

COUNCIL MEETING
PLANNING AND DEVELOPMENT SERVICES

REPORT TRAF-2025-02
April 8, 2025

SUBJECT: Updates to the Clean Yards By-law and the Traffic & Parking By-law: Administrative Penalties and Municipal Parking Lots

AUTHOR: James Cronshaw, MLEO (C), C.P.S.O
Supervisor of Parking & By-law Enforcement

**APPROVING
MANAGER:** Mike Greenlee, MCIP, RPP, Manager of Planning

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves **REPORT TRAF-2025-02** Updates to the Clean Yards By-law and the Traffic & Parking By-law: Administrative Penalties and Municipal Parking Lots; and further

THAT Welland City Council directs the City Clerk to amend By-law 2019-135 and By-law 89-2000 as provided in APPENDIX I.

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council’s strategic priority of ensuring “**Health and Wellbeing**” to promote personal health and well-being by offering an abundance of activities that meet the diverse needs and interests all while, advocating for improved health care throughout the city, and supporting the need for safety and security.

EXECUTIVE SUMMARY:

- Housekeeping amendment affecting the height of grass/ weeds. The proposed amendment will reflect the metric and imperial system.
- A proposed amendment will add a third tier of administrative penalties to discourage repeat offenders.
- A proposed amendment will permit free parking at the Division Street Parking Lot and Park Street Parking Lot for a maximum of 12 hours.

BACKGROUND:

In 2019, City Council approved the Administrative Penalty By-law for Non-parking Related Offences (APS) as By-law 2019-134. APS is a municipally administered program that replaces the current Court system with a more flexible and customer-focused adjudication process for by-law offences. One of the main objectives of an APS program is to create a simple, accessible, fair and cost-effective system for dealing with by-law violations. APS is an alternative to the traditional method of issuing Provincial Offences Act (POA) tickets.

During the February 11, 2025, Council-Staff Workshop Staff discussed potential ways to curb repeat offenders. One of the suggestions included applying additional administrative penalties to promote compliance with the Clean Yards By-law.

DISCUSSION:

Clean Yards By-law:

To support improved compliance with the Clean Yards By-law and discourage repeat offenders, staff is proposing an additional tier within Schedule "A" of the administrative penalties, as noted in Appendix II.

Currently a penalty for a first offence is \$400.00 and the penalty for a second or subsequent offence is \$800.00. The proposed amendment will permit a penalty of \$1200.00 for a third or subsequent offence.

In 2024, Enforcement Officers issued 103 penalties for repeat offences. It is anticipated that a \$1200.00 penalty for a third or subsequent offence will aid to promote compliance with the Clean Yards By-law.

In addition to the above, two minor housekeeping amendments being proposed are:

- Updating the height of grass and weeds to include both the metric and imperial system. Currently the by-law provides this measurement in imperial (inches) only. The proposed amendment will include metric (centimetres).
- The use of couriers will be added as a method of service for orders.

Traffic & Parking By-law:

Division Street Parking Lot is located at the southeast corner of East Main Street and Division Street. A parking permit (\$40.00/month) is required to park for any amount of time, 7 days a week.

Park Street Parking Lot is located behind the Rex Hotel and extends from Lincoln Street to Park Street. Free parking is permitted Monday to Friday, 8:00 a.m. to 6:00 p.m. Parking at any other time requires a permit (\$40.00/month).

The City has been approached by nearby businesses seeking to use Division Street Parking Lot and Park Street Parking Lot on a more frequent basis for their staff and customers.

The proposed amendment would allow any vehicle to park at Division Street Parking Lot or Park Street Parking Lot for a maximum of 12 hours. Any vehicle staying for longer than 12 hours would need to purchase a parking permit (\$40.00/month).

Letters of support are included in Appendix III

FINANCIAL:

Division Street Parking Lot and Park Street Parking Lot will require updates to existing signage. This will be funded through the traffic operating budget.

ATTACHMENT:

Appendix I – Proposed Amendments

Appendix II – Schedule “A”: Administrative Penalties

Appendix III – Letters of Support: Park Street Lot and Division Street Lot