

File No.: 04-1000-20-2018-267

June 28, 2018

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of May 15, 2018 for:

Any and all records relating to Bylaw and Parking Enforcement:

1. **Current operations policy manual for Bylaw and Parking Enforcement officers;**
2. **Decision tree and matrix used for deciding to tow vehicles;**
3. **Process for collecting unpaid parking fines; and**
4. **Breakdown of revenue from parking enforcement and towing between the City and towing contractor from January 1, 2016 to May 15, 2018.**

On May 24, 2018 you were provided with a fee estimate for 19 hours. On May 28, 2018 you requested a fee waiver, since that date we have done some research to provide you with a partial response.

For point one of your request, Parking Enforcement has provided key messaging regarding its operations on the City website, specifically referring the public to the City Bylaws that Parking Enforcement relies upon for its day to day operations:

- Street and Traffic Bylaw no. 2849 <http://vancouver.ca/your-government/street-traffic-bylaw.aspx>
- Impounding Bylaw no. 3519 <http://former.vancouver.ca/bylaws/3519c.PDF>
- Granville Mall Bylaw no. 9978 <http://former.vancouver.ca/bylaws/9978c.PDF>

Please note that in general, internal City policies are not posted publicly. For Parking Enforcement policy information, day to day operations are based on the language prescribed by the above Bylaws to ensure parking compliance. As such, there is no single policy manual per se. Any specific instructions are located in several locations which would require time to search and compile. **The City is unable to waive the fee to conduct that search.**

For point two of your request, all responsive records are attached.

For point three of your request, please refer to the following link: <http://vancouver.ca/streets-transportation/pay-your-ticket.aspx> The process is as follows:

- Within 14 days, a ticket can be paid with a 40% discount, or a dispute may be filed. Unpaid tickets will be sent a first reminder letter indicating that the ticket is due at full face value.
- After 35 days, a final reminder notice is issued indicating another 50 per cent surcharge.
- After 60 days, the outstanding violation is sent to the collection agency who will send out a notification letter indicating the outstanding amount (along with any other outstanding tickets for that registered owner).

For point four of your request, please refer to the SOFI report, which is located through this link: <http://vancouver.ca/doing-business/annual-statements-of-financial-information.aspx>. If you click on any given year and search Busters you will see the amount of dollars the City has spent with Busters for City business.

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (#04-1000-20-2018-267); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

If the fee deposit relating to part one of your request is not paid by July 6, 2018 this file will be considered closed.

Yours truly,



Barbara J. Van Fraassen, BA
Director, Access to Information & Privacy

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*If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604.871.6584.

Encl.

:cf

IMPOUNDING GUIDELINES

2014/05/24

The purpose of this guideline is to increase the consistency of PE's towing practices. **The guidelines are just that, guidelines, Officers will still be required to use their judgment when it comes to decisions around towing.**

Considering that an impound is the financial equivalent of issuing 3 or 4 tickets simultaneously in addition to the inconvenience of losing your vehicle, impounding is a decision that should not be made lightly. **PEOs need to be able to explain the reasons for impounding a vehicle beyond simply calling it a "safety violation"** so it is a good exercise for each impound to mentally go through the reasons you would give the RO for towing their vehicle.

Again, these are guidelines and do not replace the Officer's discretion and judgment. For example, an Officer may choose to 'ticket only' in any situation where they have reason to believe the vehicle will not be there long enough to be towed.

Partially in Zone:

Generally we would not impound unless the majority of the vehicle is in a prohibited zone such as NSA that we normally tow from. When a vehicle is impounded for being partially in a prohibited zone the PEO should be able to describe the problem the vehicle was causing to warrant being towed.

17.1 No Stopping:

These would normally be impounded unless only partially in zone, in which case see guidelines for partially in zone at top.

17.2 (a) Stop Sign, 17.2 (c) Fire Hydrant, 17.4 (b) Crosswalks, and 17.5 (b) Corner Clearances:

Officers should consider impounding between 2 and 3 meters.

At less than 2 meters most vehicles should be impounded.

At over 3 meters there should be additional criteria to justify an impound.

17.5 (c) No sidewalk corner clearance- If there is no intersecting sidewalk most vehicles less than 3 meters from the intersecting street would be impounded. At more than three meters Officer should consider circumstances and use their discretion. At over 4 meters Officer should be able to cite additional criteria to justify an impound.

