

Options to Collect on Unpaid Parking Tickets

ISSUE

Through [Bylaw No. 7200, the Traffic Bylaw](#), the City of Saskatoon (City) regulates parking, and vehicular and pedestrian traffic within the city, related to the use of streets, sidewalks and boulevards. Under this Bylaw, the City issues Notices of Violation as part of its enforcement function. Vehicles may also be impounded and seized through [Bylaw No. 8640, the Impounding Bylaw, 2007](#). Despite these legal instruments, unpaid parking violation volumes have increased. What are potential options that may be implemented to address the issue?

BACKGROUND

City Council, at its [Regular Business Meeting on April 26, 2021](#), endorsed a motion for options on collection of unpaid parking tickets and resolved:

“That the Administration report on options to collect on unpaid parking tickets, including the ability to lobby SGI and/or the Provincial government potentially in concert with Muni-Sask and City Mayor’s Caucus to restrict the ability for residents to obtain a driver’s license or register a vehicle while they have unpaid fines from parking tickets outstanding.”

This report addresses this resolution.

CURRENT STATUS

The Traffic Bylaw outlines a schedule of offences that are enforceable by means of a Notice of Violation, more commonly known as a parking ticket. Tickets are typically placed under a vehicle’s wiper blade giving opportunity for the person who parked in contravention of The Traffic Bylaw to pay in lieu of going to court. If a person pays the ticket in time, they do not have to go to Bylaw Court and sometimes there is a reduced fee option in paying the ticket early.

If a ticket is not paid, the City then lays a formal Bylaw Court charge. If the ticket goes through the court process and the charged person is found guilty by trial or by failing to appear in court, then the parking ticket becomes a Court ordered fine. Court gives everyone who receives such a fine a certain amount of time to pay. If a fine is not paid, a late charge of \$40 is added and becomes enforceable by the City.

Table 1 below provides a yearly summary of the value of outstanding violation tickets and the City’s total number of impounded scofflaw vehicles.

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Table 1: Outstanding Ticket Summary

| Year Ticket Issued | Outstanding Value Owed as of February 8, 2022 | Total Value of Tickets Issued | Outstanding Amount Owed as % to Total \$ Amount | Total Scofflaw Vehicles Impounded |
|----------------------------------|---|-------------------------------|---|-----------------------------------|
| Prior to 2014 | \$3,207,584.15 | \$104,809,705.00 | | |
| 2014 | \$391,368.90 | \$8,374,885.00 | 4.67% | |
| 2015 | \$344,348.85 | \$6,161,930.00 | 5.59% | |
| 2016 | \$456,735.64 | \$7,328,050.00 | 6.23% | 2,175 |
| 2017 | \$457,532.44 | \$6,441,500.00 | 7.10% | 2,079 |
| 2018 | \$507,547.05 | \$6,631,190.00 | 7.65% | 1,958 |
| 2019 | \$542,965.20 | \$6,724,190.00 | 8.07% | 1,630 |
| 2020 | \$416,280.00 | \$3,322,100.00 | 12.53% | 1,143 |
| 2021 | \$548,781.66 | \$3,707,700.00 | 14.80% | 1,121 |
| Total | \$6,873,143.89 | | | |
| Total Dormant¹ | \$1,258,956.35 | | | |

¹ Dormant tickets refer to tickets issued prior to current civic regulation where collecting on these fees would not be feasible.

Owners with two or more outstanding fines enter scofflaw status and are subject to vehicle seizure including booting, towing and impounding. As of February 2022, there was a total of 9,837 vehicle owners in scofflaw status. Of the total vehicle owners, 4,195 are registered with an address in Saskatoon and 3,329 (or 79.3%) of the vehicles previously registered in Saskatoon are currently listed as having no active vehicle registration associated and 866 with an active vehicle registration. The total value of outstanding fines of those 866 with active vehicle registrations is \$223,612.

The City cannot pursue vehicle seizures on the 3,329 owners with no active vehicle registrations. However, if another vehicle is registered by an owner at a later date and can be found, that vehicle can be seized, though frequent registration searches require an extensive amount of administrative time.

The remaining 5,642 vehicle owners are located throughout Saskatchewan. While the City is authorized to seize a vehicle anywhere in the province, pursuant to *The Cities Act*, in most cases it would be cost prohibitive to pursue owners and impound vehicle outside of Saskatoon.

Over a seven-year period, there has been an increase in non-payment of parking tickets. More notably, there is a marked increase of non-payment in the past two years. As Table 1 shows, the share of unpaid parking tickets, relative to the value of total number of tickets issued per year, increased by over 6.8 percentage points since 2019.

DISCUSSION/ANALYSIS

In addition to lobbying the provincial government, Administration has highlighted other operational improvements that can be reviewed which serve to reduce unpaid parking ticket volumes. These items are not mutually exclusive, meaning individual items, or a combination of them, could potentially be implemented. A demonstration by Administration that in-house options have exhaustively been pursued may help to strengthen future lobbying efforts with the provincial government.

