

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: September 23, 2024

TO: Mayor and Council

FROM: Anne Berry, Director, Planning and Development Services

SUBJECT: Overnight Parking Enforcement in Marine Drive Lots

RECOMMENDATIONS

THAT Council receive for information the September 23, 2024, corporate report from the Director of Planning and Development Services, titled “Overnight Parking Enforcement in Marine Drive Lots;” and direct staff to:

1. Bring forward amendments to the Parks Regulation Bylaw and Ticketing for Bylaw Offences Bylaw Amendments to prohibit loitering and parking in the waterfront parking lots between 2am and 5 am; and
2. Post appropriate signage to restrict the parking of vehicles in designated waterfront lots between the hours of 2:00 a.m. and 5:00 a.m.; and
3. Retain the services of a Towing Contractor to remove any vehicles in violation of this restriction.

OR

4. Retain the services of a Security Company to patrol the waterfront lots and request Towing services as needed.
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EXECUTIVE SUMMARY

At the September 9, 2024, Regular Council Meeting, Council directed staff to bring forward a report with options on closing some or all parking lots on Marine Drive in the early morning (2:00 a.m. – 5:00 a.m.), and how this may best be enforced.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
12.1.d September 9, 2024	That council direct staff to bring forward a report with options on closing some or all parking lots on Marine Drive in the early morning (2am-5am) to support the efforts of our RCMP detachment. Options may include signage, physical closure (automated or manual), and other considerations.

INTRODUCTION/BACKGROUND

Council wishes to prohibit overnight parking in waterfront lots between 2:00 a.m. and 5:00 a.m. to support the efforts of the RCMP detachment. Though some signage is currently posted, there is no bylaw enforcement provided during those same hours to enforce the restriction. Council wishes to increase awareness of the restriction through additional signage and to have a mechanism to enforce the restriction.

REGULATORY CONTEXT

Pursuant to the authority vested in the Council by Section 120 of the “Motor Vehicle Act”, R.S.B.C. 1996, C. 318 as amended, the City Engineer is hereby authorized to exercise the following powers of the municipality:

c) by providing for the regulation, control, or prohibition of stopping, standing, or parking of vehicles within the municipality.

Per the City’s agreement with The Burlington Northern and Santa Fe Railway Company:

Section 3. Use and Compliance:

A. Lessee (The City) may use the Premises for the sole and exclusive purpose of public parking, restrooms, promenade, and other uses and facilities related to park purposes.

Section 7. Access to Premises by Lessor:

A. BNSF and its contractors, agents and other 3rd parties may at all reasonable times and at any time in case of emergency, (i) enter the Premises...

Section 28. Signs:

No signs are to be placed on the Premises without the prior written approval of BNSF of the size, design, and content thereof.

Some area residents rely on parking their vehicles in the waterfront lots overnight, due to a lack of other parking options. Distinguishing between area residents’ vehicles and those vehicles involved in potentially disruptive activities would be difficult. Preventing those residents who have grown accustomed to utilizing waterfront parking overnight may not be well received and could result in further parking pressures in nearby residential areas should they be forced to park elsewhere. Though a unique permit system could be developed to exempt permit holders from the overnight parking ban, this could not be enforced by a Towing contractor, and bylaw services are not available during the hours of 2:00 a.m. - 5:00 a.m.

More research into the BNSF lease is required to determine if installing physical barriers could be an option to consider.

OPTIONS TO MANAGE OVERNIGHT USE OF WATERFRONT PARKING LOTS

Based on the September 9, 2024, motion from Council, staff have prepared two options for Councils consideration:

Option 1. Towing Contractor

Two local towing contractors were contacted to obtain an estimate for services to patrol the lots from 2:00 a.m. to 5:00 a.m. and remove any un-authorized vehicles from specific lots. One vendor declined to provide a quote due to the distance from White Rock to their storage compound.

A second vendor offered to patrol the designated lots a maximum of four (4) patrols per the desired time frame at a cost of \$25 per patrol (\$100/night) and attempt to remove vehicles in

violation at the vehicle owner's expense. This same rate would apply should the City desire weekend patrols or patrols seven (7) days/week. There would be no other fees charged to the City by the Contractor.

Option 2. Security Guard

Should Council wish, a Security Contractor similar to the one currently employed to patrol the promenade would patrol the lots and contact a Towing Contractor to request the removal of any illegally parked vehicles from the designated lots on an as needed basis. The Security Contractor rate would be approximately \$23-\$25/hour. The Security guard would not issue a bylaw violation notice, and thus the City would not collect any fine revenue through the issuance of Notices of Bylaw Violations. The Towing Contractor would not bill the City for services. The towing contractor would require time to respond to requests for service, in which case violators may not be dealt with immediately.

FINANCIAL IMPLICATIONS

Option 1. Funds will be required to pay for additional signage and patrols. Towing Patrols are estimated to be \$25/patrol. Towing fees would be charged to a vehicle's registered owner. No revenues would be collected by the City.

Option 2. Security Guard services are estimated to be \$25/hour, with no towing fees charged to the City, however the Towing Contractor may wish to charge a fee if this option results in many instances when they are called to provide the service, but the vehicles are gone on arrival.

LEGAL IMPLICATIONS

More research to be done on legal implications of the City's contractor towing vehicles from BNSF property without issuing a notice of violation.

Additionally, staff are working with City solicitors to draft updates to the Parks Regulation Bylaw and Ticketing for Bylaw Offences Bylaw Amendments to prohibit loitering and parking in the waterfront parking lots between 2am and 5 am. Both bylaws would need to be updated in order to implement any new towing regulations, to ensure alignment with City regulations.

Towing of Unauthorized vehicles Policy #504 would need to be amended to include circumstances described in this report. See Appendix A.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

Providing a mechanism to enforce a *No Parking between 2:00 a.m. - 5:00 a.m.* regulation in select waterfront lots is expected to support the efforts of our RCMP detachment in reducing the likelihood of disturbances to the peace along the waterfront.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The Engineering Department would supply and post any applicable regulatory signage. The Parking Department will monitor enforcement reports and respond to inquiries from owners of towed vehicles.

OPTIONS / RISKS / ALTERNATIVES

The following options are available for Council's consideration:

1. Bring forward amendments to the Parks Regulation Bylaw and Ticketing for Bylaw Offences Bylaw Amendments to prohibit loitering and parking in the waterfront parking lots between 2am and 5 am; and
2. Retain the services of a Towing Contractor to patrol and tow any vehicles in violation. Clearly post the restriction in all applicable parking lots; or
3. Retain the services of a Security Contractor to patrol and request towing services as needed. Clearly post the restriction in all applicable parking lots.

OR

4. Status Quo. Could result in overnight parking in waterfront lots and nuisance complaints from residents.

CONCLUSION

This report provides cost implications of enforcing a Waterfront Lot *No Parking* restriction between the hours of 2:00 a.m. - 5:00 a.m. and hiring a Towing Contractor or Security Guard Service to patrol the restricted areas.

Respectfully submitted,

Reviewed and Approved by,



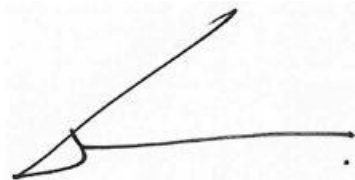
Ralph Volkens
Manager, Parking Services



Anne Berry, MCIP, RPP
Director, Planning and Development Services

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

Appendix A: Planning and Development Services Policy 504 – Towing of Unauthorized Vehicles