17.2 (d) Driveways and sidewalk crossings:

Vehicles that are too close, but not into, the driveway are usually ticket only unless visibility is impacted severely enough to justify towing. Once a vehicle is extending into the driveway Officers should use their discretion to determine whether impound is required.

17.2 (e) Garbage:

Since this charge is issued only on complaint vehicle should be impounded if PEO determines that garbage pick-up would not be possible.

17.3 Bus zone:

These would always be impound unless only partially in zone, in which case see guidelines for partially in zone at top.

These are guidelines and do not replace discretion and judgment.

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17.4(a) and (b) On or within 6m of crosswalk:

- (a) A vehicle actually on a crosswalk would normally be impounded.
- (b) See 17.2 (a).

17.4 (c) and 17.4 (e) On Sidewalk or Boulevard:

If there is a curb between the vehicle and the roadway we will normally impound.
If vehicle is straddling the curb we would only impound if pedestrians are obstructed.
If it is on a gravel/grass shoulder that is deemed a boulevard we would normally ticket only.

17.5 (a) – 1.5 of lane:

The distance between the lane PL that we use to measure from and the flared exit on the street can vary greatly so Officers will have to consider the situation and use their best judgment here. The key is to remember to measure from the property line in the lane and not the flared out exit onto the street.

17.6 (a) No Parking:

If the vehicle has only been observed a few minutes overtime it should be ticket only. If the vehicle has been chalked in the zone for over thirty minutes it can be impounded.

18.1 (a) Not parallel to the curb:

Smart Car perpendicular to curb or a row of vehicles angle parked where drivers mistakenly think it's allowed we will ticket only. A single vehicle sticking out and causing a traffic hazard can be impounded when necessary.

18.1 (b) Facing wrong way:

On a busy commercial street it would warrant impound.
On a residential street it should be ticket only.

18.1 (c) Over 30 cm from curb:

Regardless of how far it is from the curb the vehicle should only be impounded if it is interfering with traffic and sticking out further than other vehicles parked there.

19.1 (a), (b) and (c) Too close to end of lane:

- (a) Consider impounding if vehicle is extending into travel portion or if visibility is severely impacted.
- (b) Begin impounding at 1 meter to sidewalk.
- (c) If there is no sidewalk we would impound if the vehicle is extending into the roadway or blocking pedestrian travel on the boulevard.

19.1 (d) Lane clearance:

As 3 meters is the minimum required distance we almost always impound on this charge.

19.1 (f) (i) & (ii), Fire door or gate:

These are complaint only unless PEO determines that a person would not be able to get out of the building in which case an impound is warranted.

Complaint for door = impound within ½ meter from either side or 3 meters opposite.

Complaint for gate = impound within ½ meter from either side or 1.5 meters opposite.

These are guidelines and do not replace discretion and judgment.

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19.1 (g):

On complaint = impound if vehicle is extending into driveway, visibility is severely impacted, or complainant is unable to exit due to vehicle opposite.

Not on Complaint = Multiple use driveways **only**, such as apartments and parkades. Impound if driveway is blocked or visibility dangerously impacted.

21.1 Passenger Zones:

Zones that are on complaint, or that we frequently attended on complaint can be impounded after 6 or 7 minutes observation. Otherwise we would ticket only after a short observation and impound where we have chalked and the vehicle's been there for 30 minutes or more.

21.3 Regular Loading Zones:

These would normally be ticketed only. If vehicle is on complaint or has been in zone for one hour or more we will impound.

21.5 Commercial loading zones and lanes:

Vehicles that have a decal but are lacking a plate or proper business ID should be ticket only.

Vehicles that have neither decal nor plate are normally impounded.

Commercial vehicles over 30 minutes are normally ticket only. If the vehicle has been there over an hour and the space is in demand we will switch to impound.

21.7 Tour bus zones:

These would normally be impounded unless only partially in zone, in which case see guidelines for partially in zone at top.

MO:

Any vehicle that shows three or more outstanding tickets when the plate is entered can be towed for any violation. However, Officers can still use their discretion to ticket only if they feel an impound is not warranted or would not be successful under the circumstances.