

DATE: Decemer 20, 1996

SUBJECT: BUS PAY PARKING IN STANLEY PARK AND QUEEN ELIZABETH PARK - VEHICLES AND GROUPS TO BE CHARGED BUS PARKING RATES AND FINES FOR BUS PARKING VIOLATIONS

RECOMMENDATION:

- 1. THAT all buses and tour vans parking in Stanley Park or Queen Elizabeth Park, with the exception of any services specifically exempted by the Board, be included as vehicles which are required to pay the designated bus rates for parking.**
- 2. THAT the Board exempt BC Transit buses, the horse and carriage service operated by AAA Horse and Carriage, The Vancouver Trolley Company shuttle service, and the proposed Stanley Park jitney service from payment of the bus parking charges.**
- 3. THAT the Board approve a fine for bus parking violations in Stanley Park and Queen Elizabeth Park of \$100, to be payable for any bus or van parked without displaying the appropriate daily parking ticket or annual decal, commencing on January 1, 1997.**

PURPOSE

The purpose of this report is to clarify which vehicles and user groups are to be subject to the bus parking charges being introduced on January 1, 1997 in Stanley Park and Queen Elizabeth Park, and to recommend to the Board an appropriate parking violation fine structure to enforce the bus pay parking regulations.

BACKGROUND

At its meeting on April 1, 1996, the Board considered a report recommending the approval of \$550,000 of new revenues and expenditure reductions which were required to fund certain deficiencies in the Global Budget Base. One of the program proposals was the implementation of a new bus permit fee for Stanley Park and Queen Elizabeth Park. The Board received delegations on this matter at both the March 25 and April 1, 1996 meetings and passed the following motion:

"That tour bus fees be implemented as of January 1, 1997 as follows:

- A. buses more than 24 passengers
 - o annual fee \$650
 - o daily fee \$20
- B. buses 24 passengers or less (including vans and trolleys)
 - o annual fee \$450
 - o daily fee \$10

Transitional funding was approved by Council for 1996 and the expected revenue of \$172,000 for 1997 forms part of the Board's 1997 base budget.

DISCUSSION

Vehicles to be charged

All passenger carrying vehicles, with the exception of private cars, family vans, RVs, taxis and limousines will be charged bus rates for parking. The purchase of an annual or daily bus parking pass allows a bus to park at both locations in any one day.

The only buses, or similar vehicles, to be exempted from the requirement to pay the bus parking fees would be those specifically exempted by the Board. At present, the only such vehicles would be BC Transit buses, the Vancouver Trolley Company shuttle service and the horse and carriage service in Stanley Park, currently run by AAA Horse & Carriage.

On its introduction, the proposed Stanley Park jitney service, described in the Transportation Plan, would be another exempt service. The Board would have the right to exempt other vehicles or user groups in the future, if it deems it to be appropriate. Limousines, or other mid-sized vehicles which are not subject to paying bus rates, will be able to park for the regular car parking rate if they fit into one car parking stall. If they overlap into a second stall, they must pay for 2 parking spaces. Because these vehicles cannot always fit into available car parking stalls, they will be permitted to park in a designated bus spot if no alternatives are available. However, if they do so, they must display a \$10 daily bus parking pass, otherwise they will be subject to being ticketed and towed. Limousine operators will be informed of this fact.

The situation regarding limousine parking will be monitored as the season progresses and, if appropriate, parking arrangements for them may be changed to respond to any issues and problems which arise from allowing them to park in this manner.

User groups to be charged

Consideration was given to whether buses carrying any specific types of groups should be exempted from paying for parking. Among the groups looked at were educational groups (including public and private schools, adult education programmes and private ESL schools), hospitals, seniors' centres, youth groups, community groups and other non profit types of groups.

Another issue considered was whether, if any of these groups were to be

exempted, such an exemption should only apply to groups from Vancouver, or only from B.C., or from anywhere, including outside Canada.

A major difficulty in exempting any groups would be in identifying the buses carrying them. Although many school groups charter yellow school buses, some schools charter regular tour buses and some private groups charter yellow school buses. As a result, a blanket exemption for yellow school buses would not accurately include all, or only, school groups.

The only practical way of identifying many of these types of groups would be to rely on an honour system, whereby a notice would be displayed on the bus to identify the nature of its passengers to the parking company' s patrollers. This system would be open to misinterpretation and abuse, and could decrease Board revenues from bus parking considerably.

The Greater Vancouver Regional District does not charge buses carrying non profit groups which park at Capilano River Regional Park. It charges a \$10 fee for commercial buses. It relies on an honour system for payment of parking fees and considers that it loses significant revenues as a result of user abuse of this policy. No other locations have been identified where non profit groups are exempt from paying for parking.

If the Board were to consider certain exemptions, there would be a problem in determining where to draw the line over which groups to exempt and which to charge. There would always be groups falling into the middle ground and it could be difficult to justify why one group was exempt and another group, fairly similar in nature, was not.

It would also be very difficult to reach all of the many different non profit groups using these parks to inform them of their status regarding paying for parking, especially groups from outside Vancouver.

For the above noted reasons, and the fact that our goal in introducing these charges is to control the number of buses using the parks in a more reasonable fashion, as well as to increase revenue, the recommendation is that no specific user groups be exempted from paying for bus parking.

Fines for violations

The Board does not receive any share of revenues from fines for car parking violations, nor will it receive any from fines for bus parking violations. Under the terms of the contract with the operator, U-Park Enterprises Ltd, all revenues from these fines belong to U-Park, but they are responsible for enforcing the pay parking regulations.

It is proposed that a fine for bus parking violations be set at \$100. This fine would be charged if a bus is parked without a valid annual bus parking decal or daily ticket.

The proposed fine has been set at a level considered to be a deterrent to bus operators attempting to avoid paying for parking, and is appropriate in comparison with the fine for car parking violations. At \$100, it is 5 times the

initial fine of \$20 levied for cars. The daily parking rate for buses, at \$10 or \$20, is about 3 - 6 times the daily rate of \$3 for car parking.

The City of Vancouver does not have any strictly comparable fines for buses. However, pursuant to Sections 20.2 of the Street and Traffic Bylaw No. 2849, it will levy a fine if a commercial vehicle (including a passenger vehicle with seating capacity for 9 or more passengers) is parked on any portion of any street abutting property used for a public park, school, church or residential purposes, unless such vehicle is required for a service call or is required on a construction site. In such circumstances, on receipt of a complaint, the City will fine the vehicle owner \$100.

The GVRD charges a fine of \$100 at Capilano River Regional Park if the \$10 parking charge is not paid.

In comparison with the fines for car parking violations and fines charged by other authorities, the proposed fine for bus parking violations is considered to be reasonable.

Bus parking spaces will be clearly signed. Cars parked in these spaces will be subject to being ticketed (at the car parking violation rate of \$20) and towed. There will be signs in each of the bus parking areas indicating that this will be enforced.

JUSTIFICATION

A system that exempts buses carrying certain types of groups from paying for parking would be very difficult to administer and enforce and would be open to misinterpretation and abuse. The additional cost per bus passenger due to the parking charge will be very low, and is unlikely to discourage many of these groups from visiting the parks.

The proposed fine for bus parking violations is severe enough to be a deterrent, and is reasonable in comparison both with fines charged for car parking violations in these parks and with fines charged to buses by the City of Vancouver and the GVRD.

Prepared by:
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