Mailing Violations

In 2020, Saskatchewan Legislature passed Bill 194, the *Miscellaneous Municipal Statutes Amendments Act*, 2019, containing a provision that permitted cities to send Notices of Violation and bylaw contraventions via mail. This means that the City would have the ability to mail parking violations via regular mail to the registered owner of a vehicle rather than simply placing it on the vehicle. However, the City has yet to amend its bylaws to permit this practice. It was Administration's intention to mail Notices of Violation prior to this legislative amendment as part of the enforcement program. This measure could improve compliance and potentially reduce the number and value of outstanding parking violations while helping to ensure vehicle owners are aware they have been issued a parking ticket.

Additional Specialized Parking Enforcement Unit

The City currently utilizes one specialized enforcement team known as the Chronic Offender Parking Enforcement team, commonly known as the "Boot Crew". The Boot Crew is responsible for seeking out scofflaw offenders and immobilizing vehicles. An additional second team, on a temporary or permanent basis, would provide additional coverage and support proactively finding scofflaw vehicles which takes substantial time and investigative resources.

Over the past six years, the Boot Crew has impounded an average of 1,600 vehicles per year and collected a total of \$1,442,400 in late fees. Late fees fund a portion of Boot Crew and impound lot operations. Vehicle immobilizing serves as a strong deterrent to others and reinforces the City's enforcement objectives to ensure fines are paid prior to release.

Additional financial and capital resources would be required to mobilize and outfit a second specialized enforcement unit. This would include one vehicle, necessary enforcement equipment, fuel, training, and staffing costs.

Potential Changes to the Display of Tickets

To improve customer education, Administration could explore changes to the display and layout of parking tickets to draw further attention to the reduced penalty amount where applicable and to encourage early payment in lieu of prosecution.

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Parking Technology System Improvements

Further changes and improvements to the current parking technology system will help facilitate a more streamlined process for tracking and pursuing outstanding violations. The current ticket management system has limitations and requires a lot of manual input and data entry. This item is part of a Parking Services Capital Project anticipated for start-up in late 2022.

Process for Writing Off Tickets

As noted above, the current backlog of unpaid parking tickets includes a high number of tickets that are older than five years from the date of issuance and many that were issued prior to current civic regulation, where collection may not be feasible since enforcement measures, such as vehicle seizures, cannot be pursued. The establishment of administrative standards and criteria for writing off unpaid tickets would help facilitate a more focused strategy on collecting on the remaining unpaid tickets.

Changes in Provincial Legislation

The City could lobby Saskatchewan Government Insurance (SGI) and the Province for legislative amendments to restrict ability for residents to obtain a driver's license or register a vehicle while they have unpaid fines from outstanding parking tickets. Based on input from other Saskatchewan municipalities, there were 10 municipalities who were in support of lobbying SGI and the Province. Input from municipalities is outlined in Appendix 2.

This initiative could serve as a further deterrent for scofflaw offenders located outside of Saskatoon and provide the City with a tool to collect on unpaid parking fines. If parking-related bylaw offences were treated similar to unpaid traffic fines, a driver could also be considered suspended and unable to drive a motor vehicle until fines are paid. Additionally, an arrangement could be pursued with SGI where unpaid parking fines impact a scofflaw's driver safety rating. However, it is noted this would likely only affect persons seeking to renew and/or obtain a driver's license or register a vehicle. It is noted that a transactional fee is anticipated for this and feasibility of this approach may only be viable where ticket values exceed a certain threshold.

A municipal scan of Canada (see Appendix 1) found five provinces and/or territories permit application of parking-related bylaw offences against an individual's driving licence or vehicle registration when certain conditions are met. It is important to note this is due to differing provincial legislation.

Other Regulatory Options

There are other potential regulatory approaches available to the City pursuant to the Cities Act and the Summary Offences Proceeding Act, though in Administration's view these options would be ineffective or cost-prohibitive in a majority of instances. These options are outlined in Appendix 3.

FINANCIAL IMPLICATIONS

A capital cost of \$75,000 is estimated to initiate a second fulltime Boot Crew with an annual operating cost of \$177,000.

It is anticipated there will be a transactional fee with SGI should parking offences be added to a provincial vehicle database. Potential administrative time associated with this process would require review to ensure sufficient staff resourcing.

Potential procedural changes involved in mailing out tickets may have impacts on staffing resources. Such impacts will be evaluated through further analysis of the various options.

OTHER IMPLICATIONS

There are no privacy, social or environmental implications identified.

NEXT STEPS

Administration will be reviewing the various options and approaches highlighted in this report and will provide further reporting on unpaid parking ticket volumes in the 2022 Year-End Community Standards report.

APPENDICES

1. Municipal Scan – Parking Ticket Transfer
2. Municipal Scan – Unpaid Parking Tickets in Saskatchewan
3. Regulatory Options Summary

REPORT APPROVAL

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