



**City of Kingston
Report to Council
Report Number 16-175**

To: Mayor and Members of Council

From: Denis Leger, Commissioner, Transportation, Facilities and Emergency Services

Resource Staff: Sheila Kidd, Director, Transportation Services

Date of Meeting: June 7, 2016

Subject: Appointment of Municipal By-law Enforcement Officers – Frontenac Place, 780 Division Street

Executive Summary:

Unicum Management Corporation has requested authority under City of Kingston By-law 99-166 to issue City parking tickets for unauthorized parking in parking lots located on the property of 780 Division Street, known as Frontenac Place.

Recommendation:

That a by-law be presented to amend City of Kingston By-law 99-166, “A by-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston or local board”, as amended, to appoint Tracy Johnston, Nicole Shorts, Shawn Hurteau, Peter Dewar, and Steve Skinner, for the purpose of issuing parking violation tickets on the property of 780 Division Street; and

That Council authorize the Mayor and Clerk to execute an agreement, in a form satisfactory to the City Solicitor, to indemnify and save harmless the City from all claims and actions that might arise, and subject further to providing proof of sufficient insurance.

June 7, 2016

Page 2 of 4

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Denis Leger, Commissioner
Transportation, Facilities &
Emergency Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Gerard Hunt, Chief Administrative Officer

Consultation with the following Commissioners:

Cynthia Beach, Corporate & Strategic Initiatives	Not required.
Lanie Hurdle, Community Services	Not required.
Jim Keech, President and CEO, Utilities Kingston	Not required.
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required.

June 7, 2016

Page 3 of 4

Options/Discussion:

Alejandro Maltez, Property Manager, Unicum Management Corporation, has requested authority under City of Kingston By-law 99-166, to issue City parking tickets for unauthorized parking in parking lots located on the property of 780 Division Street, an apartment complex known as Frontenac Place. The *Municipal Act* enables Council to authorize such a request. The required amending by-law is attached as Exhibit “A” to this report. The written request is attached as Exhibit “B” to this report.

For many years, it has been existing policy for the City to grant this type of authorization to property owners to issue tickets on their own property to assist them in controlling parking issues. The policy allows the applicant to issue City of Kingston parking infraction notices. The City retains all revenue. Currently, the City has authorized approximately 50 private property owners with this authority.

Allowing the property owner to issue parking tickets provides him/her an alternative to towing a vehicle, or if towing becomes necessary, the issuance of a ticket further legitimizes such an action.

Persons authorized under this by-law receive training before being supplied with City of Kingston parking tickets for their designated private property. Ticketing activity on private property is monitored by Parking Enforcement staff to ensure that the appointee’s actions comply with the relevant requirements in the *Provincial Offences Act*, and with municipal by-laws and divisional policies.

A City of Kingston parking ticket issued on private property can be contested in the same manner as a ticket issued on public property, including administrative and/or judicial review.

This authorization may be withdrawn at any point in the future by repealing the amendment, should it ever prove to become a burden to the City, financially or otherwise.

Existing Policy/By-Law:

By-law 99-166 – A by-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston or the local board.

Notice Provisions:

Not Applicable.

Accessibility Considerations:

Not applicable.

June 7, 2016

Page 4 of 4

Financial Considerations:

There may be a minor increase in ticket fine revenue if this request is approved.

Contacts:

Sheila Kidd, Director, Transportation Services, 613-546-4291, Extension 2221
Ian Semple, Manager, Service Development, 613-546-4291, Extension 2306

Other City of Kingston Staff Consulted:

Brandi Timpson, Supervisor of Enforcement
Greg McLean, Policy and Program Coordinator

Exhibits Attached:

Exhibit A – Private Parking By-law Amendment

Exhibit B – Correspondence from Unicum Management Corporation

By-law Number 2016-XX

A By-law to Amend By-law Number 99-166, "A By-law to Prohibit the Parking or Leaving of Motor Vehicles on Private Property Without the Consent of the Owner or Occupant of the Property, or on Property Owned or Occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston or the local board".

Passed: Meeting Date, 2016

The Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-law Number 99-166 of the Corporation of the City of Kingston entitled "A By-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston or the local board", as amended, is hereby further amended as follows:
 - 1.1 Section 11 is hereby amended by adding the following hereto:
Frontenac Place – 780 Division Street
Tracy Johnston, Nicole Shorts, Shawn Hurteau, Peter Dewar, Steve Skinner
2. This By-law shall come into force and take effect on the date of its passing.

Given First and Second Readings Month XX, 2016

Given Third Reading and Passed Month XX, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor

UNICUM MANAGEMENT CORP

54 Audia Court Unit 2
Concord Ontario L4K-3N4

April 18, 2016

To whom it may concern:

This letter will serve as a request for G4S Secure Solutions to ticket unauthorized vehicles in our parking lot located at Frontenac Place 780 Division Street, Kingston, Ontario, K7K 5S9.

Would ask the following guards from G4S Secure Solutions to be allowed to issue tickets:

Tracy Johnston 10702552
Nicole Shorts 11120958
Shawn Hurteau 11083026
Peter Dewar 11035985
Steve Skinner 11057253


Alejandro Maltez
Property Manager
780 Division St
Kingston ON K7K-5S9
(613) 403-3040