5(5)(c) of this By-law that is payable for contravention of the designated provisions listed in Column A3.

This amendment will allow staff to apply 25% to both discounts and surcharges for first (1st), second (2nd) and third (3rd) offence penalties in accordance with Section 5(5) of By-law 2019-62, as it was intended.

Parking By-law 2019-63, Schedule “VI”

On December 12, 2022, Council enacted amendments to Schedule “VI” of the Parking By-law 2019-63, allowing 30 minute parking weekdays 8:00 AM – 5:00 PM and 2 hour parking outside of those hours on the East side of Main Street between Water Street to Millard Avenue, under Schedule “VI” of the Parking By-law 2019-63. Staff have later identified four (4) parking spots on the West side of Main Street between Water Street to Millard Avenue that were unintentionally not included in the original report.

Schedule “VI” of the Parking By-law 2019-63, currently reads:

ROAD	SIDE	BETWEEN	TIMES OR DAYS PERIOD PERMITTED	MAXIMUM
Main Street	West	From a point 26 metres north of Water Street to a point 52 metres north of Water Street	Monday to Saturday 8:00 a.m. to 6:00 p.m.	30 minutes
Main Street	West	From a point 26 metres north of Water Street to a point 52 metres north of Water Street	Monday to Saturday 6:00 a.m. to 2:00 a.m.	2 Hours

To resolve this error, Schedule “VI” of the Parking By-law 2019-63 should read as:

ROAD	SIDE	BETWEEN	TIMES OR DAYS	MAXIMUM PERIOD PERMITTED
Main Street	West	From a point 26 metres north of Water Street to a point 52 metres north of Water Street	Monday to Friday 8:00 a.m. to 5:00 p.m.	30 minutes
Main Street	West	From a point 26 metres north of Water Street to a point 52 metres north of Water Street	Monday to Sunday 6:00 a.m. to 2:00 a.m.	2 hours

Staff have presented housekeeping by-law amendments to Council that make the necessary amendments to Schedule “A” of the AMPS By-law 2019-62 and Schedule “VI” of the Parking By-law 2019-63 as indicated above.

For more information, contact Ben Worthington at bworthington@newmarket.ca